necessary, we cannot imagine the G.O.C. allowing it to be broken in such a flagrant manner by all these various persons. I hope something substantial will be done. As the member for Murchison has pointed out, it is no use passing a pious resolution. If the House does carry the motion, that will be useless unless, acting on what the motion wishes, the Minister will do it—unless, in fact, the Minister does it! In other words, I hope the Minister will approach the Commonwealth Government. In doing so he may very properly put the case that for Western Australia this regulation means something in the nature of discrimination, plainly in the nature of discrimination, and that the regulation is one which, if any exception was taken to it by the State Government, could readily be disallowed, provided action were taken in proper form. With that threat held over the heads of Commonwealth Ministers, I do not think our representative would be treated in the same cavalier fashion that is apparently customary in dealings between this State Government and the Federal authorities.

On motion by the Minister for Mines, debate adjourned.

MOTION—LICENSING ACT.

Liquor Trading Hours.

MRS. CARDELL-OLIVER (Subiaco) [5.3]: I move—

That in the opinion of this House the Government should take immediate action to prohibit the sale of alcoholic drinks—spirits, beer and wines—on licensed premises between the hours of 10 a.m. and 11 a.m. and 2 p.m. and 4.30 p.m.

This matter has been before the House on many occasions. There is little need for me to add anything except that almost every member who spoke on the Address-in-reply mentioned the fact that drink itself, was the means by which many girls today were finding themselves in court, and by which many other delinquencies arose. So I feel that I am not the inspiration of this motion, but merely the humble instrument in putting forward, through the motion, the views of every member of the Chamber. Thus the question may properly be dealt with, and I simply move the motion as it stands, without further ado, trusting that it will receive the approval of the House and that it will be dealt with immediately, since to this State it is a very, very urgent matter. The public expects us to do something about this matter; and I feel that if we can in some way deal with this and one or two other important subjects during the next few days, some sort of confidence may be restored in this House.

On motion by Mr. Seward, debate adjourned.

MOTION—BETTING.

As to Closing S.P. Premises.

MRS. CARDELL-OLIVER (Subiaco) [5.6]: I move—

That in the opinion of this House the Government should take immediate action to close all starting-price betting shops and other dwellings, shops, or places where starting-price betting is conducted.

In this instance, too, I shall refrain from making a long speech. The matter has been debated so often in this Chamber that there is absolutely no necessity to say more about it than what has been so often said already, namely, that every day on which the starting-price betting shops remain open we are allowing the law to be broken, and that as lawmakers it is our duty to see that the law we have made is obeyed.

On motion by the Minister for the North-West, debate adjourned.

House adjourned at 5.8 p.m.

Legislative Assembly.

Thursday, 3rd September, 1942.

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The SPEAKER took the Chair at 2.15 p.m., and read prayers.

QUESTIONS (3).

CIVIL DEFENCE.

Local Authorities and A.R.P. Expenditure.

Mr. NORTH asked the Minister for Mines: 1, What is the total amount of the

claims for finance by local authorities regarding A.R.P. up to the end of August? 2, What amount has been paid out?

The MINISTER replied: 1, £29,417 11s. 2d. 2, £23,937 12s. 3d.

SUPERPHOSPHATE SUPPLIES.

Mr. WATTS asked the Minister for Agriculture: 1, Is it correct that at the end of the 1941-42 superphosphate season a quantity of superphosphate was on hand in this State and, if so, how much? 2, If such superphosphate was on hand, was it retained for distribution next season or distributed pro rata among farmers generally, or was it sold to a proportion of farmers only, and if the last-mentioned, were steps taken to ensure that it was not supplied to farmers who had laid in stocks before rationing started and/or who had also obtained their ration supply? 3, If the method of disposal enabled such last-mentioned farmers unduly to benefit in the manner mentioned, will he take action to ensure (a) that such procedure will not be repeated and that all superphosphate supplies will be distributed on a ration basis, so that all farmers share proportionately in the greatly reduced supplies; (b) that any farmer who in the season mentioned received extra superphosphate is obliged to bring it into account when getting the next supply, irrespective of whether he has used it or not; (c) that farmers holding large stocks of superphosphate have to satisfy the authorities of the correct quantity of those stocks?

The MINISTER replied: 1, Approximately 4,000 tons of superphosphate were unsold at the end of the 1941-42 season. 2 and 3, All superphosphate unsold on the 30th June became the property of the British Phosphate Commission, and is regarded as a portion of Western Australia's quota for 1942-43. The system of rationing last year provided for an emergency pool of approximately 20,000 tons, from which special cases were supplied. On the 13th April a Press paragraph announced that a quantity of superphosphate was available for distribution, and advised farmers, who could justify a claim for increased supplies, to apply to the Department of Agriculture. In certain instances where claims were considered unreasonable, requests for further supplies were refused. It is recognised that a number of farmers may have obtained superphosphate in excess of their needs for 1941-42. National Security Regulations have been gazetted which require farmers to declare any stocks of superphosphate in excess of ten tons which were on hand on the 30th June, 1942. A number of declarations have been received. The Department of Agriculture has information regarding stocks held by a number of farmers who have not submitted declarations, and steps already have been taken for inspections to be made with a view to taking action against these farmers.

TAXATION.

Writs Against Department.

Mr. MARSHALL asked the Minister for Justice: 1, The number of writs issued out of the Supreme Court against the Deputy Commissioner of Taxation and at present pending hearing? 2, The claims set out in these writs? 3, On what date was the first writ issued?

The MINISTER FOR THE NORTH-WEST (for the Minister for Justice) replied: 1, Six. 2, The allegations contained in the various writs are the subject-matter of legal actions which at the present time are sub judice and cannot properly be divulged at this stage of the proceedings. 3, 1st July, 1942.

Point of Order.

Mr. Marshall: I asked the Minister for Justice a question as to the nature of the allegations contained in the writs issued out of the Supreme Court against the Deputy Commissioner of Taxation. I received a reply to the effect that the matter was sub judice. I respectfully suggest that questions asked in this House are for public information and not for debate. Under our Standing Orders, questions are not debatable. If this attitude is to be adopted—

Mr. Speaker: Is the hon. member making a speech?

Mr. Marshall: I do not wish to do so. I am seeking a sane ruling on the point. Is the Crown Law Department seeking to interpret the Standing Orders of this House in order to ensure secrecy by suggesting that something, not open to debate, is sub judice? If so, then we are getting into very dangerous waters. Questions are asked ostensibly for public information. I would like your ruling whether the reply I received is correct or not.

The Minister for the North-West: I replied on behalf of the Minister for Justice. The word "debate" was not used in the answer to the question. From memory, I should say the answer was that the information was not likely to be divulged. I take it that that was a legal ruling and not the ruling of the Minister for Justice, although I speak without precise knowledge on the point.

Mr. Speaker: In my opinion, it is not the prerogative of the Speaker to decide this point. Personally, I cannot see that harm would result from answering the question; but it is a matter between the Crown Law Department and the Minister, and the hon. member must take the matter up with the Minister.

Mr. Marshall: I want your ruling, which I respectfully suggest would carry weight in this House. It would also be an instruction to State departments. Unless Parliament exercises its rights and authority in matters of this kind, the time is not far distant when we shall get no information whatever with respect to what is taking place in the Supreme Court. I want a definite ruling whether this matter is, in the real sense, sub judice, and consequently a question cannot be asked on it. Will you please inform me whether, in your humble judgment, questions such as this should not be replied to? If your ruling is against me, then the public will get no information about pending cases. The question was asked not for the purpose of influencing the Court, but merely for public information. There has been a conspiracy of secrecy about this matter.

Mr. Speaker: Order! The hon. member must not make a speech. If he desires my ruling and I have to rule, I would say that the matter is not sub judice and I see no harm in the Minister's replying to the question; but the matter is one between the hon. member and the Minister.

Hon. C. G. Latham: Do you propose to allow a discussion on this matter, Mr. Speaker?

Mr. Speaker: No!

LEAVE OF ABSENCE.

On motion by Mr. Wilson, leave of absence for two weeks granted to Hon. P. Collier (Boulder) on the ground of ill-health.

MOTION—NATIONAL SECURITY ACT.

Lighting of Motor Vehicles Order.

Debate resumed from the previous day on the following motion by Mr. Seward (as amended):—

That this House is of opinion that the Lighting of Motor Vehicles Order published in the "Government Gazette" of the 22nd May last constitutes a menace to public safety, is imposing unnecessary hardship on drivers of both public and private motor vehicles, and is particularly impracticable in country districts, and this House asks—

(a) that the Government through the Premier (as Federal Delegate) amend such regulation so as to make conditions reasonable.

(b) that all papers relative to the advice of military authorities and to the consultations between the Government of this State, the Minister for Home Security, and the Military Commandant, both prior to and later than the 22nd day of May, 1942, and the Civil Defence Lighting Regulations generally, be laid on the Table of the House, and

(c) that the Government take up with the Service Chiefs the matter of existing brown-out and black-out restrictions with a view to their modification.

THE MINISTER FOR MINES [2.25]: At the outset I desire to state on behalf of the Government, and on behalf of the Civil Defence Council, that we welcome this motion and the debate upon it, since we are thus afforded the opportunity of throwing some light on the position—and I do not mean that as a joke! Far too much loose talk and too many loose rumours have been flying about the State with regard to the lighting restrictions, and particularly concerning the attitude of the Minister in control of civil defence matters towards the disallowance by the Legislative Council of certain regulations on the 22nd April. Both in this Chamber and outside I have heard it said on more than one occasion that the Minister was very peeved about the disallowance of the regulations and rushed over to Canberra. I have spent 18 years in this House and it would take a lot more than the disallowance of these regulations to peeve me, because the Legislative Council has disallowed regulations and thrown out many Bills of much more importance to me without my becoming peeved.

According to what I read a gentleman named Woods said the Minister rushed off to Canberra. Anybody who knows any-

thing about the question realises that the Premier, the Under Secretary for Civil Defence and I were in Melbourne at the very time the regulations were disallowed. Consequently, it would have been rather difficult for me to rush across to Canberra to have something done! There were 16 speeches on this matter yesterday and I do not propose to analyse more than one or two, because there was a good deal of repetition.

Mr. Sampson: That is a reflection on the Speaker.

The MINISTER FOR MINES: There will be no reflection on the hon. member's speech because, though I read the others, I did not read his.

Mr. Sampson: That is where you made a mistake.

The MINISTER FOR MINES: There were 16 speeches yesterday.

Mr. Sampson: I hope we will have one today.

The MINISTER FOR MINES: I think members will agree that considering my temperament, with which everybody is acquainted, I did particularly well in interjecting only four times during members' speeches yesterday, and then only to get further information. Having been a good boy on that occasion, I suggest to the member for Swan that he try to emulate my example and let me tell my own story.

Mr. Sampson: That would be a change for both of us!

The MINISTER FOR MINES: It will be no change for the hon. member, because he generally says something silly. When I was rudely interrupted I was saying that I did not propose to analyse all the speeches that had been made. A request has been made for the tabling of the files relating to this matter. I shall be very pleased to lay them on the Table, and I am sure the member for Katanning and the member for Pingelly will be particularly pleased to read them, because one of them for the most part contains letters written by them. The member for Katanning said he received some courteous replies from the Civil Defence Council, and I think that when he reads through the letters again he will not regret having made that statement.

The member for Albany stated that the port of Albany is the blackest in Australia. I think that is correct. The hon. member went on to say that the military and naval departments desired a modification.

Mr. Hill: Use the word "officers."

The MINISTER FOR MINES: An officer of the Military Department asked for this black-out. My advice is—and I am open to correction—that the member for the district, justifiably perhaps, decided that there should be some modification and he wrote to the Services, to the road board and to the council, and asked them to back him up.

Mr. Hill: That is absolutely incorrect!

The MINISTER FOR MINES: That is my advice, and the only two letters we have received are from the hon. member and the U.S.A. authorities in that locality.

Mr. Hill: May I, Mr. Speaker, correct that statement?

Mr. SPEAKER: No!

The MINISTER FOR MINES: If the hon. member denies it, I accept his denial. That is my advice.

Mr. Hill: I will explain later.

The MINISTER FOR MINES: The hon. member knows the reason which actuated the military authorities in asking for the black-out at Albany. I will not state them here, but there were definite reasons for it. When certain things happened in that area the authorities asked for a complete black-out, and their request was granted. There has never been a lighting regulation instituted by the Civil Defence Council without either a request from the military authorities or after consultation with them. It is quite simple. The Civil Defence Council, after all, is not composed of military experts. Three of us were good privates—I will cut out the word "good"—in the last war. We did what we were told, as good soldiers do. It would be foolish for a council comprised of laymen to frame regulations without some expert advice. The member for Pingelly was congratulated, and quite rightly, by the member for Nedlands for telling the House what had been done in the Eastern States at the end of July. At that time there had been a complete—and I use the word advisedly—relaxation in Victoria, Tasmania, and South Australia.

Mr. Seward: Relaxation?

The MINISTER FOR MINES: Yes. My advice is that today in New South Wales and Victoria the lights are off the cars altogether, and it has been definitely decided by the military authorities that that is not a vulnerable area. The hon. member also

included Queensland, and I was rather interested in his remarks in that respect, because the last advice we received was that anything north of Point Macquarrie in New South Wales round to Esperance was a vulnerable area, and anything south could have relaxation. Last night I sent the following wire to Mr. McCracken, Director of Civil Defence, Queensland:—

> Please advise urgently whether lighting restrictions either car or general have been recently relaxed.

I received a reply ten minutes ago. It states—

> No relaxation lighting this State.

Conditions in Queensland have not been relaxed since the new review. A general review of the lighting restrictions was made last April, and the area north of Point Macquarrie to Esperance was declared a vulnerable area, and no relaxation has been permitted there. The member for Pingelly also said that the black-out extended from Woodman Point to Trigg Island, and that that had been done at the request of the Military Department, but that the extension to Little Island had been made by the Civil Defence Council. I do not know just what inference he intended to be drawn, but I took his remarks to mean that although the military authorities asked for the black-out between Woodman Point and Trigg Island the Civil Defence Council took upon itself to do the rest. The position is this: General Plant requested a three-mile black-out from a point opposite Trigg Island to Woodman Point. It would be obvious to anybody that once the lights went on in the area between Trigg Island and Little Island, the whole thing became a farce. We pointed that out to General Plant, and he said he was very sorry and that we had better include that area, which we did. That is all there was in that. To ask for a black-out from a point opposite Trigg Island south of Woodman Point and to leave the three miles north of Trigg Island fully lit was to make the position more absurd than it was. I say, too, that the Civil Defence Council, and the Minister in particular, are fed up to the neck.

Mr. Sampson: And so are the public.

The MINISTER FOR MINES: Each one of these regulations has been made either in consultation with the Military Department or at its request, and not on one occasion has the Navy, the Army or the Air Force played with us. They have just gone their own ways, as members stated yesterday when giving instances of what occurred when they met military trucks on the roads at night-time. We as a council should not have to put up with all the criticism and abuse. It has been repeatedly said, and inferred in this House, that the military authorities had nothing to do with the regulations and knew nothing about them. I do not propose to go further back than the disallowance of the regulations. These regulations were gazetted under our own Act and laid on the Table of this House, and were not disallowed. This House, therefore, was just as responsible for them as I or anybody else until they were disallowed.

Hon. C. G. Latham: That is not quite a fair statement.

The MINISTER FOR MINES: It is a fact. The Leader of the Opposition knows as well as I do that if we pass an Act of Parliament in this House and regulations are promulgated under it and laid on the Table of the House, and not disallowed within 14 days, they become the law of the country.

Hon. C. G. Latham: If they are not disallowed.

The MINISTER FOR MINES: I said, that if within 14 days they were not disallowed they became the law of the land. And I still say that the members of this House, or the Legislative Council, are just as responsible for their becoming law as I or anybody else if they are not disallowed within 14 days, and they were not disallowed for some months.

Mr. Marshall: It is 14 sitting days.

Hon. C. G. Latham: They were disallowed within the time allowed by the Interpretation Act.

The MINISTER FOR MINES: It is 14 sitting days. They became the law of the land.

Hon. N. Keenan: Was notice given?

The MINISTER FOR MINES: No. They lay on the Table of the House for a long time. They were the law of the land for months before being disallowed! Consequently, the members of this House were just as responsible for the original regulations which were disallowed as we were. I will commence with the disallowance of the regulations, which was done by the Legislative Council on the 22nd April last. The Premier, the Under Secretary for Civil De-

fence and Mines, and myself were in Melbourne at the time. I got a telephone message that night to say what had happened, and amongst three or four wires received by the Premier the next morning, the 23rd April, was the following telegram:—

Lighting restrictions regulations disallowed Upper House yesterday stop Consider necessary you take steps for same immediately repromulgated (Signed) H. Gordon Bennett, Lieut.-General.

He had nothing to say about it! And yet members say the military authorities had nothing whatever to do with this matter! They had everything to do with it.

Mr. Berry: Why do not the military people observe the regulations?

The MINISTER FOR MINES: The hon. member should ask me something easy.

Mr. Warner: Well, enforce the regulations against the military authorities.

The MINISTER FOR MINES: We cannot enforce them against the military people; I am surprised at the hon. member making such a suggestion seeing that he himself is an old soldier. However, that was the start of the promulgation of the new regulations. Members can verify the facts for themselves from the file. During the next two or three days there were continual conversations between the Minister for Home Security, Mr. Lazzarini, who was in Melbourne, with other Ministers at the time, myself and others. I am referring to these matters because if members take the trouble to go through the file, they will not see much there about them as at this stage most of the work was done through discussions and conversations with various authorities.

At the Premiers' Conference the Prime Minister announced that the War Council was to hold a meeting and he invited the Premiers to attend the gathering. We ordinary Ministers were not invited to be present. However, the Premier attended the conference, and I particularly asked him to mention the question of lighting restrictions. I said to him, "I understand that General MacArthur, General Blamey, General Sturdee and other Service Chiefs will be present at the meeting, and although it might be presumption on the part of a mere Premier of a State to ask a question, you may have an opportunity to do so. I want you to speak particularly about the lighting restrictions in Western Australia." After General MacArthur and General Blamey, as well as others, had addressed the conference, those present were asked if there were any questions they would like to put to the Service Chiefs. Our Premier thus had the opportunity to raise the question of lighting restrictions in Western Australia, and he asked General Blamey for his opinion about the matter, which was then discussed with the Prime Minister and his colleagues and the Service Chiefs. Members will find on the file a confidential letter which I do not propose to quote in detail, although I shall read two extracts from it. That letter was from the Prime Minister, and as it is a confidential document I make an appeal to members and to the Press that its contents will be regarded as such and not divulged. The first extract I shall quote from the letter is as follows:—

The Commander-in-Chief has also expressed the opinion that necessary restrictions can be more easily enforced under a uniform regulation for the whole of any State.

That was General Blamey's idea. He pointed out that it was better to have a uniform regulation applying throughout the whole State. The other extract is as follows:—

So far as Western Australia is concerned,—

I may explain that this letter followed as the result of the discussions at the conference to which I have already alluded—

—it will be seen that the view of the Commander-in-Chief is that brown-out conditions should obtain except in regard to that portion of Western Australia east of a line from Merredin to Albany. In this view the Commonwealth concurs.

I shall not read any more from the Prime Minister's confidential letter. When the regulations eventually reached Western Australia, we ascertained that brown-out and black-out conditions were to apply from the north and down the coast around to Albany, north to Merredin and then due west. We had a look at the map and noted the area to be affected by the Commonwealth Government's decision. We saw that it was necessary to include other portions, so we approached the military authorities and discussed the matter with Colonel Hoad. The Defence Department agreed to our suggestion that the line should be taken from Albany to Merredin and on to Mt. Magnet and thence due west. The effect was to cut out areas that included Kalgoorlie and other townships. In respect of motorcar headlights, the military authorities were not prepared to shift their ground. That is how

the whole position arose. We convinced the military authorities that no danger would be involved if the line went on to Mt. Magnet.

As I mentioned earlier, this subject was discussed at the Premiers' Conference and, arising out of conversations between the Premier and the Minister for Home Security, it was decided that the Premier would forward a letter to the authorities dealing with the matter. That decision was reached at least three days after the disallowance of the regulations by the Legislative Council. The letter the Premier addressed to the Minister for Home Security read—

> I enclose six orders dealing with lighting restrictions and trade displays in Western Australia.

I want members to appreciate that the trade display regulation was also disallowed by the Legislative Council. The letter continued—

> These were made under regulations issued under the Civil Defence (Emergency Powers) Act, 1940, and have been disallowed by the Legislative Council since my visit to Melbourne. It is now desired that they be issued under National Security Regulation 35A——

I want members to take particular note of this—

> —and, in accordance with our discussion at the Premiers' Conference, I shall be glad if they can be submitted for the consideration of Army headquarters. If approved by them and by yourself, I shall take immediate action to have the orders promulgated upon my return to Perth next week.

Members will see that the Premier particularly requested that the regulations should be submitted to the military authorities for their consideration, and he pointed out that if they, as well as the Minister for Home Security, were satisfied, he was prepared to have the orders promulgated.

Hon. C. G. Latham: Why did he not accept the responsibility himself?

The MINISTER FOR MINES: I am telling the hon. member exactly what happened. We have been told that the Army authorities had nothing whatever to do with this matter. I am demonstrating that the Army authorities were responsible all through. As for the regulation dealing with trade displays, the Army people were not at all interested and that regulation was not affected. The Army authorities were interested only in lighting restrictions to be applied in Western Australia. To indicate to members that the Army was at least a little bit interested in what we were doing, I direct their attention to the next letter on the file, which is one from Col. Hoad. That officer generally does the work that the G.O.C. is, I presume, too busy to deal with. Col. Hoad wrote to me in my capacity of Minister for Civil Defence. His letter is headed, "Black-out of Lights on Mechanical Transport":—

> It is requested please that your organisation implement the necessary legislation to ensure that all lights on motor vehicles are blacked out in accordance with the prescribed requirements throughout the whole of the State of Western Australia.

The letter is on the file, bearing the signature of Col. Hoad. I rang up and asked what the military authorities were going to do.

Hon. C. G. Latham: What was the reply?

The MINISTER FOR MINES: The reply was that they were doing it as fast as they could. They had 5,000 vehicles done.

Hon. C. G. Latham: They took the masks off cars found in the country.

Mr. Triat: They were sensible in doing so, too.

Hon. C. G. Latham: Yes.

Mr. Warner: It is a case of doing, not as I do, but as I tell you.

The MINISTER FOR MINES: Let me go a little further. Shortly after this episode when we were told that at least 5,000 military cars had already been done, we were informed at a meeting of the Civil Defence Council—on the 17th July—that the Army had designed a mask to be used on all vehicles, and the liaison Army representative at the council meeting said it did not comply with the regulation. The same evening—the 17th July—I sent a wire to Mr. Lazzarini as follows:—

> Car and general lighting restrictions this State are in accordance with your recent orders. Reports appearing local Press indicate considerable relaxation restrictions other States, while local military authorities are to instal masks giving considerably more light than public permitted.

At the time statements had been made by the Premiers of Victoria and South Australia as to what they were going to do.

> These facts make public restless and accidents frequent. If military with large number vehicles in nightly use permitted more light, cannot see any additional danger in similarly relaxing public restrictions. Should appreciate advice if position warrants relaxation in this State and if you prepared authorise same.

On the 22nd July I received the following reply:—

Reference your lettergram regarding car and general lighting restrictions, following recent review it was decided existing brown-out arrangements should continue in Western Australia, excepting east of line Albany to Merredin. Your representations taken up with the defence authorities and will advise immediately reply to hand.

Considerably later I received another wire, which read—

Reference your lettergram regarding car and general lighting restrictions, as advised on 22nd July, this matter taken up with military authorities. Advice now received indicates increased lighting for army vehicles not proposed and the masks being made are similar to Lucas head-lamp masks. Not known to what extent these masks used by private motorists in Perth. Great number Lucas in Melbourne.

At the time I received that telegram and after I had discussed it with the military authorities, the chairman and members of the lighting committee of the Civil Defence Council had the masks that the military department had sent over and had got the blue prints ready, and those masks were going to give considerably more light. It was said that an arrangement had been made for a little cover to go over the slot. Yet I am told the military authorities knew nothing about this.

Mr. Needham: Do you consider Col. Hoad an able man?

The MINISTER FOR MINES: I say candidly that the Prime Minister and his colleagues have handed over Australia to the military authorities to be defended. Col. Hoad might not be a General MacArthur or a General Sturdee, but right up to this very day I have loyally stood up for all the military authorities have said. No one can say that I have ever questioned their right to issue instructions or requests in connection with the defence of this country. I am not sure that I would have any right to do so, but there has come a time when I must explain the position. When the Premier entrusted to me the administration of the civil defence Act, I looked to the military authorities to give me advice. I am prepared to take that advice. If this House is prepared to ignore the advice, that will be its funeral.

Mr. Thorn: But you expect the military authorities to live up to the instruction?

The MINISTER FOR MINES: I do. The hon. member, as an old soldier, will recall having been instructed time after time to do as he was told and complain afterwards, even if he was dead. That is the rule in the Military Forces. I would have continued and my colleagues would have continued under existing conditions, smarting though they are under the criticism, but when this House seeks to take a hand, all I can say is whatever the House instructs the Premier to do, I hope he will do it, and I will be relieved of all responsibility. The Acting Treasurer and Mr. Telfer, while in Melbourne, attended a conference at which civil defence matters were discussed and they made every effort to secure some relaxation of the lighting restrictions in Western Australia. A wire I received from Mr. Telfer read—

Commonwealth considers Western Australia, Queensland vital and against relaxing lighting restrictions. However, following representations by Acting Premier, Lazzarini and Welch (Mr. Lazzarini's secretary) promised fly Perth probably next week see position themselves.

The Acting Treasurer and Mr. Telfer have been back from Melbourne for some time and we have not yet seen Mr. Lazzarini. Two if not three wires have been sent from my department inquiring when Mr. Lazzarini would arrive, and we are still being informed that he will be here in a fortnight. I do not propose to go into the matter further beyond saying that we are pleased to have an opportunity to discuss it. The Civil Defence Council, and I as Minister for Civil Defence, would be quite happy if all the lights could be restored tomorrow. It would save a lot of worry and a lot of correspondence from all over the State.

Mr. Thorn: And a lot of deaths.

The MINISTER FOR MINES: It might save a lot of deaths. I am not going to defend these regulations at all; I am making no attempt to defend them. I have stated my position. As the Minister responsible for administering the Act, I have looked to the military authorities to advise me. If they are not prepared to carry out their own instructions or requests with regard to the lighting of their own vehicles, I cannot be held to blame.

It has occurred to me that when the black-out was requested by General Plant—three miles from Trigg Island to Woodman Point—it took in Fremantle. You, Mr. Speaker, know that there is an absolute black-out in front of Fremantle, more especially. However, what happened? Three days after the promulgation of the regulations I received through the Prime Minister

a letter from the Navy Board pointing out that it was impossible for the board to carry out regulations of that description, because navigation lights would have to be shown and because ships lying at the wharf had to be kept going. So we have the G.O.C. of this State demanding, from a military point of view, a three-mile black-out. Our American cousins say that in Fremantle buildings two or three storeys high were ablaze with lights. And then I am asked what my council and I were doing about it! We shall indeed be pleased to have the matter cleared up. For my own part, and not on behalf of the Government, though I do not think even one of my colleagues agrees with the regulations——

Hon. N. Keenan: Who is the author of these regulations?

The MINISTER FOR MINES: The Civil Defence Council originally.

Hon. N. Keenan: Did one member of the council or the whole council draw the regulations?

The MINISTER FOR MINES: The council works under a system. We have an executive of five and a council of the unlucky number 13, and there is nothing done without the majority of the council deciding upon it. A single member does not do anything in the case of that council.

Hon. N. Keenan: But who was the author of the original regulations?

The MINISTER FOR MINES: There is no original author. These regulations were adopted from Britain and the Eastern States. The best of the regulations were selected and submitted to the military authorities, and were agreed upon as suitable for promulgation here. In introducing the Civil Defence (Emergency Powers) Act I pointed out that this was purely a matter of subdivision. The war was then a long distance from Australia, and nobody knew what we would have to do; today nobody knows what we may have to do tomorrow. Most members are aware that if a motion is carried by an organisation and there is a desire to alter the decision, the usual procedure is to give notice to rescind the resolution. Under the civil defence Act that cannot be done. My council has had to alter its resolutions from day to day, as the war developed. We would have looked well making regulations when Japan struck! However, I am pleased and proud to say that I set out to help the military authorities in protecting the lives of the people of this country. If the military chiefs said to us, "We believe this is necessary for the protection of the lives of your people," we were well justified in carrying out what those chiefs proposed. I say, moreover, that had we refused to do so and the worst had happened, then I know what would have been done to me in this Chamber. I would have had the member for Wagin and other members complaining, not about my smiling, but about my omission to carry out the suggestions of the military authorities. Those members would have scored me from head to heel.

Mr. Stubbs: Does this regulation apply to the coastal towns?

The MINISTER FOR MINES: I realised these things before the hon. member wrote me a letter on the subject. Hundreds of letters reached me in the same connection. I travelled around this country during the black-out. I have never driven a car, but I say definitely that I would not attempt to do so in a black-out. I have stated, time and again that when the military authorities are prepared to say, "Let the lights go up," they will go up with a great deal of pleasure on the part of this Government. The military chiefs are responsible for everything we do in relation to lighting, and they can accept the responsibility.

MR. CROSS (Canning): I regret I was not here yesterday to move the motion I had placed on the notice paper. However, I have taken the opportunity to see what has happened in the Eastern States. During the last 15 days I have spent at least one night in each of the capital cities of Eastern Australia, excluding Hobart. I say without fear of contradiction by anyone that in spite of what the position of Western Australia may be, while all movement of troops is towards Queensland, this State has received the worst dose of black-out among all the Australian capital cities. And this is imposed on us, according to the Minister for Mines, by the military chiefs in the Eastern States, by those people who ordered sand to be imported into Western Aus—

Mr. SPEAKER: Order! That has no bearing on the black-out question.

Mr. CROSS: While my reference may be a trifle out of order, my desire is to show

that people know so little about this State that they import sand into it!

Mr. SPEAKER: Order!

Mr. CROSS: They are the people who imposed lighting conditions on this State. The military authorities have sent sand from the Eastern States to Western Australia.

Mr. SPEAKER: Order! The hon. member is out of order.

Mr. CROSS: The same people exercised the same kind of intelligence in doing that as in imposing black-out conditions on this State. As regards South Australia, the position is that for those neighbours of ours a relaxation of black-out conditions has been granted. Indeed, there has been so much relaxation in South Australia that hardly any black-out at all is left.

Hon. C. G. Latham: What about Queensland?

Mr. CROSS: I shall inform the Leader of the Opposition about Queensland. But in South Australia there is now almost no black-out whatever, as I can testify from having been there three nights ago. In Melbourne most of the cars are masked, but not to the same extent as here. Military cars there go entirely without masks. Tram lighting in every Eastern capital is better than it is in the West. One can read a newspaper in any tram in any of those cities, including Brisbane, and the trams in the Eastern States carry better headlights. Indeed the lighting in the Brisbane municipal trams is the best of its kind in Australia. And yet Brisbane is supposed to be Australia's most vulnerable point! Most of the cars in Sydney are masked. The trams are comparatively well lighted with headlamps, and the military cars and suchlike vehicles are also lighted. The harbour is a blaze of light, and that applies also to the military barracks. In Brisbane, an attempt is being made to catch motorists whose lights are unmasked. I watched a constable for two hours trying to catch those people, but he was unable to pick out private cars from those in use by the military authorities. The Army vehicles are a blaze of light.

There is no doubt that in Queensland, even when the car lights are masked, they give more light than do the cars in Melbourne, Sydney or Perth. Incidentally, the light of the lighthouse remains on in Brisbane, and the harbour, too, is a blaze of light, just as it is in Sydney and Melbourne. If there was any commonsense in this business, one would think that the military authorities who have ordered the civilian population to mask the headlights of cars would set it a good example. The State in which the Army provides the worst examples is Queensland. I did not see one military vehicle in that State with its lights masked. The place was full of Army trucks, more so than is found anywhere else in Australia. Not one of those vehicles has a masked headlight. If this procedure is good for the civil population, it should be just as good for the military authorities, but apparently they think otherwise.

In Perth people have suffered severely. I am informed by the Chief Traffic Inspector of Perth that up to the 1st July of this year, 62 people in the metropolitan area have been killed during the period of brown-out. The number of accidents reported is extremely large, being a tremendous increase on any previous period. Whilst the top lights of street lamps are shaded, I found there was considerably more light from street lamps in the Eastern States than is displayed in Western Australia. I gave this matter a great deal of study on my trip to the Eastern States. During the special sittings of Parliament early this year, I attacked the black-out regulations. Members will recall that I expressed the opinion there would never be a bombing raid on Perth at any time.

The Minister for Mines: That was only your opinion.

Mr. CROSS: Time has proved that I was right and the military authorities were wrong.

Mr. Warner: The silly cows would not take any notice of you.

Mr. CROSS: I said that the only possibility of a raid on any of the southern capitals of Australia was per medium of submarines, and up to date that statement also has proved to be correct. My opinion is that the black-out regulations as they are framed at present are unnecessary. They have been imposed at the direction of the authorities who apparently do not understand the requirements of this State, and who do not practise what they preach in any State. If anything can be done to relax the black-out and brown-out conditions. I shall be only too glad to support it. If black-out conditions have to to be imposed, they should be made com-

plete in every respect. They should apply to lighthouses, which constitute the biggest beacons in the areas concerned.

Mr. Sampson: Surely you intend to move an amendment.

Mr. CROSS: I will leave that to the hon. member. I hope the motion will be carried, so that the regulations may be drafted in a commonsense way, and framed by people who know something about the conditions applying to Western Australia. In the event of an enemy attack, the master switch at the Power House would enable the person operating it to put out the light in the lighthouse and all street lights as well. The number of accidents that have occurred because of the lighting restrictions has given me great concern. They prove that the regulations have acted to the detriment and damage of the people. I will support any motion that will ensure the carrying out of the brown-out and black-out conditions in a commonsense manner.

MR. HILL (Albany): I am surprised that the Minister should have attacked me as he did. He said there were two letters on the file, one from me and the other from the United States Navy. Yesterday morning I met Mr. Hogg, who had the file with him. As usual, I received the greatest courtesy from that gentleman. It appears that the two letters on the file are from the Town Clerk, Albany, and from the United States Navy. Let me inform the Minister that the most friendly relations exist between me and the Naval and Military authorities in Albany. The regulations were introduced originally in Albany at the request of Major F. M. Vaughan, who was the officer commanding the forts, as well as the officer commanding the sector. Major Vaughan's father and I were closely associated in the Garrison Artillery many years ago. Today the son and I are the closest of friends. I was asked by the Minister to go into the question with the Civil Defence authorities in charge of the black-out area proposed by Major Vaughan. The Major is still in command of the forts, but another officer is now in command of the sector.

A few weeks ago I saw a naval officer who said that the black-out conditions should be modified. Since then the municipal council of Albany has asked for a modification of the conditions, and the letter on the subject is that to which the Minister referred and is the letter which I discussed with Mr. Hogg yesterday morning. That letter was submitted to the U.S. Navy, our Navy, and the military authorities. The United States Navy is the only authority that has so far submitted a reply. Before I left Albany on Monday, I had a talk with the sector commander, knowing that the debate on this subject might take place this week. He advised me that he was in favour of a modification of the black-out regulations. I stand today guided, so far as my electorate is concerned, by the naval and military authorities. I am prepared to take my orders from them.

Hon. C. G. Latham: I would not.

Mr. HILL: I would! I understand the vital importance of what is being done in the Albany electorate.

Mr. Thorn: Surely you would not take orders from them?

Mr. HILL: I would!

Hon. C. G. Latham: You represent the civilian population.

Mr. HILL: The safety of civilians depends upon the fighting men.

Hon. C. G. Latham: So long as they exercise commonsense, all right.

Mr. HILL: Both the military and naval officers have exercised commonsense. Whilst they want a modification of present conditions, they want the regulations so framed that they can be enforced at short notice. That is why I make this explanation. When the Minister goes through the file, I am sure he will realise that his attack upon me was most unfair and uncalled for.

MR. BOYLE (Avon): Two things are emerging with crystal clearness from the debate on this motion. Firstly, there is the responsibility of the Western Australian Government for the black-out regulations. The Lighting of Motor Vehicles Order reads as follows:—

> Whereas it is provided by Regulation 35A of the National Security (General) Regulations (as amended by Statutory Rule 1941 No. 287) that the Premier of any State may, after consultation with the Minister of State for Home Security, or an officer of the Department of Home Security authorised by that Minister to act on his behalf, and with the Commandant of a military district, or an officer authorised by the Minister of State for Defence, or the Minister of State for the Army to act on behalf of such Commandant, by Order—
>
> (a) direct any total or partial "black-out," and may prohibit or regulate the display of lights of any description within the State; and

(b) make such provision as he deems necessary to protect the persons and property of the civil population in that State, or any part thereof, in case of emergency—

and that all persons within such State or part thereof (as the case may be) to which any such order shall apply shall comply with the requirements of that Order: Now, therefore I, John Collings Willcock, M.L.A., Premier of the State of Western Australia, being of opinion that an emergency exists, and having held the consultation aforesaid, and acting pursuant to the said regulation 35A, do hereby make the following order:—

Therefore, the responsibility has been vested in the Premier, as delegate of the Minister of State for Home Security. The order distinctly states that the security of the civil population of the State shall be a consideration. I contend that the security of the civil population is endangered by the application of the order throughout the State. The Minister, in his vehement, if somewhat illogical, defence of the regulations, said that practically the order came from the military authorities. He referred to a telegram from Lieut.-General Bennett, G.O.C., Western Australia, that was sent to the Premier in Melbourne. It will be noted, however, that in that telegram Lieut.-General Bennett asked for a re-promulgation of the regulation, not for a set of fresh regulations. The Minister for Mines, who said that he has had 18 years' Parliamentary experience, knows it is the practice of Ministers to reintroduce disallowed regulations when altered in such a way as to comply with our Standing Orders. Instead of that being done, the Government went to Canberra—I will not say rushed—and evidently sought authority from Mr. Lazzarini to promulgate these regulations, which certainly do not protect the civil population of the State.

Mr. Marshall: Would they not do so in times of emergency?

Mr. BOYLE: If an emergency existed and the military authorities wished to take control, why did they not make the order and accept the responsibility, instead of placing the entire responsibility on the Premier? The Minister, by his speech, implied that the mover of the motion seeks the abrogation of the regulations or their complete disallowance. That is not so.

The Minister for Mines: I did not say so.

Mr. BOYLE: The Minister was quite plain on that point. He said he would take the responsibility for the regulations. It has been borne in upon us that the unanimous wish of the members of this Chamber is that the regulations should be modified. Not one speech has been made in favour or partially in favour of them.

The Minister for Mines: I agree with that statement.

Mr. BOYLE: The member for Canning has returned to the State after having conferred with the wise men of the East. He is to be commended for the way in which he observed how the regulations were complied with in the Eastern States. He gives Western Australia the unenviable distinction of being the most severely blacked-out State of the Commonwealth.

The Minister for Mines: I told you that during the last 12 months there has been a complete relaxation of the regulations in the Eastern States.

Mr. BOYLE: Is not that justification for the motion?

The Minister for Mines: I told the House I would welcome a modification of the regulation.

Mr. SPEAKER: Order!

Mr. BOYLE: The motion asks the Government, through the Premier (as Federal delegate), to amend the regulations so as to make them reasonable. It also asks that the Government take up with the Service Chiefs the matter of existing brown-out and black-out regulations with a view to their modification. Those are the salient points of the motion. There has not been one defender of the regulations in this House. Why should there be? I have some extracts from the Press in my district. They are typical of happenings there. The following is a Kellerberrin case as reported in the local Press:—

Tragedy struck suddenly at Kellerberrin on Wednesday night last, when the east-bound Kalgoorlie express, approaching the station, hit a car driven by Mr. O. G. Ogilvie, with his 13-year old daughter, Margaret, as a passenger, fatally injuring both occupants. The accident occurred at about 11.15, when a slight drizzle of rain was falling. Leaving Massingham-street to cross the west railway crossing, Mr. Ogilvie failed to observe the approaching train, and after the impact the vehicle was carried a considerable distance before being thrown to one side.

I point out that the head-lights of the locomotives are but partially blacked-out. The blacking-out is quite ineffective.

The Minister for Justice: I am not opposing the motion.

Mr. BOYLE: The regulations have not a friend in the House. Even the Minister is disowning them. The action taken by the member for Pingelly has been abundantly justified. The manager of the co-operative store at Kellerberrin—a soldier of the last war, with an injured leg and compelled to use his car—was, with his daughter, hurled into eternity on account of these stupid regulations. In the Dowerin district, Mr. T. J. Ward's car was badly smashed. The following report appeared in the local Press:—

Mr. T. J. Ward had his car very badly smashed at Koomberkine crossing on Wednesday evening at midnight. He took the crossing turning too abruptly and the front wheels sank into a 2 ft. ditch. It was impossible to go backwards or forwards. He walked north and endeavoured to stop an oncoming train unsuccessfully. Mr. A. Stacey was seated in the car and suffered some injury when the engine struck the near front of the car and pushed it a distance of 30 or 40 feet. Mr. Stacey is now in the Goomalling hospital. Mr. Ward was uninjured.

Those are typical cases taken from the country Press. Surely the Government does not favour these regulations. The Minister for Mines, who unfortunately is in charge of them——

The Minister for Mines: Not unfortunately!

Mr. BOYLE: —says that the military authorities control the regulations. Any person using country roads and seeing a brightly lighted car approaching at a speed of 50 miles an hour will seek the shelter of a ditch. The military cars are like juggernauts on the road. Yet the Minister says that he is taking his marching orders from the military authorities! Are we to remain quiescent in these circumstances? Are we to submit to the continuance of the regulations, which have made country and city roads places of danger at night? The member for Canning said that the regulations have been completely relaxed in Melbourne, Sydney and Adelaide. Why is this State, then, to be singled out and a line of demarcation drawn from Albany to Merredin and Mt. Magnet, 170 miles from the coast? This huge area must be blacked out. Doctors in country districts are refusing to attend patients at night on account of the risk involved in travelling along country roads. A crowning insult to country people is that the police in a certain district have notified the residents that if they use cars with unmasked lights at night and are caught, they will have to leave the car where it is stopped until daylight. There is a reign of terror in the country districts. I am afraid the Minister in no way justified the regulations. On the 22nd April certain regulations were disallowed and on the 22nd May these latest regulations were introduced. I am quite sure the Government will listen to the united protest from members of this House.

There is no justification for a defence of the regulations when it is realised that in Queensland, which is a battle station today, lighting restrictions have been relaxed. If we are to have these black-out regulations, surely they can be imposed within a reasonable distance from the coast and not extend 170 miles inland! It is well known to those who represent outback districts that 170 miles inland from the coast settlement practically ceases; but the whole of the country population, with the exception of a very small number, is brought within the scope of regulations which are ridiculous, to use a very mild term. In continuing to impose these regulations the Government is taking an extreme responsibility which has no justification, either on commonsense grounds or from the point of view of the safety of the people. I heard the Minister refer to the safety of the people as being of paramount importance and he said that whatever the Army says goes. The Leader of the Opposition interjected that we are are not taking orders from the military. If Parliament is to take orders from military chiefs it is time it went out of business. We represent the civilian population which has to keep the Army in being.

Hon. C. G. Latham: There is no martial law here yet.

Mr. BOYLE: No. The Government cannot too quickly abate the incidence of these regulations. Lieut.-General Bennett is not responsible for what happens to the civil population as the result of the promulgation of these regulations. Indeed, he would be the first to refuse to accept responsibility.

Mr. Watts: Apparently he wanted the State Parliament to fix up the matter.

Mr. BOYLE: In continuing to enforce the regulations the Government is exposing itself to unnecessary criticism and odium. I would not support the motion if it aimed at the complete disallowance of the regulations. There must be some co-operation

with the military authorities, especially in coastal areas, but the idea of blanketing the whole of the State with dangerous regulations of this type and, furthermore, employing the police in Western Australia to enforce them is altogether wrong. Why should constables in country stations be called upon to enforce what they know are stupid regulations? I saw the regulations in operation when an unfortunate engine-driver was killed in the Burracoppin district. There was considerable danger to cars travelling to the scene of the accident, and there might have been three or four more tragedies in addition to the death of the unfortunate man who lost his life on that occasion. This is not a party question. It has nothing to do with party politics. I have been pleased to notice that every member has spoken from conviction. The support of the motion will not involve the Government in unfortunate repercussions; but a continuance of the regulations will bring odium to the Government and a good deal of political difficulty, to use a mild expression. I support the motion.

HON. C. G. LATHAM (York): I am pleased to have the assurance of the Government, through the Minister, that we shall see the correspondence leading up to the imposition of these regulations. We have no right to impose regulations upon the people unless they are wholeheartedly carried out. Despite the Minister's assurance that these regulations under the National Security Act were entirely the fruits of the labours of the military authorities, I do not believe that is so. If they were, the Army should be the first to set an example.

The Minister for Mines: It took the military authorities three weeks to get the regulations together.

Hon. C. G. LATHAM: There is very little difference between these and the original regulations.

The Minister for Mines: They had them for three weeks.

Hon. C. G. LATHAM: If the military authorities offer as an excuse for failure to observe the regulations the fact that they have not the necessary masks, I point out that they are very quick to impress anything else to their service and they could easily have impressed all the masks they required for their vehicles. If the idea behind the regulations is that the civil population should be kept off the streets after dark, there is a proper way of giving effect to that desire, namely to prevent anyone using the streets or roads at night without an order. It has been stated to me that one idea behind the regulations is to save petrol. The military authorities themselves do not set a very fine example in that direction! We are all aware of the number of tragedies that have taken place since the introduction of the regulations. Most of the fatalities have been service men. I go out very little at night but I find that the most difficult person to see is the man in a khaki or naval uniform. Unfortunately these men fail to realise that a man driving a car has not the same clear vision of the road that they have. They cross roads under the impression that it is as safe for them to do so at night as it is in the daylight.

I blame the Government for the existing position, and desire to correct the Minister who said this House did not disallow the regulations. When the regulations were first introduced the House would not disallow them but when amended regulations were brought down to which it was more difficult to give effect another place disallowed them. This House would have disallowed them equally readily if it had been put to the test. What is the use of the time of both Houses being wasted when one Chamber is giving effect to the wishes of the other? There was no justification for the Minister's statement that this House did not disallow the regulations. I agree that we must have regulations controlling the lighting of the streets but for the life of me I cannot understand the necessity for extending the regulations beyond 30 miles from the coast. Here we have a line of hills that must obscure the inland places from the vision of those at sea. The country 30 miles inland from the coast can quite well be browned out or blacked-out but beyond that distance there is no necessity for such a procedure and nobody can persuade me to the contrary. There is provision against fires at night. In the summer-time there will be a terrific number of bush fires and probably many will be caused by the Military Forces. Who is going to control that? Is the person upon whose property a fire occurs to be held responsible? I had the support of the Minister for Civil Defence when I pointed out that charcoal burners were required to burn

charcoal, and then the police asked them to put out their fires at night and start them again next morning in order that the lighting restrictions might be observed.

These regulations are impossible and they should not be imposed. I do not care what the military chiefs say. I am prepared to tell them and provide proofs that masks are being taken off military vehicles in country districts as the drivers cannot see the roads, on which it is dangerous to travel under such conditions. The Assistant Minister for the Army, when travelling from the north to the south of this State, took off one of his masks because he was due to be at a certain place at a certain time. The real danger is not so much in the city as on the corrugated roads. It is time we asked the people to carry out regulations which they are able to do. So far as the city is concerned, it would not much matter if all the cars were allowed full light. Immediately the alert was sounded all street lights could be switched off by a master switch at the power house, and any person seen on the road with his lights on after that could be given 12 months imprisonment or some other such penalty. By doing that we could control the lighting in the city. I am grateful that the member for Canning went to the Eastern States to see the conditions operating there. I understand that was his mission. I am sorry he is not here now because I wanted to pay him that compliment. The Minister read a wire received from Brisbane stating that there has been no relaxation in Queensland. I understand that previously their restrictions were not as severe as in this State. If that is the case there would be no desire to have them relaxed.

The Minister for Works: If that is the case we have been seriously misled.

Hon. C. G. LATHAM: I think we are misled.

The Minister for Works: You believe in lifting the restrictions altogether?

Hon. C. G. LATHAM: I think it would be far better to do that and have central control from the power house. Every town that I know of in this State has an electric lighting system.

The Minister for Works: You cannot be too sure about switching off the whole of the power and light in Perth.

Hon. C. G. LATHAM: There are several master switches. In Sydney they can switch off all the lights, and also in Newcastle where the shelling occurred. I received a letter stating that suddenly the lights went out, and the people could not understand why because they could hear nothing.

The Minister for Works: That cannot be done here.

Hon. C. G. LATHAM: There is a switch which controls the street lights. They are switched off after 1.15 a.m.

The Minister for Mines: What about the industries operating with power?

Hon. C. G. LATHAM: I am talking about the street lights. The offices and buildings of the military and naval authorities here are ablaze with light. People do not know that these places are occupied as military and naval offices. They write letters saying they have seen a big two or three-storeyed house a blaze of light, and suggest that that is where the communist or some other section is working. It is all very silly because, of course, it is the headquarters of one of the Services. They should set a better example for us to follow. I do blame the Government, however, for going to the Federal authorities and asking them to do something because we had a temporary setback here. The simplest thing would be to call a meeting with the military authorities. As the member for Avon said, this is not a party matter; it is too important to have political fights over. Let us call in the military authorities, but do not let Colonel Hoad, or anyone else say, "This is the easiest way out." It is like a little boy saying, when faced with several propositions, "Do the whole lot." In Kalgoorlie all the street lights are on and all the motorcars are masked.

The Minister for Mines: That is Blamey!

Hon. C. G. LATHAM: Well, let us blame Blamey. It is not the work of a man who gives any thought to it. The best thing the Government can do now is to ask the Prime Minister, who has control of the National Security Act—

The Minister for Mines: Mr. Lazzarini controls the regulations.

Hon. C. G. LATHAM: He controls the civil defence side of it, but the control of the Act is vested in the Prime Minister who delegates it to his Ministers.

Mr. McDonald: What about giving us back our own regulations?

Hon. C. G. LATHAM: There is not one member of this House who would not be behind the Government in framing regula-

tions, observing them and seeing that they are observed, so long as they are in the best interests of the civilian population. The other night I was driving down Greenmount after dark. I had to pull off on the side of the road because my sight had been affected by the bright lights of an oncoming military vehicle. It was some minutes before I recovered sufficiently to see the road again. These restrictions are making criminals out of our bus and essential transport drivers. The Minister for Railways is lucky because he is excluded from the Civil Defence Regulations. His trains run on lines and show a great blaze of light, which they cut off when arriving at stations. The trams and trolley buses have totally different lights from those of private vehicles. That shows how impossible it is to give effect to the present regulations. We should put up something reasonable, and we may have an opportunity to move a substantive motion after seeing the papers. I appeal to the Government to take the matter up with the Prime Minister and ask that this Parliament be given back the power to control the regulations under the National Security Act. That will satisfy us and we will evolve regulations that will give effect to the wishes of the military authorities, because I feel sure the restrictions have been discussed with them. It has been pointed out how stupid it is to have all the street lights fully on in Kalgoorlie and the motorcars masked.

[*The Deputy Speaker took the Chair.*]

Mr. Thorn: Why not suggest that we will do the same as the military authorities?

The Minister for Mines: Hear, hear!

Hon. C. G. LATHAM: I do not want to do that altogether.

The Minister for Lands: The same thing to do is to prepare for the black-out, and use that preparation when required.

Hon. C. G. LATHAM: This is a serious matter. It is placing the military authorities in exactly the same position as our enemies find themselves, with military control and no civil powers. I am very reluctant to lose any of our civil powers. We have a great responsibility which is equally balanced between the civil and Service Forces. If they are allowed to have full sway things will go wrong, and if we have full sway they will go wrong from our point of view. I was surprised to hear the member for Albany say he would take orders from the military authorities. So long as I am in this House I will not take orders from them unless martial law is proclaimed.

Members: Hear, hear!

Hon. C. G. LATHAM: If members want to take orders from the military authorities, they should get into uniform. We represent the civilian population, which is a very important side of the community. It feeds, clothes, equips and pays the Forces, and because of that we should be allowed to carry out our work in the best possible way.

The Minister for Works: The Federal civil authorities stand behind them.

Hon. C. G. LATHAM: I am grateful to the Minister for giving us the opportunity to see the papers. I would warn the House though, that once the papers are laid on the Table they become public property. If there is anything confidential in the letter I suggest that the file be left in the Speaker's or Clerk's room so that it will not be available to the public.

The Minister for Mines: There is only one letter.

Mr. Thorn: Take it off.

The Minister for Mines: No.

Mr. W. Hegney: Black it out!

Hon. C. G. LATHAM: While papers are on the Table they are public property. The letter may not be so very important, and may not convey much vital information. I am grateful to the Minister for making the files available.

MR. W. HEGNEY (Pilbara): I wish briefly to refer to one or two points mentioned during the debate.

The DEPUTY SPEAKER: The hon. member will resume his seat! I have before me a list supplied by Mr. Speaker showing the names of those who have already made contributions to the debate. The hon. member's name appears among them.

Mr. W. HEGNEY: I spoke on the question, but my style was cramped by the Speaker, who declined to allow me to deal with the points I wished to mention.

The DEPUTY SPEAKER: The hon. member has already spoken to the motion, and he would not be in order if he were to speak again.

Mr. Patrick: There is an amendment before the House.

The DEPUTY SPEAKER: As I understand the position from Mr. Speaker, the amendment has been carried, and the question now before the House is that the motion, as amended, be agreed to.

Mr. Thorn: Mr. Speaker allowed the member for Albany to discuss the question.

The DEPUTY SPEAKER: The list shows that the member for Pilbarra has already spoken, and I must rule him out of order.

MR. SEWARD (Pingelly—in reply): I thank members for the reception they have accorded the motion, and the Government for having allowed it to be dealt with speedily. I certainly do not favour the abolition of all lighting restrictions. Obviously some must be imposed to preserve the security of the State. I trust that as a result of the passing of the motion, the Minister will negotiate with the military authorities with a view to some reasonable provision being promulgated. That is what is required. It is curious to note that in both New South Wales and South Australia, where the State Governments retain the power to impose regulations, those prescribed are less drastic than those applying in other States where the regulations were promulgated under powers received from the Commonwealth Government. I believe the military authorities are not unreasonable and can be made to appreciate the rights the civil population possesses. I hope the Minister, in conducting the negotiations, will appreciate that fact and finally issue regulations that will provide reasonable security for civilians. The Minister referred to the telegram he had sent to the Queensland Government regarding the application of the regulations in that State. During my remarks yesterday, I quoted the regulations as set out in the Queensland "Government Gazette," No. 158, dated the 28th May, 1942; in the New South Wales "Government Gazette," No. 151, dated the 12th December, 1941; the Victorian "Government Gazette," No. 214, dated the 10th June, 1942, and the South Australian General Regulations, approved by the Executive Council on the 25th December, 1941.

The Minister for Mines: There have been many alterations to the regulations since the dates you mentioned.

Mr. SEWARD: Yes, but those are the regulations I mentioned. I shall not discuss the matter further. I hope, as a result of this debate, we shall have promulgated reasonable regulations of which the military authorities will approve, and which will make ample provision for the safety of the civilian population.

Question put and passed; the motion, as amended, agreed to.

THE MINISTER FOR MINES: I have here the file referred to in the motion, and shall place it on the Table of the House.

[*The Speaker resumed the Chair.*]

ASSENT TO BILL.

Message from the Lieut.-Governor received and read notifying assent to the Supply Bill (No. 1) £2,350,000.

BILL—WATER BOARDS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WORKS [3.55] in moving the second reading said: The Bill is introduced to bring the Water Boards Act into line with the Road Districts Act in regard to the procedure to be followed in connection with the sale of land for unpaid rates, and the method of disposal of the proceeds of such sale. The Water Boards Act was passed 38 years ago, and its provisions are now completely out of date. One of the main reasons for the introduction of the amending Bill is to give to the Agricultural Bank the same protection as is extended under Section 282 of the Road Districts Act, namely, that a purchaser may take land free of encumbrances other than mortgage to the Agricultural Bank. That is the effect of it. Members will also note that the Bill provides for the repeal of Section 108 of the principal Act and the insertion of a new section in lieu. This is necessary on account of the number of amendments it is proposed to make in regard to the present section.

A major amendment is the substitution of the "local court" and the "magistrate" for the "Supreme Court," and a "judge" thereof as the authority to make the order for sale of the land. Under the present section the petition must be presented to the Supreme Court, which is an expensive proceeding and subject to delay. I think members will concede that the Bill will provide a simplified approach to the court on the matter to which I have referred. Under the proposed new section, the petition will be presented

to the nearest local court, which will be a less expensive and much more expeditious proceeding, and will be in conformity with the provisions of the Municipal Corporations, Road Districts, and Metropolitan Water Supply, Sewerage, and Drainage Acts. The proposed new section is substantially the same as Section 282 of the Road Districts Act.

Whilst land sales by water boards or by the Minister acting as a water board in regard to undertakings controlled by him, have been of very infrequent occurrence, it is considered advisable that the Water Boards Act be brought into conformity with the Road Districts Act in this connection. I may add that the Road Districts Act, which is a comparatively modern piece of legislation, especially in regard to the phase under discussion, sets out in a schedule the payments that are to be made to the creditors concerned respecting the sale of land for unpaid rates, and the amendment to be incorporated in the Water Boards Act will have the same effect. With regard to the Water Boards Act, in some instances the Minister himself acts as a water board respecting undertakings under his control, while in other instances a local authority is constituted the water board. The amending legislation will, therefore, affect not only water boards controlled by the Government but also those controlled by local authorities acting as water boards. This is a necessary amendment. I move—

That the Bill be now read a second time.

On motion by Mr. Doney, debate adjourned.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Second Reading.

THE MINISTER FOR LABOUR [4.1]: in moving the second reading said: This is a very short Bill, but I think every member will agree that it is a very important one. It aims at making compulsory the adjustment of any alteration in the cost of living that takes place during any quarter, the figures in connection with which are placed by the State Statistician at the proper time before the Court of Arbitration. Members may appreciate an explanation of how the quarterly adjustment of the basic wage was brought into force in this State.

Previous to 1925 no general basic wage rates were operating here in the sense that we know them today. A minimum rate of pay was set out in each separate award or industrial agreement, but the minimum wage for one award might differ from the minimum wage for another award. There was no uniformity of minimum wage in any particular district such as we have today. In 1925 the late Mr. McCallum introduced a comprehensive amending Bill containing many far-reaching proposals. One of the main provisions was for the fixation by the court of basic wage rates in specified districts. These districts were—the metropolitan area, the South-West Land Division, and the goldfields and north-west areas combined. When the Bill was finally adopted by Parliament it provided for an annual inquiry by the court into all the conditions having relationship to the basic wage rates that should be fixed. By this method the annual inquiry by the court and the subsequent fixation of basic wage rates by the court were brought into operation.

From 1925 to 1931 that system operated smoothly and effectively. It was accepted by employers and employees as an efficient system. Each 12 months representatives of the employers and the workers appeared before the court, and submitted information and evidence in support of what those representatives were advocating. Usually the advocate of the workers put forward information and evidence in support of an increase in basic wage rates, and the advocate of the employers advanced information and evidence in support of a reduction. The court then gave consideration to this information and evidence and made a decision upon it, and upon such other evidence as the court itself thought it wise to obtain through its own channels.

In 1931 the system of annual inquiry and annual fixation of basic wage rates by the court was abandoned, and a new system of quarterly adjustment of the basic wage in accordance with cost of living variations was introduced. True, the annual inquiry and annual fixation of basic wage rates were retained, but the new system of quarterly adjustments in accordance with the variations in the cost of living meant that the basic wage could be adjusted quarterly instead of only once a year as was the case from 1925 to 1931. Most members are aware of the reasons that actuated the Govern-

ment in 1931 in introducing this amendment to the Act. In that year Australia, in common with all other countries of the world, was within the grip of a very severe trade depression. Prices had fallen very drastically everywhere. The argument of the then Government in favour of quarterly adjustments was that prices had fallen, that there had been a decline in the national income and that the cost of living had decreased, and for these reasons there was justification for asking Parliament to alter the Act in such a way as to permit of wages being reduced much sooner than would have been possible had the system of annual inquiry and annual adjustment been adhered to.

There was a good deal of argument in Parliament during 1931 in respect of the change proposed by the Bill. Most of that argument took place in the Legislative Assembly. But despite all the argument, this particular amendment contained in the Bill was passed through this House, was accepted by the Legislative Council, and became the law of the State. The Government at the time did tell Parliament that although the workers might suffer, and probably would suffer, for a year or two, because the cost of living was falling, they would benefit the more quickly when there was a turn in the tide of prices and the cost of living began again to rise. That was not a very convincing argument, but it had to be accepted, and was accepted not only by members of Parliament opposed to the Bill but also by the workers outside. The basic wage at the time the Bill was passed through Parliament, in the 1931 session, was, if I remember rightly, in the vicinity of £4 7s. per week for the metropolitan area.

With the quarterly adjustment of the basic wage as brought in under the new system, not many months elapsed before that basic wage for the metropolitan area had fallen to £3 8s. per week; and I believe there was a fall of as much as 8s. in one quarter. But, as I mentioned, the workers took that. They complained, they growled, they criticised the Government, but they took the reductions that came to them. There was no industrial struggle against the change in the law. There was no strike or hold-up of industrial activities in an endeavour to break down the law. The workers accepted the change as being the decision of Parliament, and accepted each quarterly reduction; and as a result they suffered most severely during that period of trade depression and of deflation. The Court's interpretation of the amendment of the law was highly interesting, and I think it is worthy of some notice at this stage. On the 14th January, 1932, when the Government Statistician's figures for the October-December quarter of 1931 were placed before the Court, the President, Mr. Justice Dwyer, had this to say—

> The Statistician's figures for the metropolitan area show that the cost is £3 17s. for the last quarter. That is a reduction of less than 1s., and consequently no adjustment will be necessary or will be made. The Statistician's figures disclose that the cost of living for the South-West Land Division, to put it in exact figures, is £3 15s. 10d. That shows, therefore, that in that area the cost of living has fallen by over 1s. Consequently there will be an adjustment made for that district.

That, I think, indicates to members that in January of 1932 the idea was firmly fixed in the mind of the President of the Arbitration Court that the Court was legally bound to act in accordance with the figures presented to it by the State Statistician, and was legally bound to give effect to the variation disclosed in those figures. This meant that a reduction of more than 1s. per week was effected in the basic wage rate for the South-West Land Division. The workers' representative on the Arbitration Court bench was even more emphatic in expressing his belief that the amendment of the law was compulsory in its effect upon the Arbitration Court, and left that tribunal no option but to adjust the basic wage in accordance with the variation in the cost of living if the variation was 1s. or more. He said on the same day—

> I agree that the adjustment which is made is that required by Parliament and is in accordance with Parliament's request.

But on the 1st June, 1932, the Court had before it figures for the January-March quarter. The President of the Court announced the figures, and Mr. Somerville had this to say—

> The figures just announced by His Honour are in accord with the instruction by Parliament. In the meantime this Court can only, in this matter, carry out the definite instruction of Parliament and give another spin to the suicidal cycle—reduced wages, which is reduced purchasing power, causing reduced employment, followed by a further reduction in wages.

I think that utterance may appeal strongly to the member for East Perth and the mem-

ber for Murchison. On the 20th February, 1933, the Court had before it figures for the October-December quarter of 1933, and the President said—

> We now have come to know the figures for the September quarter, and they disclose that a revision is necessary under the amending Act.

Not that the Court had discretion to make an alteration in the basic wage, but that the figures disclosed that a revision was necessary under the amending Act! Mr. Somerville said—

> I agree with the figures as announced by His Honour in accordance with the Act.

The employers' representative also expressed his agreement, and so the basic wage rates were knocked down again under the quarterly adjustment system.

As time went on the tide as regards the cost of living did turn. Prices began to rise; in 1933 I think it was, they rose for the first time sufficiently in one quarter to justify an increase in basic wage rates for the various districts; and the basic wage rates were increased by the Court in accordance with the figures placed in its possession by the Government Statistician. The process continued from 1933 until February of this year, 1942. Quarter by quarter, from 1933 until early this year, the Government Statistician placed his figures before the Court; and if those figures on any one occasion disclosed that there had been a variation of 1s. or more in the cost of living, the Court granted that variation without question and without argument. By this time, and indeed long before this time, namely February of the current year, everyone had been convinced beyond question that the quarterly variation of the basic wage in accordance with changes in the cost of living was, in fact, automatic in operation. The employers thought so, the workers thought so, members of Parliament thought so. Even if the amendment to the Act made in 1931 did not expressly set that out as being the principle, the custom and practice of the Court of Arbitration had established the principle so firmly that it was accepted by every member of the community as being the principle and practice, even if it was not the principle in law.

In February of this year the Court had placed before it figures covering the October-December quarter, 1941. The figures for that quarter, together with those for the quarter that immediately preceded it, disclosed that an increase of 1s. 7d. per week in the basic wage for the metropolitan area was justified. Everyone anticipated that an increase would be made, although nobody knew—except the State Statistician—what the increase was likely to be. To the amazement of everyone closely concerned, the President of the Court declared that he had given consideration to the statistician's figures, to the economic condition of Western Australia and to the financial condition of Australia as a whole, and had come to the conclusion that, notwithstanding an increase of 1s. 7d. per week was due to the workers of the metropolitan area, he was reluctantly compelled to refuse the increase and was, in fact, convinced that no increase of any kind should be given. Therefore, no increase was granted to the workers in respect of that additional 1s. 7d. per week. The employers' representative on the bench agreed with the President, the employees' representative disagreed, and so—by a majority decision—the workers in the metropolitan area were deprived of the increase of 1s. 7d. per week due to them by reason of the increased cost of living for the period from the 1st July to the 31st December, 1941.

The President gave several reasons for his decision. One was that the granting of the increase would place the State basic wage for the metropolitan area even more out of line than it was with the then existing Commonwealth basic wage for Perth. Another reason, related to the first, was that the court had in 1938, on the occasion of the annual inquiry, increased the real wage in Western Australia by granting a rise in the basic wage rate, irrespective of the cost of living, of 5s. per week. The most important reason given by the President was, however, the third. He explained that he had given much thought and study in recent times to the financial position of Australia and was convinced that a process of inflation was developing, and becoming more threatening as the days passed to the economic and financial stability of the nation. He declared that the granting of an increase of 1s. 7d. to workers in the metropolitan area would intensify the process of inflation, and so hasten the time when all the evil effects of uncontrolled inflation would be inflicted upon the people of Australia. He added that those evil effects would be felt more severely by the workers than by any other section of the community.

Therefore, in his opinion, he made a special effort to save the workers and their dependants from the evil effects of inflation, which might be accelerated if the increase of 1s. 7d. per week were granted.

Members can take whatever view they like of the reasons and arguments of the President on that particular point and on the other points to which I have referred. The Government's view is that the management of the monetary policy of Australia is not, by any stretch of imagination, a problem to be deliberated upon and decided by the President of any Arbitration Court, whether it be the Arbitration Court of Western Australia, Tasmania, Queensland or any other State. The management of the monetary policy is a vital matter reposed in the Commonwealth Government, whose absolute responsibility it is to ensure that the policy is managed in such a way as to avoid inflation and consequent danger to the economic and financial structure of the nation.

Mr. North: Or deflation.

The MINISTER FOR LABOUR: I propose to have something to say on that point in a moment.

Mr. Doney: Is that your principal ground of disagreement with the President?

The MINISTER FOR LABOUR: Yes. It is strange—and this has relationship to the point just mentioned by the member for Claremont—that no member of the Government of this State in 1931 thought the workers of Western Australia should be safeguarded from the damaging, destructive effects of the deflationary policy then operating in the Commonwealth. It is equally significant that the President of the Arbitration Court did not consider it his duty in 1932 to refuse to apply the heavy reductions in wages, which he was then entitled to inflict upon the workers of the State, because of the drastic fall in prices. Every member of this Chamber must recall what happened in 1931 to the workers, as well as to other sections of the community, in this and the other States.

Mr. Patrick: All sections.

The MINISTER FOR LABOUR: Not all sections, but other sections, particularly the farmers. The workers in 1931 had incurred financial liabilities in respect of the purchase of homes, furniture and a hundred and one other things.

Mr. Seward: So had others.

The MINISTER FOR LABOUR: I said that many other sections of the community, especially the farmers, had incurred responsibilities. But the President of the court did not, in 1932, deem it to be his responsibility or duty to safeguard the workers of this State from the severe effects of the run-mad deflationary policy then operating in all States of the Commonwealth and in all countries of the world, with the possible exception of Russia. The feeling of the Government in this matter, following the failure of the Arbitration Court to grant this increase to the workers in February of this year, was that if it were right legally and morally that the full burden of the deflationary policy should have been inflicted by the court upon the workers in 1932, it was right that in 1942, when prices were rising, the workers should, without question, receive the increases in the basic wage rates in accordance with the rises in the cost of living. Surely there can be no argument against that principle!

According to the President's argument about inflation, he laid it down as the policy of the court that no further increases in the basic wage rates should be granted to the workers of the State until the period of rising prices came to an end. Someone in Germany suggested the other day that this war might continue for 30 years. I think Sir Earle Page said it was his conviction that the war would last ten years. We are all inclined to the belief that it might easily last for at least another three years. In those circumstances, the President's declaration would mean that though the cost of living continued to increase, quarter by quarter, the workers of this State would not get one penny extra in the basic wage rates to compensate them for the rise in the cost of living. I am sure this Parliament does not agree with an attitude or a policy of that description.

The Government was faced with a very serious situation. To the credit of the workers' organisations of this State it can be said that they did not take the drastic action they might have been justified in taking, and would have taken, had such a thing happened in peace-time. Representatives of the trade unions met together, discussed the situation that had been created by the court's refusal to grant the increase, and took legal advice as to the legality of the court's action in the matter. They were

advised that there was a good case to be argued in the Supreme Court against the decision of the Arbitration Court. The case was taken to the Supreme Court and argued there. The Supreme Court decided that the Industrial Arbitration Act conferred upon the Arbitration Court discretionary power regarding quarterly adjustments of the basic wage. I think most members of Parliament who had studied the Act believed that it did in fact give discretionary power to the court, because the word "may" was the vital word in Section 124A., which deals with this question of quarterly adjustments. Speaking for myself, I could not see that the word "may" could possibly mean "shall" in the context in which it appeared in the section. However, the question was argued in the Supreme Court, and the judges unanimously decided that the Arbitration Court had discretionary power, and could grant or refuse to grant any increase that might be disclosed by the statistician's figures, and of course could apply any reduction in the basic wage that the statistician's figures might at any time justify.

Strangely enough, in February of this year the Commonwealth Government issued National Security (Economic Organisation) Regulations which, amongst other things, provided for maximum interest rates, control of profits, and the pegging of all salaries and wages at the level existing on the 10th February. But the regulations did not lay it down that salaries and wages could not be altered under any conditions. They provided that whilst salaries and wages should be pegged at the 10th February level, they could be altered in accordance with variations in the cost of living in any State.

Hon. N. Keenan: Were not anomalies mentioned also?

The MINISTER FOR LABOUR: Yes, there were other reasons for which salaries and wages could be altered. They could be altered if anomalies were proved, or if a worker was promoted to a higher position where a higher wage or salary was justified. But the main reason for legally allowing an alteration in salaries or wages was that a variation in the cost of living should take place. This particular part of the regulations dealing with the cost of living variation was so worded as to exclude Western Australia, although at the time the regulations were drawn up and promulgated by the Commonwealth Government, the Crown Law officers and the Commonwealth Ministers were fully convinced in their own minds that no State was excluded from the cost of living variations. However, a part of the regulations in question was so worded as to make cost of living variations legally applicable only where the law of a State provided that those variations should automatically be applied to the basic wage in any State. As I have already explained, our Industrial Arbitration Act does not provide that legal variations in the cost of living, quarter by quarter, shall automatically be applied to the basic wage rates.

Mr. Doney: Of course not, or you would not be bringing down the Bill!

The MINISTER FOR LABOUR: It provides that the Court shall have discretionary power in connection therewith. So the regulations established this position: That workers in all States of the Commonwealth, including Western Australia, had their salaries and wages pegged, but workers in all States except Western Australia were given the benefit of basic wage variations by the regulations. As I have mentioned, the Government regarded this matter seriously

Mr. Doney: Did the other States get a prosperity loading?

The MINISTER FOR LABOUR: After the State Supreme Court had declared that the decision of the Arbitration Court in refusing the 1s. 7d. a week increase for the metropolitan area was good in law, the workers became far more restive than probably most members opposite realise. It was clear to the Government that unless these injustices could be remedied, and remedied within a reasonable time, we would in Western Australia be facing the probability of serious industrial upheaval. The Government was also convinced of the justice of the claim of the workers to receive treatment under the Commonwealth National Security Regulations equal to that received by workers in the other States.

Mr. Warner: That is only just.

The MINISTER FOR LABOUR: The workers rightly argued that if they were to have forced upon them the disabilities of regulations they should have their benefits and advantages. I feel sure that not one member will argue against the fairness of that contention. This Government therefore, made representations to the Commonwealth Government in connection with the

matter. We asked it to correct the position and amend its own National Security Regulations so as to ensure that our workers, so far as the wage-pegging policy and cost of living variations were concerned, would be on the same footing as those in other parts of Australia. We asked the Federal authorities quickly to remedy the position so that the workers in this State would not have to suffer what we considered to be an injustice, already imposed upon them for an unduly long period. The Commonwealth Government's reply was to the effect that it recognised the unfair and unjust position in which the workers in this State had been placed. It considered, however, that it was a position peculiar to Western Australia and therefore one which it could not remedy, but in connection with which it was prepared to grant regulations giving the Premier of the State the power to correct. We as a Government did not agree with that proposed procedure. We did not consider that it was fair and right to ask the State Premier to take the necessary proposed action.

Mr. Doney: It argued a lack of courage on the part of the Commonwealth Government.

The MINISTER FOR LABOUR: We argued the point with the Commonwealth Government. It was a sort of long-range argument and as in most arguments with a State the Commonwealth Government was in a position to impose its will upon us, and the stage was finally reached when we said that if it was not prepared to do what was necessary, then this State Government would accept the responsibility, and exercise it as quickly as possible and to the fullest possible extent although we considered that, as the regulations were framed by the Commonwealth, that Government should have included the workers of this State in the first place. It, however, was not prepared to do that. The National Security Regulations in question were amended.

Time had passed by during this period of negotiation, and when the regulation was amended we were well into the 1942 March-June quarter, and there had been an increase in the cost of living in this State over the January-March quarter, 1942, although not one of 1s. or more. We found then that the amended regulation could not be operated until the Arbitration Court had next considered the figures to be presented to it by the Government Statistician. That meant that the Government could not act under Regulation 17A until the statistician presented his figures to the court for the March-June quarter, 1942, and then could only act to the extent of dealing with the increase shown by the figures for that particular quarter. Nothing could be done in respect to the July-September or October-December quarters, 1941, or the January-March quarter, 1942.

We again took the matter up with the Commonwealth Government and pointed out these deficiencies, and asked that Regulation 17A be appropriately amended to enable the position to be more satisfactorily and fairly adjusted. That amendment was made and the Premier given the additional power required. The statistician presented his figures for the March-June, 1942, quarter to the Arbitration Court early in July. The court studied the figures and subsequently met in open court—in public—and the President made some statements and declarations upon which I would rather not comment. Sufficient is it to say that he indicated he was not prepared to say whether he would or would not grant to the workers the substantial increase shown in the statistician's figures for the March-June, 1942, quarter. He suggested to the representatives of the workers and of the employers that there should be something in the nature of an annual inquiry before the court made any decision about the March-June, 1942, figures. He expressed some doubt about the legal power of the court to grant the increase, and asked that the parties bring lawyers before it to argue the legal points raised as to whether it could alter wages and salaries in view of the fact that they were pegged under the National Security Regulations. He also suggested that the clothes rationing scheme was such as to prevent the worker and his family from buying all the clothes which the court's regimen, in connection with clothing, permitted.

Mr. Warner: It would be a pity for him to have any spare money!

The MINISTER FOR LABOUR: It would, therefore, not be right to grant to the worker an increase which might give him more money for clothing than he could spend, because the number of coupons received under the rationing scheme is not sufficient to allow him to spend the amount set down by the court as being suitable for him.

Mr. Hughes: In 1912 the President of the court was one of your idols.

The MINISTER FOR LABOUR: The member for East Perth was one of our idols for a few fleeting moments.

Mr. Watts: Is he not one of them today?

The MINISTER FOR LABOUR: The President indicated that the economic condition of the State should be searchingly investigated, and the cost to private industry and to the Government of increasing the wage worked out to the last farthing. In fact, the suggestion was that we should, in respect of the cost of living increase for the March-June quarter of 1942, have a major investigation to an even greater extent than that which takes place annually in connection with the basic wage itself, to determine whether the basic wage rates in terms of real money should be increased or decreased. Legally the Government had to wait until the court met on that particular date before the Government itself could act. The Government was satisfied it could wait no longer and that the procedure proposed by the President of the Arbitration Court was not justified in the circumstances, and might easily have brought into existence in Western Australia an industrial situation that no one desired and which, if it arose, would have very serious results affecting the State directly and Australia as a whole indirectly.

The Government, therefore, acted. The Premier issued an order under the powers conferred upon him through the National Security Regulations and varied the basic wage rates in the metropolitan area and in the South-West Land Division. The Government Statistician's figures relating to the goldfields, even though members representing constituencies in that part of the State and local residents themselves are not likely to accept them, showed that the increase in the cost of commodities for three quarters had been practically cancelled out to the very penny by the reduction in house rents in the districts I refer to. In the circumstances no increase was applicable to the goldfields areas.

Mr. Hughes: They vote Labour anyhow!

The MINISTER FOR LABOUR: No increase was provided for the workers in the goldfields or north-west areas, because the cost of living figures submitted by the Government Statistician disclosed that there had not been an increase of 1s. or more. As a matter of fact, I think the net increase disclosed was about 3d., and nothing less than a rise or fall of 1s. can effect an increase or decrease in the industrial wage rates under the present legislation. The feeling of the Government is—and I anticipate it will be the feeling of Parliament generally—that the issue regarding the quarterly adjustment of the basic wage should not be left in doubt for the future. The Government does not desire to be left in doubt, nor do the workers or employers desire to be left in that position in the future. It would be better for both employers and workers, as well as for the people generally, if the law were made absolutely definite in relation to the quarterly adjustments. In the circumstances the time has arrived, in the opinion of the Government, when Parliament should be called upon to wipe away all possible doubt regarding the matter.

In the Bill now before members it asks Parliament to declare that the quarterly adjustment of the basic wage shall in future, whether it be upwards or downwards, automatically apply to the basic wage rates operating in the districts affected. I feel sure if this be done it will establish greater certainty and stability in industry, and throughout the State generally. Employers will know that in periods of rising prices wages are likely to rise and they will be able to plan accordingly, especially as the adjustments are made at frequent periods, namely, four times in each year. On the other hand, the workers will know, that in periods of falling prices, wages will also fall in accordance with price variation. Therefore the principle of automatic adjustments to basic wage rates in accordance with alterations in the cost of living is provided for in the Bill.

I should imagine the Arbitration Court itself would prefer it that way, particularly as in the deflationary period the court interpreted the law along those lines and promptly applied every reduction that could be applied to wages because of the periodical falls in the cost of living. In my view there is everything to be said in favour of the adoption of that principle, which evidently operates in the other States. It operates in connection with the Commonwealth arbitration and conciliation legislation and I cannot imagine any solid or substantial reason that could be advanced

against the adoption of the principle in Western Australia. I move—

That the Bill be now read a second time.

On motion by Mr. McDonald, debate adjourned.

BILL—DRIED FRUITS ACT AMENDMENT

Second Reading.

THE MINISTER FOR AGRICULTURE [4.58] in moving the second reading said: The principal Dried Fruits Act expires in 1943, and it has been customary when it is before Parliament for renewal to extend its term for a two-year period. The Bill I am now presenting embodies a proposal that the operation of the Act shall be extended to 1945. This is one of the very few instances in connection with the organisation and control of the marketing of a commodity where some chaotic condition or other has not arisen because of that control. With regard to dried fruits, although at the inception of the legislation serious disabilities were experienced by the growers, they voluntarily organised themselves for the protection of their interests. Many years afterwards it was decided to give them, on an Australia-wide basis, statutory control of the marketing of their output. One of the principal reasons why this project has been successful arises from the adaptability of the article to storage. It does not require special storage facilities to keep it over long periods, and once dried it is transferable by almost any form of transport to any part of the world without detriment.

During the 1914-18 war the position became rather serious, and in the latter stages of that period prices were only reasonable. After the 1914-18 war it seemed that the stabilisation of the industry had made it sufficiently attractive to induce expansion. The Commonwealth Government spent large sums in establishing soldier settlements on irrigated areas in various parts of Australia, particularly for the growing of vine fruits suitable for drying purposes. The Commonwealth Parliament in 1928 passed legislation controlling inter-State movements of dried fruits and, although this legislation was later declared by the Privy Council to be invalid, it was possible to carry on by the legislation existing in the States under voluntary arrangements with the dried fruits organisations and boards in every State of the Commonwealth. This voluntary agreement, which was supported by 98 per cent. of the industry, provided an opportunity for State Governments to amend their Acts. The functions and duties of the State boards were as follows:—

Determination of quotas for each season's crop.

Policing of industry to ensure all dried fruits processed in registered packing-house and correctly labelled by retailers.

Enforcement of strict grading system.

Maintenance of efficient inspection system.

Control has neither retarded production nor increased the price of the commodity. Those are very important features in control legislation of this sort. When the first statutory board was established in 1925, the production of dried fruits in Australia was 45,000 tons. In 1940 production exceeded 100,000 tons and the price variation, taking currants as a standard, has been—

1920	.. .. ..	8¾d. per lb.
1924	.. .. ..	7d. per lb.
1938	.. .. ..	7½d. per lb.
1941	.. .. ..	8½d. per lb.

Thus the price in 1941 was 8½d. compared with 8¾d. when control was first brought about. Our legislation has been continued in biennial periods since 1929. It was initiated because of repeated requests on the part of growers, who previously were faced with chaotic conditions owing to price fluctuations, serious gluts, and inability to guarantee the quality of the article marketed. Throughout Australia at present the production is about 100,000 tons, of which about 75,000 tons are exported. Fortunately the British Government has made very substantial contracts with Australia for the supply of dried fruits and so far, in spite of shipping difficulties, adequate space has been available and almost all contract orders available to Australia have been shipped to the United Kingdom Government. Production in this State has increased materially. In 1927 it was 1,576 tons; in 1941 it was 2,924 tons and the peak year was 1939 when the production was 3,908 tons. The production figures show variations in different types of the commodity, but with currants the progress has been steady and substantial, the increase having been from 1,158 tons in 1927 to 2,450 tons last year.

The principal fruit in this State coming within the purview of the Act is currants. About 80 per cent of the production of dried

fruits in this State would be currants. With such a proportion dominating the total production for which export is necessary, it is very important that control be retained as in the past. Many growers are clients of the Agricultural Bank and theirs are amongst the steadiest and best accounts. A considerable part of the expansion in the district represented by the member for Toodyay has been due to Government advances, and the growers who have received this assistance are in a fairly healthy position. We expect that the combined Services in Australia will absorb about 6,500 tons of dried fruits this year, which will assist in obviating the earlier prospects of a big reserve being built up owing to difficulties regarding export.

In a general way I have very little faith in some of the arguments advanced for what people are pleased to call orderly marketing, because I have seen not merely bad results to the producers but also more chaotic conditions prevailing than if the industry were allowed to go along in its own sweet way. This is a commodity, however, which is storable, can be handled readily and can be transported anywhere. The industry is one in which control and market-rationing have brought substantial advantage to the producer and no detriment to the consumer. It is not necessary for me to become expansive on the subject; the provisions of the Act are clearly understood. The Bill proposes that this legislation be re-enacted for a further period of two years to the 31st March, 1945, and no longer. I move—

That the Bill be now read a second time.

MR. THORN (Toodyay): The growers of dried fruits are very pleased the Minister has introduced this continuance Bill. The Act has given stability to the industry. It has permitted of the industry being organised and, as the Minister has explained, has led to an improvement in the growing, packing and marketing of the product. I am pleased we have been able to ship all our export fruit from this State and I hope it is now in the Old Country. This is a very desirable foodstuff for people in England. It is a commodity that is exported in a concentrated form; it does not occupy a lot of shipping space, and it has a high value as an article of diet. That this legislation should be continued is most desirable. As the Minister stated, the price to the consumer has not been increased, although the costs of production on account of the war are much higher.

Unfortunately the growers have received no compensation for the higher costs, but I do not press that point. An important consideration is that the cost of the product to the consumer has not been increased. After the 1914-18 war, considerable chaos prevailed in the industry. We brought soldier settlers into the scheme. The industry was quite suitable for them; but owing to depressed markets there was chaos in the industry and producers suffered considerably. In point of fact, the producer slipped back and got seriously into debt through being engaged in this industry. This legislation, however, has provided organised and orderly marketing, and has improved the packing and marketing of the article in all directions. I hope there will be no opposition to the continuance of the Act.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—MINING TENEMENTS (WAR TIME EXEMPTIONS).

Second Reading.

THE MINISTER FOR MINES [5.13]: in moving the second reading said: This very small Bill is one of the results of the war. Its intention is to relieve the mining industry. The language of the measure is simple and its purpose is to authorise the waiving or postponement of rent and/or the granting of exemption from labour covenants on any mining tenement for any period during any war and six months thereafter. The passing of the Bill is essential because many of our mines will not be able to carry out their obligations under the Mining Act. Therefore we must make provision for the Minister for Mines to take into consideration the various aspects of mines as they become depleted of manpower, and to make the necessary provisions for them. The Bill applies solely to the Mining Act, 1904-1937. The interpretation of "mining tenements" includes every holding granted under the Mining Act.

Under the measure the Minister is given the right to recommend to the Governor by proclamation for any period to waive, or

postpone wholly or partly, rentals. The holder of the tenement affected is then protected from forfeiture for non-payment. Any proclamation can be revoked. Proclamation is to be given effect to by the Minister. The Bill also deals with the effect of such proclamation. When rental is waived, further rental will only be required from the date of expiration of the period of waiver that is granted. But there is a difference when rental is postponed. In that case the holder will be liable to pay the rent for the period of postponement on such terms as may be required by the Minister. Exemption from labour conditions by proclamation will protect a mining tenement from forfeiture. The Bill also provides that the operation of any exemption, waiver, or postponement shall cease on the date of publication of any subsequent revoking proclamation.

The Bill is to operate during the present war or any other war. Therefore it is possible that circumstances may arise rendering it necessary only to postpone payment of rent and not to waive such payment altogether. Though the necessary provision is included in the Bill, I do not see any prospect of resorting to postponement, as against waiver, of rent during the present war. I regret the introduction of the measure but it is one of various legislative proposals which have become essential owing to depletion of manpower in our mines. The companies are anxious as to what course the Government will take. Unfortunately, already two of our big mines have closed down. We hope that not too many mines will follow suit. I move—

That the Bill be now read a second time.

On motion by Hon. C. G. Latham, debate adjourned.

BILL—ROAD DISTRICTS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WORKS [5.17] in moving the second reading said: This Bill embodies three amendments which have been suggested by the Road Board Association and various road boards, and which are supported by the Local Government Branch of the Public Works Department. The proposals, although of a non-contentious nature, are of importance to the local authorities. At present a chairman or member may receive payment as returning officer without jeopardising his right to sit as a member of the board, and it is considered by the Road Board Association and the department that this protection should logically be extended to a member of a board when acting as a deputy returning officer. Provision in this connection is therefore included in the Bill. Road boards now have power to erect on any land vested in the board, or acquired for the purpose, houses to be leased to and used as homes by employees of the board, provided that no money shall be expended in the erection of any such houses or the acquisition of any such land except out of loan money.

During the past few years this provision has prevented several boards from purchasing suitable houses already erected, and which could have been obtained at a cost considerably less than that of new houses. The Road Board Association and numerous boards have asked that the Act be amended to give them power to purchase. The department supports the suggestion; and also that the Act be amended to provide that the purchase price may be paid from either revenue or loan, subject in each case to the prior approval of the Minister controlling Local Governments being obtained. The Bill seeks to give this authority. The department, I may say, suggested that the Act should be amended to provide that the purchase price might be advanced from either revenue or loan moneys, subject in either case to the prior approval of the Minister controlling local authorities.

Mr. Doney: Is this a matter brought up only recently by the boards?

The MINISTER FOR WORKS: The Road Board Association, as well as the local authorities, made the request. The matter has been discussed widely. It is now proposed to give the authorities power to purchase; in the past they have been unable to do so. Requests have been made by some road boards to bring the Act into line with the Municipal Corporations Act by giving boards power subject to the Minister's approval to introduce loose-leaf or card systems of rate books. A similar provision has been in the Municipal Corporations Act for some years, and no difficulty has been experienced with regard to the loose-leaf or card system introduced. This Bill now seeks to give road boards the desired authority in this respect.

Mr. Doney: Is that also a request of the Road Board Association?

The MINISTER FOR WORKS: Yes. As members are aware, the books of accounts of local authorities are audited by a staff attached to the Public Works Department. The officers concerned are satisfied that the loose-leaf or card system may safely be introduced by road boards. The Minister's permission must, however, first be obtained. These three small matters will make for the better working of those local authorities. I therefore move—

That the Bill be now read a second time.

On motion by Mr. Doney, debate adjourned.

BILL—ALBANY RESERVE ALLOTMENTS.

Second Reading.

THE MINISTER FOR LANDS [5.24] in moving the second reading said: This Bill relates to a reserve which, in 1894, was set aside for recreation purposes at Middleton Beach, Albany. The boundaries were amended in 1901. In October, 1919, the Albany Council made application for permission to grant leases of portions of the reserve to private individuals and to erect a number of sectional huts for summer visitors. The Lands Department was requested to take the action necessary to allow of the area being vested in the council for the purpose of leasing allotments to summer visitors. To assist the council, the purpose of the reserve was changed from recreation to recreation and camping. The land was vested in the council for those purposes and power was given to it to grant leases for periods up to 21 years. The council proceeded to subdivide the area and grant leases.

It was at the council's request that the purposes of the reserve were made specific —to lease to private owners and to erect a number of sectional huts to be rented to summer visitors. One of the terms of the lease was that the lessee should clear and fence the land and erect a dwelling house thereon in accordance with plans and specications to be approved in writing by the council. As a result, permanent dwellings were erected on the allotments. The word "dwelling" in the lease granted by the council certainly extended to buildings of a more permanent character than were the sectional huts to which I have referred. On one lot a two-storey house was built. No steps were taken by the council to limit the occupation of these areas to camping purposes.

In 1934 the council investigated the prospect of having the area made freehold, so that it could subdivide the land or ratify the previous subdivisions and sell the allotments. The council was informed at the time that the public generally had been permanently deprived of the use of the land and that it, the council, would not be allowed to submit the lots for auction, especially as many of the lessees had built permanent homes on them. A legal difficulty arose, the advice to the department being that if the vesting order were cancelled, the cancellation would not take away the council's right to the land. The vesting order would merely cancel the purposes of the reserve. One opinion was expressed that that would be another way to give the council the freehold of the land. As I said, the council granted leases and these expire at varying periods. For example, two or three expire next year, while others do not expire until 1958. We are consequently faced with a difficult position. People have erected substantial residences upon these allotments.

We have explored the possibility of selling the area in reversion to the Crown, subject to improvements; but that course would have created another difficult position for those who were encouraged to build substantial residences on the area. The Land Act provides that the land may be sold by auction; but, if that course were followed, the land would be sold subject to the improvements erected thereon, and it would be necessary to have such improvements valued in order to protect the rights of the existing owners. Many people might be inclined to pay extremely high prices for the land, much higher than the land is worth, in order to obtain the land, plus the buildings, which at present are occupied by the original lessees. If a person other than the existing owner purchased the land an awkward position would arise, and the owner might even be deprived of his home. To get over the difficulty, and rather than have this matter included in the ordinary Reserves Bill, it was thought that the position could be rectified by the introduction of a separate Bill. By this method not merely is the legal position corrected, but the rights of those who were encouraged to build substantial residences will also be protected.

In the appropriate clauses of the Bill it will be found that instead of the usual 12 months' terms we have decided to extend the period to two years, payments being made in eight quarterly instalments. Under the Bill the lessees will be able to carry on with their existing leases until expiration, if they do not desire to accept the privileges the Bill confers. At the end of that time the land will fall into the hands of the lessor who will be the Minister for Lands, and the former lessees will be given three months to enable them to remove the improvements existing at that time. The rental payable will be £2 per annum in all cases and cannot be increased. Provision is made for the acquisition of the fee simple by the lessee. An application for this must be made within six months of the passing of the Act. The purchase price will be fixed by the Government, and the intention is that the Surveyor-General and the valuation officers will fix the value of the land and the lessee will have the opportunity of paying either in one lump sum or on terms of 10 per cent. deposit, and the balance by equal quarterly instalments over two years.

On completion of purchase the lessee will receive a Crown Grant on payment of the necessary fees, namely 30s., to the department and 5s. plus a contribution of a half-penny in the £ on the purchase price to the assurance fund, payable to the Land Titles Office. If the lessee does not exercise his right to give notice within six months of the passing of the Act of his intention to purchase, or accept the Minister's offer within one month, he must continue until the expiration of his lease. The particular clause dealing with this matter gives him three months in which to remove the improvements existing on the property. The Bill will be found to deal explicitly with all the circumstances that can be expected to arise, and although it means that this part of the reserve which was initially set apart for recreation has become a permanent residential area there appears to be no better way of overcoming the position. I move—

That the Bill be now read a second time.

MR. HILL (Albany): I support the second reading of the Bill, and on behalf of the Albany Council and the lessees I thank the Minister for introducing it. He has so clearly outlined the position that there is little occasion for me to say anything more about it. The measure is desired by the municipality and the lessees, and I think that its passing will be of advantage to the area affected. Middleton Beach has made rapid progress since the reserve was granted and it would be a mistake at the best of times to have a camp area in that spot. The passing of the Bill will enable the future owners of the land to erect residences there comparable with those in surrounding areas. I trust the Bill will be passed.

On motion by Hon. C. G. Latham, debate adjourned.

House adjourned at 5.34 p.m.

Legislative Assembly.

Tuesday, 8th September, 1942.

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The SPEAKER took the Chair at 2.15 p.m., and read prayers.

QUESTIONS (7).

ROAD MAKING, COMPARATIVE COSTS.

Mr. BERRY asked the Minister for Works: 1, What are the comparative costs of making one mile of—(a) bituminous road; (b) gravel road; (c) cement road; (d) soil-cement process road? 2, Does he know how many miles of soil-cement process roads have been constructed in the United States of America? 3, Is this soil-cement processed roadmaking still being persevered with in the United States of America? 4, Have any experts in this type of roadmaking been consulted with a view to its incorporation in the modern roadbuilding of Australia? 5, Has any sum of money been allocated in Australia for experimental purposes in connection with roadmaking?