

Legislative Assembly.

Tuesday, 2nd November, 1948.

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

QUESTIONS.

RAILWAY BUS SERVICES.

As to Perth-Northam Route.

Hon. A. R. G. HAWKE asked the Minister for Railways:

In view of the continued deterioration of passenger train services between Perth and Northam, and Northam and Perth, will he immediately consider running a departmental road bus daily from Perth to Northam and return?

The MINISTER FOR WORKS replied:

The matter of improvement to these services is under consideration and it is hoped to effect a substantial improvement without undue delay.

ROBB'S JETTY ABATTOIRS.

As to Killing Space.

Mr. NALDER asked the Minister for Lands:

(1) Is he aware that because of the restricted killing space at Robb's Jetty exporters have had to curtail the buying of fat lambs at Midland Junction market for the past two weeks?

(2) Because of this restricted buying, many hundreds of lambs were sold under value and would not reach the export market?

(3) Because of the urgent need for the export of all available meat, will he have the position rectified?

The MINISTER replied:

(1) Killing space is not restricted at the Robb's Jetty Export Meat Works. All commitments were met, but the killings were delayed owing to a breakdown in the East Perth Power House on Wednesday afternoon, the 20th October.

(2) There is no evidence that this delay caused restricted buying, or that lambs were sold under value and would not reach the export market.

(3) Answered by Nos. (1) and (2).

DEPARTMENT OF AGRICULTURE OFFICERS.

As to Report on Belmont Property.

Mr. GRAYDEN asked the Minister for Lands:

(1) Did a representative (or representatives) of the Department of Agriculture attend a gathering on Mr. Blomfield's property, Belmont, on Friday, the 15th October?

(2) What was the purpose of the attendance of Agricultural Department officers?

(3) Has any report been made in connection with the matter?

(4) Will he table a copy of such report?

The MINISTER replied:

(1) Yes.

(2) The officers of the department attended to carry out tests at the request of Mr. Blomfield for the purpose of determining whether the plant installed by him for the treating of pig swill would meet the

requirements of the Agricultural Department in accordance with regulation 77A of the Stock Diseases Act.

(3) Yes.

(4) Yes.

POLIOMYELITIS.

As to Cases Reported.

Mr. NALDER asked the Minister for Health:

(1) How many cases of poliomyelitis were reported in the years 1945, 1946, 1947, and up to the 31st October, 1948?

(2) Why has so much publicity been given to reports of cases in recent months?

The HONORARY MINISTER FOR SUPPLY AND SHIPPING replied:

(1) The number of cases of anterior poliomyelitis notified in the State in 1945, 1946, 1947, and to 31st October, 1948, were 6, 2, 2, and 267 respectively.

(2) In recent months when information has been sought by the Press, the daily number of suspected cases has been furnished. Each Monday a bulletin is issued by the department showing the number of confirmed cases for the previous week. The reasons for this publicity are:—

(a) Many wild rumours found credence before this policy was adopted.

(b) The public is continuously reminded that infection is prevalent. The corollaries are the shunning of crowds and crowded places and the avoidance of unnecessary travelling.

KALGOORLIE HOSPITAL.

As to Filling Staff Vacancies.

Mr. STYANTS (without notice) asked the Minister for Health:

On Thursday last, I asked the Minister for Health a certain question in connection with trained staff for the Kalgoorlie Hospital. The Honorary Minister for Supply and Shipping, on his behalf, undertook to have the matter looked into and the information made available. Has she that information?

The HONORARY MINISTER FOR SUPPLY AND SHIPPING replied:

I have not the information with me. The questions were not passed on, and there-

fore I did not really investigate them, but I shall do so and give the answer tomorrow.

WATER SUPPLIES.

As to Reduction in Goldfields Rates.

Mr. STYANTS (without notice) asked the Minister for Water Supply:

On the 11th August, 1948, the Minister stated, in reply to questions asked by me regarding water charges reductions on the Eastern Goldfields, "Adjustments to such charges are nearing finality. New charges should be ready for announcement within two or three weeks." As ten weeks have now elapsed, can the Minister give the House anything further in connection with this matter.

The MINISTER replied:

I admit that this question, without notice, is justified. Delay arose owing to the need to amend certain figures in an earlier decision, but a statement is now ready for publication.

BILLS (2)—THIRD READING.

- 1, Western Australian Government Tramways and Ferries.
 - 2, Justices Act Amendment.
- Transmitted to the Council.

BILLS (3)—REPORTS.

- 1, Government Railways Act Amendment.
 - 2, McNess Housing Trust Act Amendment (No. 2).
 - 3, Motor Vehicle (Third Party Insurance) Act Amendment.
- Adopted.

BILL—STIPENDIARY MAGISTRATES ACT AMENDMENT.

Second Reading.

Debate resumed from the 26th October.

HON. E. NULSEN (Kanowna) [4.38]: On looking at the Bill I find that it proposes an increase in salary payable to stipendiary magistrates from a maximum of £1,020 to £1,152. That increase is not comparable with the increases that have been given to magistrates acting under the Civil Service Act, as well as to

other civil servants. Stipendiary magistrates come under the Stipendiary Magistrates Act of 1930, and are subject to the Government as regards their salary increases. Even though the Bill proposes to increase the statutory limit I feel that, to put them on a fair basis with all other sections of the Government service, the increase should be more than is provided by the Bill.

There are three stipendiary magisterial districts in Western Australia, and five stipendiary magistrates. To give the House an idea of what I mean by a comparison, I intend to set out the recent increases granted to members of the Public Service. The Auditor General was granted an increase from £1,000 to £1,200, a difference of £200 per year. The Chief Justice, whose salary was £2,300 a year, received an increase of £300, making his salary now £2,600 a year. The salary of puisne judges was increased from £2,000 to £2,300, an improvement of £300, and the Public Service Commissioner went from £1,250 to £1,475, an increase of £225. Compared with these amounts, it is proposed under the Bill that a stipendiary magistrate's salary shall be increased by £132 per annum.

I understand that the Public Service Commissioner did make a recommendation for an increase in salary to £1,240, which would have meant a rise of £220. I do not know whether that information is correct, but it is what I have been told. As can be seen from the figures I have given, the increase of £130 a year is not comparable with increases which have been made to other members of the Government service, and I intend to ask the Government to give consideration to this factor. A private member, under Section 46 of the Constitution Act, cannot move an amendment where it will impose an increase of expenditure on the Government. In view of that, I can only request the Government to do something in this direction.

I also feel that the increase proposed should be made retrospective to the date of the increase granted to civil servants, and the magistrates acting under the Civil Service Act—that is, resident magistrates—which I believe took place in March last. I seek the co-operation of the Government in making a fair advance to stipendiary magistrates because, if these magistrates acted under the Public Service Act, their position

could be reviewed every five years, but their salaries have been static for the last 15 years. In view of the fact that they have no redress except through Government channels, I think we should bring their salaries into line with other recent increases. I hope the Government will give further consideration to the Bill, and make the amendments I have suggested.

HON. J. T. TONKIN (North-East Fremantle) [4.45]: I do not wish to detain the House very long in speaking to this measure, which is one to enable an increase to be made in the salary granted to stipendiary magistrates. However, I am of the same opinion as the member for Kanowna that the increase is not comparable, as it ought to be, with those already made to other Government servants. I also agree that provision should be made for the increases to be retrospective to the date of the improved salaries payable to civil servants. When the salaries of members of Parliament were increased, they were made retrospective in the belief that they were due to date from the time when the proposition was mooted. In this instance, the Bill recognises that increased salaries are necessary—and they have been necessary for some time—so it appears to me quite fair and proper that such increase should apply over a prior period during which other persons have enjoyed increases in salary where they have been judged requisite. I support the remarks of the member for Kanowna, and agree with him that the increase is a little short of what it should be to make the salary reasonably comparable with the earnings of other civil servants, and I trust that the payment will be retrospective.

THE MINISTER FOR HOUSING (Hon. R. R. McDonald—West Perth—in reply) [4.47]: I am indebted to the members for Kanowna and North-East Fremantle for their observations on the Bill, but would like to assure them that the amount of increase in salary received careful consideration. The matter of an appropriate increase was the subject of reference to the Public Service Commissioner, who was desired to advise the Government having in view increases which had been made in salaries fixed for other officers and general increases that had been awarded to members of the Public Service. I am not in a position to say precisely what

view was expressed by the Public Service Commissioner, and whether any view expressed suggested a more generous salary than is contained in the Bill, because it was introduced by the Attorney General. However, I do know that it was introduced after consultation with the Public Service Commissioner and, after his advice had been sought, the amount was fixed as set out in the Bill.

I would like to add one or two words as to the particular case of stipendiary magistrates. The first is that whereas all other public servants are compelled to retire at the age of 65, stipendiary magistrates have a working life up to 70 years. Therefore, for five years beyond the period when the Auditor General or the Public Service Commissioner, or any other public servant, apart from judges, might enjoy the full emoluments of office, stipendiary magistrates can continue to draw what will be a substantial salary of £1,152. That is a very material factor to be taken into consideration in comparing salary increases of public servants who are compelled to retire at 65, and the salary increases of officers of the Government who are entitled to enjoy full emoluments up to the age of 70.

The other consideration is that the members who spoke on the Bill will know from past experience of government that senior magistrates are from time to time called upon to undertake special duties. It might be an inquiry, a Royal Commission or some other particular additional duty. They might be asked to act on some particular tribunal set up under an Act of Parliament, of which there is quite a number. It has been the habit in the past for them to receive some additional financial consideration in respect of the extraneous duties the Government has asked them to perform, which in some instances would entail work outside normal hours. I think it can be shown that there has been a financial increment to senior magistrates from these sources over the years, and that may still continue to some extent.

Hon. J. T. Tonkin: It might with regard to some of them, but it would not apply to all.

The MINISTER FOR HOUSING: Not necessarily to all, but in the case of stipendiary magistrates, who are the seniors

in the magisterial service, I think I can recollect that every one of them has from time to time served on statutory boards or committees during the last two or three years, and even prior to that, with the result that they have enjoyed additional emoluments. Thus, there are two very important differentiations between the general members of the Public Service and those who have their appointments under this special Act.

In these circumstances, it has been considered that the increase in salary of £132 a year, plus the additional advantage that was not enjoyed by them previously of participating in any increase in the basic wage figures, in common with other members of the Public Service, is not unreasonable, having regard to the particular advantages these officers enjoy. It was, therefore, thought there was no need to adopt the practice which, in general, I consider Governments and Parliaments would be well advised to avoid—retrospective application of increases of this type. Such retrospective payments can often lead to a great deal of misunderstanding and controversy. While I welcome the suggestions made by the member for Kanowna and the member for North-East Fremantle, I feel that, in view of the special privileges which the stipendiary magistrates enjoy beyond all other magistrates and public servants, the addition of £132 a year, plus the basic wage allowance, to their salaries, is a reasonable contribution by the Government in an attempt to adjust those salaries on a fair and equitable basis.

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—POULTRY INDUSTRY (TRUST FUND).

Second Reading.

Debate resumed from the 13th October.

MR. FOX (South Fremantle). [4.55]: The Bill seeks to create a trust fund in the interests of poultry farmers. As the whole of the money is to be provided by the poul-

try farmers themselves, it is only right that they should have a majority of members on the committee which is to be set up. They are to have two members and the Government will nominate the third. At present the costs incidental to the marketing of eggs amount to 5½d. a dozen, and consequently the industry is not in a position to bear a very large increment in the cost of egg production. The levy to be imposed is small and represents 1d. for every 30 dozen. If it should be necessary to augment the fund owing to any disease making its appearance suddenly among the birds, the levy can be increased. The egg production for the year ended the 30th June, 1948, totalled 7,676,500 dozen, which were disposed of as follows:—

Dozen.

Received at grading floors	5,614,600
Sold by storekeepers ..	1,289,800
Private sales by producers	772,100

A levy of 1d. for every 30 dozen on that basis would return an income to the fund of £1,066. It will be agreed that in view of an income of that dimension, the cost of administration cannot very well be high. I trust the Minister will keep the cost of administration down to a minimum because in the event of an outbreak amongst the poultry there would be very little in the fund to enable it to be dealt with, particularly if the outbreak were of any great dimension. In that event, the Government would have to go to the assistance of the poultry farmers. The Bill provides that the Under Secretary may appoint a secretary to the committee and any inspectors and other officers who, he is satisfied on the information of the committee, are necessary to enable that body to carry out its duties and functions. It also sets out that any officer employed in the Department of Agriculture shall be eligible for appointment.

The fund at its inception will not enable the committee to employ a full-time officer and I trust that the Minister will, in the circumstances, co-opt an official of the Agricultural Department to help place the fund on its feet. It will be remembered that there was a serious outbreak of disease among poultry last year as a result of which many owners lost a large part of their stock. In some instances the loss was almost sufficient to prevent the poultrymen from carrying on. As a result of this outbreak the department made advances to a number of poultry farmers, which advances must be

repaid over a number of years. Would the Minister say whether these advances are to be paid back from the fund or whether they are to remain the liability of the poultry farmers to whom they were made?

I have talked with a number of poultry farmers about the Bill. One of them suggested that the Government should appoint some man skilled in inoculating poultry to visit the farms and inoculate the birds the first year only, as he considered that the farmers should thereafter be able to inoculate the birds themselves. The Bill is in keeping with many other similar Bills introduced in Parliament over a number of years. We all remember the outbreak of swine fever that occurred not so long ago. No fund was established to compensate the pig owners at that time. The department took drastic action, but I consider that justice was not done to all the pig owners at the time, as some of them had very high-class pigs which were destroyed and for which they were paid only at the rate applicable to baconers.

The Minister for Lands: The fruit-growers' trust fund was established on the same basis as it is proposed to establish this fund.

Mr. FOX: An outbreak of disease amongst poultry would be likely to cause considerable damage. The experience we gained in connection with swine fever has taught us that it is better to kill all the stock affected and endeavour to stamp out the disease as quickly as possible. In the case of the swine fever outbreak, however, all the pigs on affected properties were destroyed. The penalties provided in the Bill are somewhat high; but as the measure is for the benefit of poultry farmers, I do not consider they are too high. If farmers will not look after their own interests they should be penalised and it is necessary to fix a fairly severe penalty. The poultry farmers to whom I have spoken very much favour the Bill, and I support the second reading.

MR. WILD (Swan) [5.3]: This trust fund is something which I feel is long overdue for the poultry farmer. I am in accord with the remarks made by the member for South Fremantle. I, too, believe the measure has the approbation of all the poultry farmers throughout the State. There are one or two pleasing features about the

Bill. One is that the producer is to be represented on the basis of two to one, so I think the desires of the farmers will be put forward and carried into effect. The proposed toll is not a big one, 1d. per 30 dozen eggs. I have worked out what it would have meant had this fund been in operation for the past five years. In 1943 it would have produced £795; with the increase in egg production during 1945-46, it would have produced £963. In 1946-47, production dropped a little. There was a decrease in production of 230,000 dozen eggs. But for the nine months of this year, if the rate of production is maintained, I think it will be found that the fund will produce a little over £1,000.

The Bill has been introduced as the result of the outbreak of laryngo-tracheitis in this State some four or five months ago. That was the first time the disease had been known or identified in Western Australia, although in the Eastern States it has been causing great ravages amongst poultry. In New South Wales poultry farmers at present are paying for inoculation from 2½d. to 3d. per bird. As the birds might have to be inoculated for two years in succession, that takes a big toll of the industry. As the member for South Fremantle has said, and I agree with him, the poultry farmers are prepared to help themselves by establishing this fund in order to set up a research station with the collaboration of the poultry section of the Agricultural Department. There is a distinct possibility that we shall be able to find out the cause of this disease, notwithstanding that the experts in New South Wales have not been successful so far in that respect.

We have several other poultry diseases in Western Australia, which also affect poultry in other parts of the world, and of which the cause is not known. I refer to avianleukosis and coccidiosis, together with laryngo-tracheitis. No-one has yet been able to determine the cause of these diseases or how to cure them. This fund will go far towards providing the necessary cash for research, so that we may get down to a firm basis in the interests of the poultry farmers. I have given notice of two or three amendments which I propose to move when the Bill reaches the Committee stage. I was asked to move them on behalf of the Poultry Farmers' Association of Western Australia,

and I shall do so at the appropriate time. I support the second reading.

THE MINISTER FOR LANDS (Hon. L. Thorn—Toodyay—in reply) [5.6]: I cannot give the member for South Fremantle a guarantee that the poultry farmers who have already suffered losses will receive assistance from the fund to be established; but, on representation by himself and the member for Fremantle, the Government did consider the poultry farmers who had suffered losses and, as the hon. member knows, the Government made free-of-interest loans to those farmers. Four such loans were made. I shall not mention the names of the poultry farmers, but the amounts advanced were £500, £150, £150, and £450 respectively. That is as much as I can say at present regarding the assistance to be given to them. I agree with the member for South Fremantle that this proposed small levy will not raise a large amount of money, and consequently I feel it is the duty of the Government to see that an expensive set-up to control the fund shall not be created. I should say we ought to be able to control a small fund like this through our department without any extra cost. I shall take that suggestion into consideration.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Perkins in the Chair; the Minister for Lands in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Interpretation:

Mr. WILD: I move an amendment—

That in line 2 of the definition of "producer" after the word "twenty" the words "or more" be inserted.

Obviously, the intention was to provide that the producer was to own 20 or more than 20 head of adult female poultry.

Amendment put and passed; the clause, as amended, agreed to.

Clauses 4 to 16—agreed to.

Clause 17—Contributions to the Fund:

THE MINISTER FOR LANDS: I desire to correct a printer's error, and accordingly move an amendment—

That in line 2 of Subclause (3) the figures "1948" be struck out and the figures "1945" inserted in lieu.

Amendment put and passed.

Mr. WILD: I move an amendment—

That in line 9 of Subclause (3) after the word "with" the words "the production of chickens for use in" be inserted.

It frequently occurs that incubator chickens are sold suffering from pullorum disease. Therefore, those who incubate chickens should be forced to pay a levy to this fund for the purpose of research. As the Bill stands, chickens incubated by a professional poultry farmer would not be liable to pay the levy. A poultry farmer may keep from 1,000 to 3,000 birds for himself and sell the remainder—sometimes as many as 20,000. With the insertion of these words, the incubator of chickens will not pay for those he retains but only for those he sells.

The MINISTER FOR LANDS: I have no objection to the insertion of the words because they clarify the position. I could not have agreed to the clause being struck out, because on principle I feel that we could not tax a poultry farmer on the eggs he uses in the production of his own flock. But where an incubator is being used commercially I can see no objection to the tax being paid on the eggs.

Amendment put and passed.

The MINISTER FOR LANDS: I move an amendment—

That in line 1 of Subclause (4) the figure "1948" be struck out and the figure "1945" inserted in lieu.

Amendment put and passed.

The MINISTER FOR LANDS: I move an amendment—

That in line 2 of Subclause (6) the figure "1948" be struck out and the figure "1945" inserted in lieu.

Amendment put and passed.

The MINISTER FOR LANDS: I move an amendment—

That in line 1 of Subclause (7) the words "Egg Marketing Act, 1948," be struck out and the words "Marketing of Eggs Act, 1945" inserted in lieu.

Amendment put and passed.

The CHAIRMAN: The remaining amendment on the notice paper dealing with this clause will be made consequentially.

(Clause, as amended, agreed to.

Clauses 18 to 27, Title—agreed to.

Bill reported with amendments.

BILL—MATRIMONIAL CAUSES AND PERSONAL STATUS CODE.

Second Reading.

Debates resumed from the 26th October.

MR. STYANTS (Kalgoorlie) [5.24]: This is one of those measures that may be classed as domestic and very controversial. It is one of those Bills in which the Minister is becoming a specialist, possibly because of his immunity on account of his marital state.

The Minister for Housing: I take an impartial view.

MR. STYANTS: The contents of the Bill were outlined almost clause by clause by the Minister when he introduced it, so I do not propose to speak at any great length on this occasion. The Minister was good enough to lend me what I might describe—perhaps incorrectly—as a precis of the requirements in connection with the overhaul of this type of legislation by Mr. Justice Wolff who, the Minister gave us to understand, had thoroughly investigated the matter and upon whose recommendation the Bill is, to a very great extent, formulated. I am indebted to the Minister for the loan of the precis because it gives the reasons why Mr. Justice Wolff thought it necessary for these alterations to be made.

No doubt the judge was guided by his experience in dealing with unfortunate cases of this kind that come before him from time to time. It would appear from his observations in the notes to which I have referred that the Act has been due for an overhaul for a considerable time. There seem to be quite a number of anomalies and shortcomings in the legislation and in many instances the members of the judiciary have a lack of jurisdiction in dealing with certain cases. Mr. Justice Wolff has made many recommendations along those lines. Generally the provisions he has suggested will make for simplicity and should reduce costs, particularly where it is proposed to combine into one case what have previously been two separate actions, such as the disposal of property being taken in conjunction with divorce proceedings, and where a defendant in a case decides to make a counter-charge.

This amendment should reduce costs unless, as is recommended by Mr. Justice

Wolff, permission is given for an increase in fees because of the fact that these fees—and I take it they are court fees, fees charged by the Crown, and not counsel's fees—are something like 50 per cent. of those imposed in the Eastern States. In many respects the Bill is of a highly technical nature and it would be impossible for me as a layman to deal intelligently with it. There are quite a lot of alterations made to the existing law but none are made, except one, in relation to the causes for which divorce may be obtained. Most of the proposed alterations appear to be quite reasonable and desirable but some of them are debatable. The Bill is essentially a Committee one and there are some points in it concerning which I would like to secure some information.

One proposal I am pleased to see included relates to an alteration to the existing law in connection with voidable marriages. The present law inflicts great injustice, particularly on children, in the case of some classes of voidable marriages. There is the case where one of the parties to a marriage has been absent for a period of seven years and the other party decides to re-marry. This can be done without the individual being charged with bigamy, but then, when the missing partner turns up, that immediately makes the marriage invalid, though it is not illegal, in the sense that the party contracting the second marriage cannot be charged with bigamy. Nevertheless, the marriage is then invalid and any children—it may be a number of years later, when perhaps two or three children have been born to the second marriage—have the stigma of illegitimacy imposed upon them.

There is a provision in the Bill which will, to a great extent, do away with that position. I refer to the provision which sets out that a person contemplating a second marriage under these circumstances may get from the court a declaration of the presumption of death. Once that declaration had been obtained, even though the deserting partner of the first marriage eventually turned up, the second marriage would not be invalid. It appears to me that the action of obtaining a declaration of presumption of death would have a dual purpose; it would be the equivalent of divorce proceedings in the first marriage, thus making the second marriage valid, and it would do away with the stigma of illegitimacy that would

otherwise be placed on the children of the second marriage. In the event of a person obtaining such a declaration that would, in itself, be the equivalent of divorce proceedings and the dissolution of the first marriage, should the deserting partner to that first marriage turn up. The second marriage still being legal, the first must certainly have been dissolved or declared to be illegal.

Mr. Marshall: The fact that you presumed your wife to be dead would not give you the right to say that you were a single person.

Mr. STYANTS: Perhaps the Minister will elaborate on that. In the United States of America justices have conferred on them the right, in a case of that kind, to declare the children legitimate. Should it be necessary—in addition to the provision with regard to the declaration of presumed death—I would be prepared to support any further legislation necessary to ensure that children are not unjustly dealt with.

The only portion of the Bill with which I disagree is that which provides an additional ground upon which divorce may be obtained. I refer to the provision which says that where there is wilful and unreasonable refusal of sexual intercourse that shall be deemed to be desertion by the party refusing. That means that if cohabitation does not take place between the parties for a period of three years, it shall be regarded for this purpose, as grounds for divorce in the same way as desertion for a three year period is regarded. I do not think such a state of affairs is likely to arise.

It appears to me that when a married couple become so estranged that one or both of them feel that there is an aversion to cohabitation, one of them will leave the premises. I think the husband—if it were the wife refusing cohabitation—would have left the premises where his wife resided long before three years had elapsed, owing to the intolerable living conditions that would have been brought about. In the case of the husband refusing cohabitation, I think that the wife—again because of the intolerable living conditions in the home under such circumstances—would within that time have taken action to have some other roof over her head. If a husband became so objectionable or repugnant to a wife that she refused to carry out her marital obligations, I feel she would not be prepared to live under the domestic conditions

and outward appearances of a married couple, owing to the discontent and unhappiness that would be created by such a state of affairs.

What I am afraid will occur—this is why I object to the proposal contained in the Bill—is that opportunity will be provided for collusion between the parties when both have arrived at a stage where they no longer wish to continue the marriage contract. I think the Minister will realise the impossibility of detecting collusion in such a case, where there has not been any child born to the marriage during a period of four years prior to action for divorce being taken. I am afraid this provision will be something like that made on one occasion—to which the Minister referred—with regard to the restitution of conjugal rights. In that case there was an avalanche of applications; not genuine cases but actions brought about by and based on collusion between the parties. If that is so it will be necessary to do the same in this case as was done with regard to that provision for the restitution of conjugal rights.

The other provisions of the Bill have been explained in detail. They include the reduction of the period between the decree nisi and the decree absolute from six months to three months, the putting of both spouses on an equal footing in regard to costs, and giving the judge the right to decide in special cases, where adultery is the ground of the application, whether the case shall be heard by a jury. I feel that those and many more of the provisions explained by the Minister will be acceptable to the House and will make for simplicity and a reduction of costs. With the one exception that I have mentioned I feel that the contents of the Bill are most desirable.

THE MINISTER FOR HOUSING (Hon. R. R. McDonald—West Perth—in reply) [5.30]: I am indebted to the member for Kalgoorlie for his examination of the Bill. As I said when introducing the measure, it is part of what will, I hope, be a programme of law reform the object of which is to bring our general law into line with developments that have been found desirable and have been adopted in other countries. I hope it will in time be followed by other measures, particularly as His Honour, Mr. Justice Wolff, is deeply interested in this question and has been good enough to

devote his hours out of sittings to considering what aspects of law reform might be submitted for the consideration of Parliament. Before dealing particularly with the remarks of the member for Kalgoorlie, I wish to make sure that I have mentioned two things: I think I referred to the omission from this Bill of an archaic form of proceedings called *jaetitation*, which is where one party claims falsely that he or she is married to another. It is not now current practice and there has been no such case for many years, so there is no reason why it should have mention in a modern codification of the law of matrimonial causes.

The other point to which I think I referred was that the procedure for a decree for restitution of conjugal rights is not included in this code because it, also, has fallen into complete disuse. It is realised that if the position between husband and wife becomes such that one leaves the other, mere court orders are not going to restore the parties to the matrimonial home, and there is no force that can be exercised, so the proceedings are of no real value.

Mr. Styants: They were only a short circuit of the desertion period.

THE MINISTER FOR HOUSING: That is so. When Parliament intervened to prevent that being done the restitution of conjugal rights had no longer any real value in the legal code. The question raised by the hon. member as to the refusal of marital intercourse for three years or more representing desertion, is one upon which there can be a legitimate difference of opinion.

Hon. A. H. Panton: That provision might be the cause of a lot of collusion.

THE MINISTER FOR HOUSING: There might be some collusion, and I feel that the observations of the member for Kalgoorlie touched on an aspect that might well be given further consideration. Such a refusal constitutes desertion under the Scottish law but the English courts have not, by their decisions, lined themselves up with the opinion of the Scottish courts. If the member for Kalgoorlie and others feel that that provision should be eliminated from the Bill, I will raise no objection, as it is not material to the objectives of the legislation. I would prefer that any provision

that is the subject of doubt or apprehension should be removed, rather than it should be retained in a Bill, the object of which is codification and simplification. I might perhaps ask the hon. member whether he would like any further time to speak before we go into Committee. I am willing in any way to let members have full opportunity to voice their views before going into Committee.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Perkins in the Chair; the Minister for Housing in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Repeal:

The MINISTER FOR HOUSING: Although I dealt with all the clauses fairly fully in the second reading debate, I think I might make a further explanation of some of them. This particular repeal refers to the Supreme Court Act and the Evidence Act which says—

In proceedings instituted in consequence of adultery no witness, whether a party thereto or not, shall be liable to be asked or be bound to answer any question tending to show that he or she has been guilty of adultery unless he or she has already given any evidence in the same proceedings in disproof of the alleged adultery.

Although the code will repeal this provision there are other sections of the Evidence Act giving power to prevent any unfair or unreasonable questions being asked. It is thought that the courts should be free to get at the truth of the proceedings and not be debarred from asking necessary questions which might be of importance to the court in order that it might determine what the facts were. So that leaves the court a wider discretion in arriving at the actual truth.

Clause put and passed.

Clause 4—Definitions:

Mr. STYANTS: This is the clause in which the definition of "desertion" is set out, and on which I spoke during the second reading debate. This opens up a field for collusion between the parties which would be availed of in many instances. I move an amendment—

That in the definition of "desertion," paragraph (b) be struck out.

Amendment put and passed; the clause, as amended, agreed to.

Clauses 5 to 13—agreed to.

Clause 14—Jurisdiction depends on domicile and domiciliary status:

The MINISTER FOR HOUSING: The last five or six clauses have been largely of a machinery nature involving simplification and reform in procedure, and also the rights of the parties. This clause deals with the right of courts to entertain a suit; that is, the right to assume jurisdiction to dissolve a marriage or make a decree of nullity or judicial separation, as the case may be. In general, courts have hitherto only assumed jurisdiction where both parties are domiciled in the jurisdiction of the court which would be, in our case, in Western Australia. By "domiciled" I mean their permanent home. This is a narrow interpretation of jurisdiction of courts, and a good deal of hardship has been occasioned by it especially on the woman, because her domicile usually automatically follows that established by the husband. If he moves off and establishes a new domicile, he then deprives his wife of the domicile she previously had, which might be, say, in Western Australia. It is no wonder that a recent writer in "The Law Quarterly Review" summed up the law as being chaotic. The subject was considered in the Denning report which was made in England for the information of the English Parliament, and in that report certain recommendations were made, which have been substantially followed in this Bill. Shortly, the Bill enlarges the jurisdiction of the courts to decree a dissolution of marriage, or decree of nullity or decree of judicial separation by allowing residence to be a basis of jurisdiction in certain cases. The Bill will remove some of the obstacles that lie in the way of divorce proceedings, particularly in the way of a wife who may sometimes have to go to another country to take advantage of the courts there. I think the clause as drawn is an improvement because it will remove hardship in certain cases, and therefore can be safely adopted.

Clause put and passed.

Clause 15—agreed to.

Clause 16—Presumption of death and order for dissolution:

Mr. STYANTS: There seems to be some doubt as to the intention of the clause.

Will the Minister be good enough to explain its meaning?

THE MINISTER FOR HOUSING: This clause means that if one party to a marriage disappears and his or her whereabouts cannot be traced, the other party may apply to the court for a decree that the death of the other party is to be presumed. The application will be not only that death be presumed but that the marriage be dissolved. Whereupon the court can inquire into the circumstances, and has power to make an order that the death of the other party shall be presumed and, at the same time, make an order for dissolution of the marriage. So the position is made quite regular for the re-marriage of the party making the application. I need not add, knowing as we do the care which the court exercises in these matters, that before any such order would be made by the court, it would require ample evidence to show that the party had been missing for a considerable time and that every effort had been made to trace him and also that there were substantial and solid grounds for forming the opinion that such party had died. In that case, rather than leave the deserted party in a position of indecision for the whole of his or her life, the court has power to grant relief and enable that party, if he or she wishes, to contract a new marriage.

Mr. Styants: What does the proviso mean?

THE MINISTER FOR HOUSING: It means that if one spouse is missing and the other spouse decides that the missing spouse is dead, and goes through a form of marriage with somebody else, without resorting to this provision of the Bill, then, if in fact, the missing spouse was dead at the time of the re-marriage, that re-marriage is perfectly valid. It says that the deserted spouse can apply to the court for his or her position to be protected under this clause but if, on the other hand, parties take the risk, the mere fact that they do not apply to the court does not mean that the marriage would be invalid if it was a valid re-marriage by reason of the death of the other party. If a deserted party does not resort to the court under this provision and goes through the ceremony of marriage again, the deserted party takes a risk. If he or she waited for seven years, there could be no prosecution for bigamy, but if the deserted party does

not resort to the court and takes the risk and if at the time of the re-marriage the husband was alive, there would be no marriage and the children of the new union would not be legitimate. Under the Bill, should the deserted party take the risk, then he or she would not be prejudiced by reason of having failed to make application to the court under this provision.

Mr. STYANTS: I should have preferred the provision to be made compulsory. Where a spouse had been absent for seven years, it was necessary to get a declaration for the sake of the children born of the second marriage, who otherwise would have been deemed to be illegitimate, because the parent had not taken the precaution of getting a declaration of presumption of death. I feel concerned mostly for the unfortunate children. With the practice of recognising de facto wives under social service regulations, no great disadvantage would accrue to the parents, but the unfortunate children born of the second marriage would be the victims of circumstances. In the United States of America the judge is given discretionary power to confer legitimacy upon children born of the second marriage.

THE MINISTER FOR HOUSING: I shall consider the hon. member's suggestion and discuss the matter with the hon. gentleman who settled the Bill. If any amendment is deemed desirable, it can be introduced in another place. The passing of this clause will represent a substantial improvement to the existing law.

Mr. Styants: Yes, it is an improvement.

Clause put and passed.

Clauses 17 to 20—agreed to.

Clause 21—Actions for declarations of status:

THE MINISTER FOR HOUSING: This clause relates to declarations that might be sought as to the validity of a marriage or the legitimacy of a particular individual, which might have an important bearing on rights to property or other privileges or opportunities. A Legitimacy Declaration Act was passed in England in 1858, was copied in this State and has been re-enacted in the Supreme Court Act of 1935. The position regarding such declarations has been the subject of a good many court decisions and, under this Bill, the provision has been

simplified and brought into the framework of matrimonial causes legislation because, in connection with that particular branch of law, declarations of legitimacy or validity of marriage mostly arise and they can most conveniently be determined in a court of matrimonial causes. This clause will clarify the law and make for convenience.

(Clause put and passed.)

Clauses 22 to 39—agreed to.

Clause 40—Order nisi:

Mr. NEEDHAM: I do not favour the proposal to make the decree nisi final after the expiration of three months. That period is too short. I have known of cases where, shortly before the decree absolute was due to be granted, reconciliations have been effected. I appreciate that the best chance of securing reconciliation is before proceedings for divorce have been instituted because, once they have been begun, there is a danger of the estrangement increasing. Six months is a reasonable time to prescribe. I move an amendment—

That in line five the word "three" be struck out with a view to inserting the word "six."

Mr. MARSHALL: Will the Minister explain the procedure under the present law? I understood that the judge had discretion to fix a period up to a maximum of six months and that, unless there was an application to have the decree made absolute, the marriage would never be dissolved. I believe that for a long time the petitioner alone was entitled to apply to have the decree nisi made absolute. Speaking from memory, we amended the law some years ago and extended that right to either party.

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR HOUSING: The member for Murchison was inquiring about the existing procedure in connection with decrees absolute. The practice in English and Australian courts is that a decree for the dissolution of marriage is at first only provisional, and is called a decree nisi. At the expiration of a certain period, it is made absolute or final. The decree cannot be made final until six months have expired from the provisional decree or decree nisi, unless the judge at the request of one or both of the parties reduces the period from six months to something less, as he has

power to do. The present procedure is that at the expiration of the period required between the decree nisi and the decree absolute, an application is made for the decree absolute, which goes before the court. It is largely formal, and the parties do not appear. The judge formally announces the decree absolute. Under the amendment proposed by the Bill, the procedure will be simplified, so that all that will be necessary to get a decree absolute will be for the party concerned to lodge an application with the Registrar of the Court who will examine the position to see whether any appeal is pending, or any intervention has been made by the Attorney General and, if there is no such appeal or intervention, he will simply register the decree without reference to the court.

Mr. Marshall: That is only on the application of one of the parties concerned.

The MINISTER FOR HOUSING: Yes. Under the existing law, the person to apply for a decree absolute is the petitioner. By an amendment of the law, however, if the petitioner fails to do this, the respondent may, after the expiration of a certain time, also apply to have the decree made absolute. This will also apply under the amending Bill. The reason why an interval has been allowed in British and Australian law between the provisional decree and the final decree, is mainly in case the Attorney General desires, after the trial or hearing upon which the decree nisi was made, to intervene. It sometimes happens that after the decree nisi is made, information reaches the Crown Law Department that there has been collusion or perjury in the proceedings, and then, in the interests of justice, the Attorney General, who corresponds to an officer in the English courts called the King's Proctor, has power to intervene and inform the court of the matter which has come to his knowledge, and the court is then able, if necessary, to reopen the proceedings, or refuse the decree absolute. As to the proposal in the Bill to reduce the period between the making of the decree nisi and the decree absolute, from six months to three months, it is felt that this is a desirable reform.

Experience has shown that the cases where reconciliations takes place are so few as not to be worth serious consideration. The real reason for some intervening period in British law is that which I have outlined,

namely, to give an opportunity to the Crown itself to intervene before the making of the decree absolute, if there has been some abuse of the processes of the court by perjured or collusive evidence. I discussed this with the learned judge, and he expressed the opinion that the period might be six weeks, but he ultimately felt, and I agreed with him, that it should be three months. In the unlikely event of the parties desiring to be reconciled after the decree nisi has been made, they can always marry, and sometimes do, after the decree absolute. The feeling is that when the parties have secured a decree nisi, there is no valid reason why they should wait a comparatively long time before having the right to re-marry. It has to be remembered that under the existing law they not only have to wait for six months from the time of the decree nisi, but after the decree absolute is made they have to wait for a period equal to the time allowed for an appeal from the decree absolute. Under the Bill now before the Committee the parties can re-marry at the expiration of three months from the decree absolute. So, in any case, they will have to wait six months from the time of the decree nisi.

Mr. Marshall: Where does that come in?

The MINISTER FOR HOUSING: That is a period allowed to enable either party to appeal. It would not do if an appeal were lodged and one of the parties got married while the appeal was pending, because the decree absolute might be upset by the appeal.

Mr. Marshall: Under what law does that appear? It is not in the Bill.

Hon. J. B. Sleeman: Cannot they re-marry immediately after the decree absolute?

The MINISTER FOR HOUSING: No. Only after the expiration of time in which either party may appeal, and an appeal is always allowed against a dissolution of marriage, because it is an important matter and the appeal may depend on points of law. Sometimes, such appeals have gone to the High Court.

Mr. Marshall: But the number of appeals is very few.

The MINISTER FOR HOUSING: There have not been many, but it is not desirable that there be no appeal, because a court of first instance may have made a mistake in

the law, and once we accept the principle that an aggrieved party should have the right of appeal, then we must allow time in which to appeal, and we cannot allow the possibility of re-marriage when the original marriage may be declared to be still valid. As to the period of three months, I may mention that in Scotland there is no intervening period at all. The decree absolute is made straight away after the hearing. That also is the position in some of the United States of America. In the Denning report on the reform of the divorce law in England, the recommendation was that the period between the decree nisi and the decree absolute should be six weeks. It was felt, in the drawing of this Bill, that while some reduction on six months was desirable, six weeks might be too short a period, so the time was fixed at three months. Once a decree nisi is made, the chances of reconciliation are very remote, so there seems no good reason why the parties should have to wait any great length of time before having the right to re-marry.

Mr. Styants: What period has to elapse now between the granting of the decree nisi and the time when they can re-marry?

The MINISTER FOR HOUSING: I have not the rules in front of me, but from memory three months is allowed in which an appeal can be lodged, so the period would be nine months from the time of the decree nisi.

Mr. Marshall: It is too short. We should extend it to 12 months.

The MINISTER FOR HOUSING: We propose to make it six months as it is considered to be a period which is in line with present-day views and what seems reasonable, and at the same time, is not too short. It is twice as long as the time that was recommended by the Denning committee in England. I feel we would be wise to retain the period of three months, suggested by the Bill, between the decree nisi and the decree absolute. For that reason I do not propose to support the amendment.

Mr. MARSHALL: I want to know from the Minister what is the difference between the existing law and the point we are discussing, from this point of view, that I am given to understand that under the existing law the trial judge can grant a decree nisi returnable within any period up to

a maximum of six months. He can make the decree nisi returnable in three months if he wishes, although it may be the common practice to fix a period of six months. The Minister said that under the provision which we are discussing the maximum period that the trial judge will be allowed to give between the date of the decree nisi being granted and being made absolute, is three months. He also said that the party or parties concerned will not have to go to the court, as they have to do under the existing law, but rather they will go to the registrar and make application to have a decree nisi made absolute. Will it be necessary under this provision for both party or either party to appear before the registrar before the decree nisi can be made absolute? Is not the existing law so worded that the trial judge can issue a decree nisi now and make the period for which one or either or both of the parties may apply to have it made absolute, one of up to six months?

The MINISTER FOR HOUSING: As the law now stands the period between the decree nisi and the decree absolute shall be six months unless the court otherwise orders.

Hon. J. B. Sleeman: The court can order if it likes?

The MINISTER FOR HOUSING: It can reduce the period, but the court does not reduce the period to less than six months unless some good reason is advanced. Under the Bill the position is reversed and the court will make an order for a decree absolute returnable after three months unless there is some good reason why the period should be longer, in which case the court can extend the period up to six months.

Mr. Marshall: Is it absolutely necessary for the parties, or for someone on their behalf, to make an application for a decree absolute to be granted, or is it granted automatically?

The MINISTER FOR HOUSING: Application will be made on the prescribed form. This is done to make certain that there is no appeal pending or no intervention has been made by the Attorney General and if the three months is then up, and there is no such appeal or intervention, the registrar merely records that the decree absolute is now made. There is no need to appear before him in person.

Mr. MARSHALL: I do not like the position. I know of cases—two in fact—where even after a considerable time, the prospects of reconciliation did not look so bright and divorce proceedings were instituted and a decree nisi was granted. In one case a period of two years had elapsed and neither party had applied to have the decree nisi made absolute. The parties became reconciled and thus there was no divorce. I will admit that those are isolated cases.

Mr. Fox: They could have re-married even if the divorce had been made absolute.

Mr. MARSHALL: Yes, I know that, but it may be better to leave the law as it stands, but under the circumstances I am prepared to be guided by authorities on this subject.

The MINISTER FOR HOUSING: In regard to the case mentioned by the member for Murchison, the same thing could still apply under this Bill if it becomes an Act because no decree absolute is made unless somebody applies for it.

Amendment put and negatived.

Clause put and passed.

Clauses 41 to 45—agreed to.

Clause 46—Court may make order for maintenance and may make order in favour of guilty party:

Mr. STYANTS: I would like to know from the Minister, under what circumstances would a court be justified in making an order for maintenance on behalf of a person that had been judged guilty of an offence under the matrimonial law?

The MINISTER FOR HOUSING: The term "guilty party" is a somewhat technical one and it may apply to a party that has deserted because he or she is no longer prepared to live with the petitioner. It applies to the respondent party whatever may be the cause for the divorce, which may possibly be for failing to make payments under a separation order but it can happen that the respondent, or the party divorced, has some claim on the petitioner for maintenance. It may be a wife who is divorced for desertion and she may be without any ability to earn money to keep herself and the marriage may have subsisted for many years, and in such a case it could be considered reasonable and fair that the

petitioner, being a husband and having sufficient means, should make some provision for the woman who has been his wife.

Mr. Styants: It would be hard to convince a petitioning husband, after his wife had deserted him, that he should have to maintain her.

The MINISTER FOR HOUSING: It has happened that a wife, who may have been guilty of adultery, is existing under circumstances such as may make it reasonable that the petitioner should pay something towards her maintenance, otherwise she would be left destitute. I agree with the hon. member but the jurisdiction would be exercised with considerable care. It is thought that the measure should be wide enough to enable some provision to be made if there are special circumstances which would justify it.

Mr. Styants: It only says, "may."

The MINISTER FOR HOUSING: Yes, it is discretionary.

Clause put and passed.

Causes 47 to 64, Title—agreed to.

Bill reported with an amendment.

ANNUAL ESTIMATES, 1948-49.

In Committee of Supply.

Debate resumed from the 26th October on the Treasurer's Financial Statement and on the Annual Estimates; Mr. Perkins in the Chair.

Vote—Legislative Council, £3,451:

MR. NEEDHAM (Perth) [8.0]: There was a time in the history of this Chamber when the Budget speech of a Treasurer was looked forward to with considerable interest in the expectation of something new or interesting being revealed. Those days have long gone by. Budget speeches of today are of a somewhat drab nature, owing of course, to the advent of the Loan Council, and later, the control of taxation passing to the Commonwealth Government. Notwithstanding that phase, the Treasurer gave a very interesting speech, considering the material at his disposal. It is not my intention to deal in detail with his utterance as a whole because the Acting Leader of the Opposition traversed very trenchantly its salient features, but there were one or two asser-

tions made by the Treasurer to which I shall refer.

First of all, he said there was no indication that the inflationary spiral had ceased or even eased, and that, despite the control of prices now exercised by the States, further rises in costs must be expected in 1948-49. Certainly, that is not a very pleasurable prognostication. When I compare that statement with the remarks of the Premier in his capacity as a private member and also during the referendum campaign, I am glad to see that he is now in a different frame of mind altogether. Taking his speeches during the referendum campaign and his assertions during the Budget speech, I confess there has been an extraordinary change. Further on in his remarks the Treasurer said that the withdrawal by the Commonwealth Government of subsidies paid on certain commodities must raise the cost of those goods, and inevitably the basic wage would rise in consequence. There, again, is another interesting contrast with his utterances during the referendum campaign.

The Treasurer was quite emphatic in his referendum speeches that the States could control prices as effectively as could the Commonwealth, and he urged the people to vote in such a way as to take price control from the Commonwealth Government. Now, two months after the State took over that control he addressed members of this Chamber in quite a different manner and, in effect, confessed that his earlier claims were entirely wrong. For the withdrawal of the subsidies and any increases in costs and consequent rises in the basic wage, the Premier, as Treasurer of this State, together with his colleagues, must accept responsibility—not the Commonwealth Government. It is quite correct that the Commonwealth Government has withdrawn certain subsidies, as a result of which prices have increased in certain directions. Anyone who studied the question closely during the referendum campaign must realise that the Commonwealth Government could not have acted along lines other than it did, and withdrawn the subsidies.

The Premier: Why do you say that?

MR. NEEDHAM: The question put to the people was simple, and to it the people gave a very effective answer. The question was: Are you in favour of the Common-

wealth controlling prices? The answer was an emphatic "No."

Hon. A. A. M. Coverley: Influenced, of course, by the Premier.

Mr. NEEDHAM: In view of that emphatic declaration by the people of the Commonwealth that they did not want Federal control of prices, could we expect the Commonwealth Government to continue the payment of subsidies, when they had no voice at all as to how those subsidies would be used?

Mr. Marshall: It takes the taxation and pays some back to the States, and yet has no say as to how the States shall spend the money.

Mr. NEEDHAM: No-one who gave the matter reasonable consideration could expect other than that the subsidies would cease when the verdict was given against the Commonwealth Government. It is idle for the Premier or anyone else to lay the blame at the door of the Commonwealth Government for increases in the price of commodities because of the withdrawal of certain subsidies. I noticed a statement in the Press by the chairman of the Chamber of Manufacturers in which he issued a warning to manufacturers generally not to increase their prices. We know that prices have increased considerably since the States assumed control. In fact, prices have soared, and during the few months the States have been in control, proof has been forthcoming beyond any shadow of doubt that they cannot control prices as effectively as did the Commonwealth. Because of that fact, the president of the Chamber of Manufacturers is getting alarmed and has issued a warning to his colleagues because of the continuous increase in prices. In the "Daily News" of the 28th October, there appeared the following statement—

The executive of the W.A. Chamber of Manufacturers has issued a "very serious" warning to its members against raising prices. It points out the risk of businessmen destroying their own freedom by price jumps, says that if the State Government failed in the "testing period" of decontrol, the Commonwealth Labour Government might be returned to power feeling it had a mandate to fully socialise industry.

There is no anxiety indicated in that statement about the high prices people have to pay or the consequent inconvenience to them owing to the added cost of living. The

anxiety of the president of the Chamber of Manufactures is that the Commonwealth Labour Government might be returned at the next elections because of the continued increases in prices. There is nothing said there about the man receiving the lower rate of income, which takes him all his time to carry on with in view of the daily increases in the cost of goods he has to buy for himself and his family. The statement in the newspaper continues—

Warning is given in a circular to W.A. manufacturers, signed by president J. F. Ledger of the Chamber.

With the lifting of control, it said, manufacturers would be tempted to raise their prices in an attempt to recoup lost profits after seven years of strict Government control.

I cannot see that they have lost any of their profits. If one reads the financial columns in the Press, one notes that the profits have not decreased very much during the seven years of control. In fact, the margin of profit has been well maintained. The statement proceeds.

Rigid control over profits in these years had prevented industrialists from building up reserves to provide for post-war renewal of plant and expansion of business. The present situation was "forced on the States for political purposes."

The Federal Government had thrown controls to the States without adequate time for preparation, although its own powers did not expire until December 31.

There again is another incorrect statement. The Commonwealth Government did not throw controls to the States. Immediately after the referendum was taken, despite the fact that the people of Australia said they did not want Federal control of prices, the Commonwealth Government waited a reasonable time to give the States an opportunity to take over and it helped the States with regard to the services of the personnel of the various branches of the Commonwealth Prices Department. The statement continues—

It was the opinion of the Chamber's Executive that "nothing would be more satisfactory to the Federal Government than the failure of the State Governments to handle the situation."

"In the hands of each manufacturer lies the fate of Australian industry as a whole," the circular said.

"It may seem a very big issue to depend upon so small a sum as a shilling—or a penny—but before increasing prices even by a penny every aspect should be considered."

There is the statement made by a very responsible man, the president of an important organisation. Right throughout it he simply expresses anxiety for the future of his political party and no anxiety or care at all for the people who are compelled to pay higher prices for the goods they require. It is quite evident that since the Commonwealth relinquished control of prices, someone is responsible for the rapid and steep increases in the prices of many commodities. Whether it is the manufacturer, the wholesaler or the retailer I do not know, but someone is to blame; someone is anxious to get his pound of flesh at a very high cost to the consumer. I have another cutting from the Press in connection with the change in prices control legislation. It reads—

Some traders had abused the abolition of price controls since September 20, interstate prices conference chairman Finnan (M.L.A., N.S.W.) said today. That was the reason why the conference had decided to postpone abolition of controls on an extensive new list of goods, he said. The conference had learned that many small lines of manufactured goods and proprietary lines had been raised in price without reasonable cause. Ministers had been particularly perturbed by the sharp rise in bacon and ham prices and in grocery goods which formed part of the housewife's budget. There were many reports of increased prices but not a single report of a price having been lowered, Mr. Finnan said. The decision would in no way upset the settled policy of the States to lift as many controls as possible as quickly as possible.

That is a very important statement made by a responsible Minister presiding over the deliberations of Ministers controlling prices. I realise that the present control is not as effective as was the Commonwealth's. Mr. Finnan is a Minister in a Labour Government, and as such he strongly advocated retention by the Commonwealth of control of prices. He now says that things are not as good as they were under Commonwealth control, and that some traders are abusing the decontrol system and seizing every opportunity to increase the prices of commodities. Further on, the Treasurer in his speech said that while the revenue of the State showed benefit in some degree from the rising prices, it was not benefited to anything like the extent by which cost to the Government would increase if the State still had control of its income taxation. That may or may not be the case; I am not too sure that the Treasurer is right in that regard. But I am sure that the worker who

has to bear the whole weight of increased costs in the prices of commodities, does not benefit from the increases in the basic wage.

The Treasurer referred to the financial relations between the Commonwealth and the States. Along with many members of this House, I have on previous occasions referred to the necessity for a complete review of those relations, and I have frequently expressed the hope that the Prime Minister of the Commonwealth would see his way clear to act in conjunction with the State Premiers in having a review of those financial relations. Such a review is long overdue. I was hoping that at the last Premiers' Conference finality would have been reached on that matter. It certainly is of vast importance to the people of the Commonwealth, particularly in view of the continuity of uniform taxation, that the financial relations of the Commonwealth and the States should be reviewed and placed on a sounder footing than at present. I refer, of course, particularly to the smaller States which have to depend from year to year on what is given to them by the Grants Commission. I realise that the Treasurer of this State, in endeavouring to make up his Budget each year, in a sense must do so with his eyes shut and his hands open and wait for what the Grants Commission will give him.

I admit that on this occasion the Grants Commission is dealing with this State a little more generously than it has in the past. That generosity is required and I think warranted. I hope that before long the Commonwealth Government will realise the necessity for a conference of the nature I have described to review the whole financial situation. Speaking of finance, I noticed in the Press a few days ago that the Prime Minister had stated that his Government was earmarking the sum of £600,000,000 for public works in the event of what is now called a recession. "Recession" is a new word for "depression." What the Prime Minister has said is good news, but I sincerely hope a recession does not occur. We do not want a recurrence of the depression period of 1929-36, from which we had not recovered when the tocsin of war sounded again in 1939. I am glad to see that the Commonwealth Government of today is taking a different view of that all-important question from that taken by an anti-Labour Government in 1930.

In that year, the full force of the depression had hit this country and the Prime Minister, Hon. J. A. Scullin, had brought down a measure in the House of Representatives providing for a fiduciary loan of £20,000,000 to assist the States in the commencement of public works that would have employed many hundreds or thousands of men. But the Senate of the day, having an anti-Labour majority led by Sir George Pearce, refused to pass the Bill which would have provided for that fiduciary loan, contending that it was not right to issue that money unless there was a proper gold reserve to meet the loan. In spite of the Senate's refusal at that time, very shortly afterwards nearly all our gold reserve was sent to London to meet Commonwealth obligations. What was the result of the Senate's refusal to endorse that fiduciary loan and to grant that £20,000,000 which was to set men at work on necessary public undertakings? I do not claim that it would entirely have prevented the depression and wholesale unemployment; but it certainly would have minimised considerably the extent of the unemployment.

For many years there was great unemployment in this country. The present Commonwealth Government, realising the danger perhaps of another period of that nature approaching us following on the wave of supposed prosperity of today, and taking time by the forelock, has earmarked this £600,000,000 for the purpose of necessary public works to meet any wave of unemployment that might occur. There we have the difference between the financial policy of Labour and that of Labour's opponents. I mentioned that the worker is bearing the major portion, if not the whole, of the load, despite the increase in the basic wage. Increases in the basic wage, as we all know, are always a long way behind increases in the cost of living; in fact, the basic wage never catches up with the increases in the cost of living. The present increase of 4s. 2d. in the basic wage is a long way behind the time when increases in various commodities were made.

No matter how much the basic wage increases, the worker does not benefit in any sense as a result. Further, there are many commodities necessary for the worker and his family which are not included in the regimen on which the basic wage is as-

sessed; that is a well known fact. Even the present increase of 4s. 2d. a week will not meet the increase in prices of various commodities which the worker must buy and which his children require if they are to be preserved in good health because, as I say, many of those items are not included in the regimen and the formula for the basic wage.

Hon. A. R. G. Hawke: You are making the Premier very unhappy.

Mr. NEEDHAM: There is no need to dwell long on vital economic trade. The increase in the basic wage is not the solution of the problem at all. I venture to say that State control of prices is not as rigid as it should be.

Hon. A. R. G. Hawke: It is not rigid; it is ragged.

Mr. NEEDHAM: Certain unscrupulous people are taking advantage of the situation and increasing prices to maintain a very big margin of profit. So much for the speech by the Treasurer when presenting his Budget.

I will take this opportunity to refer again to very important matters which I have mentioned on other occasions; namely, the question of tuberculosis, the work of the Tuberculosis Association of Western Australia and the necessity for greater financial allowances to patients under treatment. The Tuberculosis Association of Western Australia is doing a splendid job; but in order to get even more beneficial results, it will require the wholehearted co-operation not only of the Government but also of the public generally. Unfortunately, there has been a heavy toll of life as the result of tuberculosis, especially in recent years. I have here an interesting cutting from the local Press which states, under the heading "T.B. kills 968 in six years":—

Tuberculosis has caused 968 deaths in six years in Western Australia according to Public Health Commissioner Dr. Cook's 1947 report. There were 192 deaths in 1942, 153 in 1943, 149 in 1944, 163 in 1945, 170 in 1946 and 141 in 1947. From 1942 to 1947 1,642 cases were notified. Dr. Cook's report revealed that the shortage of nurses has frustrated plans for a tuberculosis hospital at Northam. Last year the Army hospital at Northam was leased for use as a tuberculosis hospital, until a chest hospital was built in Perth. But the hospital, with about 180 beds, could not be used because of the shortage of nurses.

There are many factors operating against the association's efforts to eradicate this

disease, but shortage of nurses is a major factor. I regret to see by the statement of Dr. Cook that that shortage still exists. That is strange in view of the fact that we have on the Treasury bench men who ridiculed the idea of nurses being in short supply in the early part of 1947. In their election speeches members opposite condemned the Labour Government of the day for the shortage of nurses, of hospitals and of hospital staff; but even today the Commissioner of Public Health claims that there is a shortage, after 18 months of occupancy of the Treasury bench by members opposite.

Mr. Bovell: It takes nurses three years to become qualified.

Mr. NEEDHAM: The hon. member's Government has not been the means of obtaining any more qualified nurses since it took office. Members opposite were loud in their condemnation of the previous Government with regard to the shortage of nurses and hospital staff; but after 18 months there is still the same cry of shortage of nurses. Another factor is the indifference of the general public. That is a very dangerous factor. In order to overcome it, the Tuberculosis Association is engaged in a campaign to educate the public in the general principles of hygiene. A weekly talk is given over Station 6KY each Wednesday evening and there are leaflets printed and distributed in schools and public places. That is a very splendid endeavour on the part of the association to show the danger of this disease and to try to educate the public how to combat it. The department is deserving of every praise for the good work it is doing in connection with the Perth chest clinic in Murray-street.

The public generally can help the department by advising those they believe to be suffering from the disease to go to the clinic for examination. Expert medical opinion informs us that the disease can be eliminated in 20 years provided we use the knowledge that is in the possession of the medical fraternity. That is very encouraging. It can be eliminated provided also that all the resources of the State are organised behind that knowledge. If that were done, perhaps the disease would be eradicated in less than 20 years. There are 1,800 people incapacitated through tuberculosis, and that is too great a num-

ber to contemplate calmly in a small population such as ours. The economic loss is too great for the State. I understand the association is engaged in a full-scale offensive to rehabilitate those 1,800 citizens. That campaign will be expensive, but it will be worth the cost.

A few months ago there was an Australian Medical Congress in this State. I think it was held here for the first time in our history. At that congress there were eminent medical men not only from all parts of Australia, but from various parts of the British Commonwealth of Nations. Speaking at one of the gatherings, Dr. H. W. Wunderley, Commonwealth Director of Tuberculosis, said that one of the first requirements for the prevention of the disease was to assure that the population was well housed, well fed, received an adequate wage, and was assisted to use leisure wisely. Addressing the same congress, Dr. Cowan said that—

A pension or relief should be granted to sufferers in the early stages, when rest and treatment were most likely to result in arresting the disease.

In that regard I will have something to say later on. So far I have dealt with the hygienic side of tuberculosis and its danger to the Commonwealth, with brief reference to the economic phase; and the economic phase is a very important one. In dealing with this question of the campaign against tuberculosis and in lauding the efforts of the Tuberculosis Association and the Health Department in their endeavours to combat the disease, one must not forget the economic side of this important question. The campaign in which the Tuberculosis Association is engaged will not be successful until greater attention is paid to that aspect of the problem. It is useless to expect that a man suffering from tuberculosis will undergo treatment if he thinks that while he is doing so his dependants at home will lack the necessities of life. He would rather carry on with the knowledge that he will get worse and may be the means of transmitting the disease to other people than see that his dependants lack anything necessary for their upkeep.

Another point is that even if such a man did submit himself for treatment he would not be a good patient. His anxiety about those relying on him would be a very serious factor in retarding his recovery and

in no way would he be a satisfactory patient. I have here a very interesting letter that appeared in the Press a little while ago dealing with the question of allowances to T.B. patients, and to my mind it is worth reading. It is as follows:—

It is with great interest that we read that the Commonwealth Government is at last taking definite steps to eliminate (or at least retard) the ravages of T.B. in this country. Perhaps the most important section in the proposed scheme, to the wage earner, is the one that provides "for adequate financial assistance to the dependants of the sufferer" etc.

It may not be generally known that nearly all T.B. sufferers receive the invalid pension, and that the majority of the married ones receive in addition an allowance under the T.B. Act. In the case of a married couple with two children under the age of 16 years, under the Pensions Act the allowable earnings over and above the joint pension of 62s. 6d. per week are 40s. (the T.B. allowance not being taken into account as regards the means test).

However, should an allowance under the T.B. Act be granted a ceiling rate of £5 17s. 6d. a week comes into operation by virtue of conditions under which that allowance is granted, and in the case of the sufferer being the inmate of a hospital or an institution, it is reduced by 10s. a week; so that the joint incomes are as follows:—

	£	s.	d.
Invalid Pension—husband	1	17	6
Wife	1	5	0
Child endowment	0	7	6
T.B. allowance	1	15	0
<hr/>			
Allowable earnings ..	5	5	0
	0	2	6
<hr/>			
Total	5	7	6
<hr/>			

Contrast the basic wage of £5 17s. 6d. a week, which I am given to understand is calculated on the same ratio. The snag is found when the sufferer is on the way to recovery. After months of enforced idleness and treatment it is necessary for him (or her) to commence his rehabilitation under graduated working conditions, probably in some sheltered industry or colony scheme, but he is precluded from earning more than a mere pittance, because of the Acts now in force, or should he do so his dependants' allowance is reduced accordingly. This, of course, makes it very hard for both the authorities and the patients themselves to carry out this essential part of the treatment. Is it not possible for the provisions of the T.B. Act to be extended to allow for the T.B. sufferers to be paid wholly from those funds and excluded from the invalid pension; and also the ceiling rates to be revised to enable a proper course of rehabilitation to be carried out without affecting existing allowances?

That points forcibly to the necessity for greater attention being paid to the financial or economic side of the question of patients undergoing treatment. The letter, of course, refers to patients in receipt of invalid pensions, but what about the man who is working at his usual occupation, who goes to the chest clinic for examination and learns that he is a sufferer from T.B. and is required to undergo treatment? He at once faces a crisis in his life. It is hard for him to come to a decision because he realises, on the one hand, the danger to his own life if he does not undergo treatment and, on the other hand, the financial loss to his dependants if he does undergo treatment. I have frequently referred to the matter in this Chamber, and shortly before the Premier left to attend the last Premiers' Conference I asked him a series of questions and requested him to bring before that conference the matter of the Commonwealth providing an adequate allowance for T.B. patients while undergoing treatment. He said he would do so and he honoured his promise.

In reply to further questions by me, the Premier later said something was being done with a view to dealing satisfactorily with the matter. I thank him for having brought the matter forward at that conference. I understand that recently Senator McKenna introduced into the Senate a Bill the object of which is to provide adequate financial assistance to T.B. sufferers and their dependants, together with after care and rehabilitation for patients. I have written to a colleague of mine in the Federal House, asking him to let me have a copy of that measure when it becomes law and my future attitude in the matter will depend to a great extent on the provisions of that legislation. I cannot at present say what are the financial provisions of that Bill, or whether it will adequately meet the position that I have outlined, though I am hoping it will do so.

I have received from Professor Underwood a letter written on behalf of the Tuberculosis Association of W.A. and I suppose other members have received similar letters. In it Professor Underwood suggests that in certain cases compulsion should be used to ensure that T.B. sufferers undergo treatment. I replied to the professor on somewhat the same lines as I have spoken this evening. I said that I realised the danger to the community when patients certified as

suffering from T.B. are not undergoing proper treatment, and that I realised the danger to their families also and believed that in such cases there might be necessity for compulsion, but that I would like to know that everything possible had been done to assist the dependants of such a man before I would agree to any legislation in that regard. The question of whether compulsion should be used to ensure that patients undergo treatment is one of considerable importance. Compulsion by law is provided in many other directions in order to regulate society, and if the economic side of this question was properly attended to and the patient assured that his dependants would be well cared for while he was under treatment, I would have no objection to legislation providing for compulsion.

I come now to deal with the Housing Commission. Some few weeks ago I asked the Minister for Housing a question as to whether it was the intention of the Government to appoint a full-time chairman of that body, and he replied that the Royal Commission had recommended the reorganisation of the chief executive position and the appointment of a man with wide administrative experience to that position as an alternative to the appointment of a full-time chairman. As far as I know, a full-time chairman has not yet been appointed. The Minister's answer further stated that no appointment of a full-time chairman was in immediate contemplation, but that means of strengthening the executive and administrative aspects of the Commission's work were being considered. A full-time chairman has not been appointed and I do not know how far the Minister has gone in reorganising the executive positions of the Housing Commission.

I do not think any such reorganisation will be effective unless a full-time chairman is appointed. In saying this I do not reflect in any way on the present chairman of the Commission, who is one of the ablest officers in our Civil Service, but I realise that as Under Treasurer he already has a full-time job. The housing position has not improved in proportion to the improvement in the supply of labour and building materials, despite the forecasts of the Minister for Housing and other members of the Ministry. When we compare the supply of labour and materials early in 1945 with

that obtaining today, we find there has been a vast improvement. When the Labour Government was in office in 1945, great numbers of our men were still in the Fighting Forces, and even at the time of the election in 1947 the men had scarcely begun to return and settle down in industry.

Mr. Marshall: Very few of them had, at that time.

Mr. NEEDHAM: The men were simply not here to build houses or produce building materials. A considerable time has elapsed since then and yet in his Budget Speech the Premier referred to the shortage of tradesmen. There may be such a shortage today, but it was far greater in 1945, 1946 and 1947, and no-one knows that better than do the present occupants of the Treasury bench. The Minister for Housing has claimed that so many houses were built last month and so many in the previous month, and has compared that with the number built during the last months of the previous Government. That is not a fair comparison, because this Government has had the assistance of all the men being back in industry, producing materials and building houses, while, even 12 months after hostilities ceased, the Labour Government had scarcely any men available. The present Government has not given a good account of itself in the matter of housing. I have had some cases before the Housing Commission for two years, and the people concerned have been on No. 1 priority all that time. Only today I had to contact the Housing Commission in the case of a man in the Perth electorate who over two years ago made application for housing accommodation—

Hon. J. B. Sleeman: The cobwebs are getting thicker.

Mr. NEEDHAM: —and fully a year ago I was informed he had a No. 1 priority. He is still in the one small room with his family.

Mr. Fox: On a No. 1 priority?

Mr. NEEDHAM: Yes. There is about to be born a fourth child within a few days, which will mean the husband, wife and four children in one room. One of the ways in which to improve the housing position will be to appoint a full-time chairman and I hope the Government, when re-organising the executive positions, will keep that in mind. We then might get better results

than we have had in the past. I am not reflecting in any way on the officers of the Commission. I think they have done a good job although they have been handicapped by not having a full-time chairman at their head. I admit that such a chairman will require to have a full knowledge of the building industry but I am sure that many such men are available. So far as his financial advice is concerned that could always be obtained from the Treasury. I hope the Premier and the Minister for Housing will note my remarks and that we will before long see the announcement of the appointment of a full-time chairman.

I am sorry that business has caused the absence of the Attorney General because I now wish to refer to the state of the electoral rolls and the new electoral boundaries. I have been informed that within the next few weeks the Commission appointed to inquire into the electoral boundaries will submit its final report. That brings me to the question of having proper electoral rolls. A few weeks ago I made a suggestion to the Attorney General which I thought would assist the Electoral Department in compiling a proper and up-to-date electoral roll. I asked him if he would arrange for the officers of the Electoral Department in conjunction with the officers of the Commonwealth Electoral Department on the occasion of the next issue of rationing cards, to put the rolls into a proper state. I received a negative answer. It was suggested that with the issuing of those cards the Commonwealth rolls were not used. I was well aware of that. I also asked the Attorney General if he was aware that the rolls were in a deplorable condition. Again he answered in the negative. He said that the rolls were all right.

Hon. A. R. G. Hawke: The Minister for negatives.

Mr. NEEDHAM: The electoral rolls at the last election were in the worst state possible. Complaints were received from people of the Perth electorate and also from those of other metropolitan electorates. People who had been living in homes from 10 to 15 years without changing their residence found that they had been struck off the roll without notification.

Hon. J. B. Sleeman: No wonder the Government got in.

Mr. NEEDHAM: It is customary on the eve of an election for the Electoral Department to canvass all electorates in the metropolitan area and ensure that the rolls are in order. That canvass has proved of no value because with election after election the rolls have been all wrong. My suggestion to the Attorney General was that when the ration card was issued to a person the name, address and occupation of such recipient should be taken and transferred to the roll. That would save the time of the officers of the Electoral Department in canvassing the houses in each electorate. Such information would also be of value when the new electoral boundaries were announced.

The Premier: With compulsory enrolment a canvass should not be necessary.

Mr. NEEDHAM: Then why does the Premier send his officers round the various houses on the eve of election? A man cannot vote if his name is not shown on the roll. Compulsory voting requires that the name of the voter shall be on the roll. It is no use the Premier telling me that there is compulsory voting.

The Premier: There is compulsory enrolment.

Mr. NEEDHAM: How can a man vote if his name is not on the roll and why should his name not appear on the roll if he has resided in the one place for 20 years? I again submit the suggestion that I made then because even now, before the Commission defines the new boundaries, an arrangement could be made with the Commonwealth Electoral Office to see whether a better roll could be compiled for use in the next general election than that which we have now.

There is only one other matter I wish to refer to and that is the important one of migration. For many years many Governments talked about the necessity of migration for the populating of our vast territories and so developing them as they should be. It has been left to the Commonwealth Government headed by Prime Minister Chifley to bring about an effective migration scheme, which would be even better than the one we have today if shipping space were more plentiful. As that shipping space improves, the flow of migrants will increase. Another pleasing feature of the Commonwealth migration scheme is that there is a better understanding between the States. The

Minister for Migration will correct me if I am wrong, but I think there is a better understanding between his department and the Commonwealth on the subject of migration than existed in the past. If that is not so, he can let me know at a later stage.

Looking at the scheme in general, we were informed that an increase of 70,000 in the population of the Commonwealth was a very good beginning. The migration of 70,000 people would only be a trickle because we need plenty of people to populate this country. During the last war we had one lesson and experienced a very narrow escape. We fully realised our predicament when Japan entered the conflict and hurried steps had to be taken to bring back our men from the Middle East in order to defend our own shores. This emphasised our shortage of manhood. We have had that chance but we might not get another. Although I am not an alarmist and do not indulge in war hysterics, I cannot but feel uneasy at the present state of world affairs. It is three years since hostilities ceased in the second world war and we are no nearer peace than we were then. In fact, it has been said that we had more peace during war than we have had since the cessation of hostilities.

We do not know whether we will be involved in another world struggle or not, and for that reason alone we should increase our population as rapidly as possible. However, that is not the primary reason, which is to bring people from other parts of the world to a better part and thus develop Australia's vast resources. That added population from oversea is all the more necessary when we know that in this country there is a prevalence of indiscriminate contraception and almost wholesale abortion, preventing the natural-born children from becoming citizens of this country.

MR. MANN (Beverley) [9.13]: I have listened to the Premier's Budget speech and like the member for Perth I agree it is rather a dreary subject.

Mr. Reynolds: You will make it interesting.

Mr. MANN: We will see. I had ambitions of hearing a sensational Budget speech after the second year of the Premier's being in office. I sat on the other side of this Chamber for fourteen years. During

that time we made many very valuable suggestions and heard many promises made. One point was emphasised very definitely by those who were then sitting in opposition. If those members ever crossed over to the Government side of the House they were not going to be concerned whether there was a deficit or not so long as the State was developed. We have seen Premiers being obliged to go cap in hand to the Prime Minister for the necessary funds with which to carry on the affairs of this State. In the days of which I speak it was my party, the Country and Democratic League, which really formed the Opposition and a few scattered members of the Liberal Party constituted, what I might say, the nonentity section. I exclude the Premier from the comments that I am about to make, and am referring in the main to those who were of my own party. We told the Government of the day that if we had the opportunity we would not worry about deficits so long as we were helping the State to go forward. I am sometimes despondent lest we should not be doing all that we might do for the advancement of the State.

Hon. A. H. Panton: No wonder you are looking so unhappy.

Mr. MANN: Apparently members of the Opposition are delighted with the action of the Government because we find them applauding the Administration. I consider that the Government parties entered office with a marvellous opportunity to advance the interests of this State. I recall the position during the years of the depression when men were out of work and were in receipt of sustenance and doles. The Premiers' Plan was put into operation at that time, which was during the term of a Labour Prime Minister, Mr. Scullin. I sometimes wonder how the Premier feels now when he thinks of the position 18 years ago. He must realise the prosperity now prevailing. Never have we lived in a more prosperous age—an age of bountiful returns and high prices.

One of the faults I find with the Government is its failure to embark upon a live policy of immigration. I was disappointed with the reply given by the Minister for Housing to the member for East Perth some time ago to the effect, if I remember

rightly, that the immigration policy was no concern of the State Government.

Mr. Graham: That is right.

Mr. MANN: Such an attitude surely denotes a policy of despair on the part of the Government. Had the present Government at the outset approached the Commonwealth and the Imperial Governments with the object of inaugurating a virile immigration policy, this State would have now been carrying a much larger population.

Hon. A. H. Panton: To do that you would need a virile Minister.

Mr. MANN: The lack of such a policy is being brought home forcibly to the Government now. In the country it is impossible to get the requisite labour.

The Minister for Lands: We have a very progressive immigration policy.

Mr. MANN: Then all I can say is, it is impossible to see any results of the Minister's efforts. I repeat that the Government has failed sadly on the policy of immigration. It has failed to increase the population of the State, and to get the labour that is required for the work in the country is impossible.

Hon. J. B. Sleeman: You want cheap labour.

Mr. MANN: We want nothing of the sort. The farmers are prosperous, due to the high prices ruling for wool and wheat consequent upon the ravages of war in other parts of the world, and are prepared to pay and are actually paying good wages. In the country we could do with thousands of migrants for farm work. How is it possible for the State to make headway when there is such a dearth of labour in the country districts?

I believe there are many thousands of people who would be prepared to migrate here if only they had the opportunity. They could be obtained from the Scandinavian countries and from the northern parts of Europe. As a soldier who fought in the war of 1914-18, I am of opinion that the Germans have learnt their lesson and that many of them would be prepared to migrate to Australia. Those who have gone to South Australia have made excellent settlers and I believe that others would do so here. There are plenty of people in Europe who would

be prepared to come here and who would not ask for a five-roomed house but would be willing to assist in pioneering the country. The member for Perth is quite right in what he said about the need for population. Of every shipload of migrants that comes to Australia, only a few are destined for this State and the rest go to the Eastern States. The farming industry cannot continue unless population is increased and more labour is made available. The position in the Avon Valley today is serious. The farmers cannot get labour to cut their hay and there will be a scarcity of fodder.

Hon. A. H. Panton: What about Parliament closing for a few weeks and members going out and stooking the hay for you?

Mr. MANN: If that were done and every member went out and worked, some good might result.

The Premier: I would not have time to go.

Mr. MANN: I am afraid I should make the pace very hot for the Premier and also for the Minister for Lands.

The Minister for Lands: You would have to bring most of them back in an ambulance.

Mr. MANN: I am afraid that is so.

Hon. A. H. Panton: Why not pick the young chaps?

Mr. MANN: That is how members of the Country Party keep fit; they do a bit of farming at the week ends. However, I was saying that in my opinion the Government has failed through not adopting a vigorous policy of immigration.

The Premier: You know that we do not control immigration.

Mr. MANN: I repeat that the statement of the Minister for Housing in reply to the member for East Perth was a policy of despair and I admit that it made me feel very miserable.

The Minister for Lands: The trouble is you are all wrong.

Mr. MANN: What I have stated is perfectly right. Unless we make efforts to get migrants here, the position of the farming industry will be serious.

Hon. A. H. Panton: Where is the land on which you would settle the migrants?

Mr. MANN: Migrants coming here could be employed on areas already developed. As to ex-Servicemen's land settlement, it is impossible to buy suitable properties for this purpose. Recently tenders were called for the purchase of a property of 2,500 acres at Greenhills. Two farmers with sons tendered for the place, one £18,000 and the other £20,000, and the Treasury valuation was £2 10s. per acre. The Government would have taken it for soldier settlement, but the owner would not sell. The Government will not be able to buy a farm anywhere at present prices.

The Minister for Lands: Properties are being offered to us every day.

Mr. MANN: Then they must be rather poor propositions. I know of properties of 2,000 acres from which £8,000 cash has been taken in the year, so is it likely that anyone will sell at present prices? If I had my way I would open up the light lands in the Esperance area and bring the lightly timbered country into production for the settlement of returned soldiers.

Hon. A. H. Panton: Put them on starvation areas.

Mr. MANN: The hon. member, as former Minister for Lands, knows better than that. Let us now consider farming properties bought for soldier settlement costing £12,000, £14,000 or £16,000, plus the cost of plant and stock. Let one bad year be experienced and the price of wheat and wool fall 50 per cent. and the holders of those properties would be ruined.

Hon. A. H. Panton: You are now getting back to the old pessimistic views that you held when you were sitting over here.

Mr. MANN: I have been in the game for a long time and know what will happen.

Mr. Marshall: You are not far out.

Mr. MANN: I am aware of that. Are the present high prices going to continue for ever? Of course not! And when prices fall, let it be remembered that the costs of production must also fall. The costs of production today as compared with those of 1914 are enormous. If costs of production are not reduced, I should like somebody to tell me how the farmers are going to carry on. At any rate, when prices fall, we shall see. I have no doubt that we shall then

have to face another depression. So much for the question of land settlement.

I regret that the Government is not adopting a more active policy in the matter of the prevention of soil erosion. What can we hope to accomplish by merely having a few experts? In the Eastern States, particularly in New South Wales, active steps are being taken to deal with the trouble. In the Tennessee Valley, America learnt to its cost what disastrous effects soil erosion could have, and what has that country done? Active steps are being taken to check soil erosion. Is this Government prepared to proclaim the Act and force the farmer to realise that he has to protect the soil, not only for his own benefit but that of the State?

Mr. Fox: Why do not you force the Government to do it?

Mr. MANN: I have no say in the Government which is no different from that which was previously formed by the other side. It is controlled by Cabinet, which is supreme.

Mr. Fox: Not on this side.

Mr. MANN: Do not worry about that. I know the whole rigmarole of Parliament. Those who are not in Cabinet are just the mere hangers-on and tools.

Mr. Fox: You speak for yourself.

Mr. MANN: At no time was the hon. member prepared to defeat his Government when his party was in power.

Hon. A. H. Panton: It did its job.

Mr. MANN: There is a little more freedom on our side. When Trades Hall told members opposite what to do, they did it.

Mr. Hoar: Who told you?

Mr. MANN: When the present Opposition had a very capable man as a Minister of the Crown, why was he not returned as a Minister? I refer to the member for Brown Hill-Ivanhoe, who is outstanding.

Mr. MANN: Possibly. I have no regrets now at not being in Cabinet, although I did have.

Hon. A. H. Panton: For the same reason, perhaps, that you were not put into the Cabinet.

The Minister for Lands: You were going to say something about soil erosion.

Mr. MANN: What is the Government doing about soil erosion?

The Minister for Lands: We have men who go out and advise and assist farmers in contour ploughing, and that sort of thing.

Mr. MANN: The Government has two men for a huge State like this. New South Wales has 10 or 12 advisers. The Government gives no financial assistance in the matter of soil erosion. I advise the Minister that there are two sorts of erosion, wind and water, and many parts of the State are suffering from water rather than wind erosion. It is time the Government took a more active part in this question, which will have far-reaching effects before long. There have been some discussions as to the pollution of the Swan River, particularly from Northam. Last year a deputation from the Northam, Beverley, York and Toodyay road boards waited on the Minister, who had with him his advisers in connection with the matter of expense. When it was estimated that the cost would be about £30,000, the Minister refused to accept any responsibility, so that the road boards had to find the money. On Sunday last I visited the far end of the Beverley electorate—the lakes country—where a big stream of salt water is pouring into the Avon River, and the timber is dying. We have, in Western Australia, a beauty spot around the Swan River. If salt water, in large quantities continues to come in, there will be no Swan River here in 50 years' time. On the property that I have been farming for 30 years, pools that were 30 ft. deep are now entirely covered by earth.

Under the present system of clearing our hilly country—and this is where I again bring in soil erosion—huge gullies are washed out every flood year and the earth goes down the river, which becomes discoloured, and pours out to sea. The time is not far-distant when there will no longer be any pools at York, and the magnificent sheet of water which is the Swan River will eventually—probably not in our time—become more or less covered with sand. The job of correcting this state of affairs is not one for ordinary engineers, but some expert in that line. It is a technical job, and if the Government is wise it will appoint a man to do the work. The whole river could be made into a beauty spot. This is a job for the Government, and the Minister for Works should approach Cabinet and make a request for an investigation of the problem

to be made. There has been a controversy in the Press as to the Guildford area. If no reply is made to my remarks, I intend, before the House adjourns, to give notice of a motion to request the Government to take an active part in this matter. That is how important it is. I shall then bring data to the House to prove the seriousness of the question of soil erosion and the silting up of the river.

Hon. A. R. G. Hawke: What about a censure motion?

Mr. MANN: I did not pass any remarks on the railway Bill, but there is something very wrong with our transport. I was at Robb's Jetty today to see a consignment of 3,000 lambs being killed for the export trade. In 1938, we exported 320,000 lambs. They were all transported by rail, and not by road. In the last 12 months or so we have had an increase in the number of engines, and the ordinary rollingstock is still here, but we cannot get our sheep to market by rail, so we have to use the road. In fact, road transport has an open go to Midland and the freezers.

Mr. Reynolds: Do you not believe in private enterprise?

Mr. MANN: Yes, but I do not think anything will solve the railway problem unless there is some determination of policy and the men pull their weight.

Mr. Reynolds: Who are you blaming now?

Mr. MANN: Quite a number. We have some excellent men in the Railway Department and they are keen on their job, but many do not give a damn whether they work or not.

Mr. Reynolds: Name them.

Mr. MANN: Let us face the facts of this State. There is a tendency for all of us to say that we are not going to work very hard.

Hon. A. H. Panton: Speak for yourself.

Mr. MANN: I speak candidly, and on behalf of the State.

Mr. Hoar: And for the Government, too.

Mr. MANN: If we adopt the attitude, and it is fostered by Governments, that we please ourselves whether we work or not, what hope have we of making any progress? Under such a system, it will not be long before we shall have people glad to work for the dole, and even less. According to "The

West Australian" this morning, the Prime Minister has decided to make available £100,000,000 for social services. I want to know where this sum is to come from when production goes down and taxation no longer yields what it does today. The Prime Minister may, no doubt, be a genius and see more than I can, but he cannot fool all of the people of Western Australia all of the time. If he is the great financial genius of Australia and raises £100,000,000 for social services—

Mr. Hoar: He will do it.

Mr. MANN: Yes, while the going is good, but when it is bad and there are no longer business men to meet the taxes, where will he find the money?

Mr. Bovell: He is building up an enormous responsibility for future generations.

Mr. MANN: He does not care about future generations. He is carrying out the socialistic policy of the Federal Labour Party, because his Government is socialistic.

Hon. A. H. Panton: So is yours.

Mr. MANN: Hardly. The moment there is a shortage of railway trucks this Government says, "We must put on road transport to cart superphosphate or stock," and when there is trouble with the electricity supply and trams and trolley-buses are stopped it gives private enterprise the right to pick up passengers anywhere. No doubt there are still a lot of cobwebs about. The most long-suffering people in this State are those who assemble each afternoon in St. George's Terrace in the hope of being able to catch buses. In rain or sunshine that long queue can be seen on any day of the week. In view of the Government's election promises I had hopes that the transport position would have been remedied by now, and I still hope the Government will do something about it. I am trying to help the Government by constructive criticism.

Hon. A. R. G. Hawke: It is incapable of being helped.

Mr. MANN: During the election I saw something in the Press about cobwebs, but I say, "Let us carry out our policy while we are in power."

Mr. Reynolds: Tell us what that policy is.

Mr. MANN: The policies of both sides of the Chamber may be akin in some ways. The moment there is a breakdown in elec-

tricity supplies there is an appeal, as I have said, to private transport to pick up passengers, but immediately the fault is repaired the Government rules that private enterprise must no longer pick up passengers on tram or trolley-bus routes.

Mr. Hoar: Apparently you do not think much of this Government.

Mr. MANN: In many ways I am not enamoured of it, and I have a perfect right to criticise it. I refuse to be tied down entirely.

Hon. A. H. Panton: I will bet you are not going to the party meeting tomorrow.

Mr. MANN: The party meeting does not worry me, and I will say what I think is right. During the election the promise was made that we would improve the position of our country hospitals, but today their condition is worse than ever. The Beverley hospital has been calling for repairs for years, and for several years the Corrigin hospital has been crying out for a hot water service. When I was on the hustings I told the people of my electorate that if I were returned and there was a change of Government, the new Government would implement a vigorous policy of country hospitalisation. I am afraid I would not have lasted long in the Ministry, had I been appointed to it, as I would have endeavoured to see that we did a little better. Today the position of our country hospitals, in particular, is a tragic one. I admit that the cobwebs have not yet all been swept away, and that there is a great deal of dust on them. It is no use anyone saying that the Government has done marvellous things, though it certainly has done some things well.

Mr. Reynolds: Tell us about some of them.

Mr. MANN: Now that we are getting towards the end of the year I suppose all members are anxious to know what will be the outcome of the legislation for the redistribution of seats. Looking back, I am afraid the introduction of such a measure was a hasty move on the part of the Government parties, because we have lost two seats forever.

Hon. A. H. Panton: It is nothing to what you will lose.

Mr. MANN: If anyone suffers through the redistribution it will be the Government parties.

Hon. J. T. Tonkin: Do you know that the Liberals expect nine out of the 11 new seats?

Mr. MANN: I am not worried about that, but I do think it was hasty legislation and showed bad judgment on our part. However, I must say that the Commission, consisting of the Chief Justice and his colleagues, did a completely honest job.

Hon. A. H. Panton: A very good job.

Mr. MANN: Working out the boundaries according to the population of the State was no easy task, but they did their work without fear or favour, and I wish to pay a tribute to them for the excellent job they did.

Hon. A. H. Panton: I think the Speaker should send that tribute on to them.

Mr. MANN: Some of us will suffer by it and some will not.

Mr. Hegney: You will be all right in Beverley-York.

Mr. MANN: If we had accepted the advice of the Labour Party we would have tossed the Bill out. It must be borne in mind that all of us here are tainted with political ideas and are concerned first with our own seats.

Hon. A. H. Panton: What do you think about the Betting Commission?

Mr. MANN: We are fortunate in having among our high State officials men whose view is that they were appointed to do the right thing for the State. I do not intend to discuss the Betting Commission.

Mr. Reynolds: Why not?

Mr. MANN: The Government fulfilled its promise that it would appoint a Royal Commission to go into the question of betting, but the Premier did not say what he would do about the findings of that commission. I hope my few words tonight will carry some weight with the Premier, though I know he has a hard job before him. I am not worried about the recent increase in the basic wage, but I hope that when the Premier meets the Grants Commission he will put up a good case for our State. A happy feeling has developed in this House in the last 12 months and at times it is now hard to see the line of demarcation between the Government and Opposition sides. On those grounds I think we could make enormous progress in the State. It would be a good idea if we could select the best brains on

both sides of the House and make an even better Cabinet—with all due respect to the present one—than we have at the moment. With the present parties there is very little bickering—

Hon. A. H. Panton: The two Independents are a bit savage.

Mr. MANN: —and there is a marvellous feeling among members which augurs well for the welfare of Western Australia.

Hon. J. T. Tonkin: There must be complete agreement about a new Vermin Bill.

Mr. MANN: I wish to pay a tribute to members of the present Opposition who are very tolerant and reasonable in their attitude. I can remember, going back 18 years, when Sir James Mitchell was Premier, and the late Hon. P. Collier was Leader of the Opposition. There were always fights on both sides of the House about legislation being introduced, but to the credit of the present Opposition the legislation that has been brought down during this session and the last has been received wonderfully by them when they may have been quite justified in criticising it. But there has been no hostile criticism on their part.

Hon. A. H. Panton: There has been nothing to be hostile about as yet.

Mr. Hegney: There is still a month to go.

Mr. MANN: I was very interested the other evening in a speech made by the member for Northam about water supplies. It was a tragedy that the comprehensive water scheme as set out in the Bill introduced by the hon. member was not passed.

Hon. A. A. M. Coverley: Hear, hear!

Mr. MANN: It was a tragedy. The farcical part about it is that the two Houses got into a deadlock when discussing the measure at a conference and one member disagreed to its provisions.

Mr. Reynolds: That is not democracy.

Mr. MANN: We try to legislate for the welfare of the country. Yet when two Houses get into a deadlock and cannot agree the Bill goes out. I must admit that one of my own party killed the Bill.

Mr. Graham: Who was that man?

Mr. MANN: I am not mentioning names. However, in the Eastern wheatbelt and particularly on the Great Southern the water supply position is tragic. We must realise that water is the life-blood of Western Australia.

Mr. Reynolds: That member's conscience must be pricking him now.

Mr. MANN: The member for Northam was quite right when he suggested to the Government that it should reconsider its decision and endeavour to bring in a Bill for a comprehensive water scheme along the lines of the one introduced by the hon. member. In the areas I have mentioned, and particularly in the Eastern part and around Narembeen, the water position is desperate. We have had a long succession of wet seasons and we may now be in for a cycle of dry ones. The farmers in those areas find that dams are not secure because of the salt content in the water and the position will become most acute. It has been said, probably rightly so, too, that people in Western Australia prefer beer to water but all Governments must realise that water is the life-blood of Western Australia.

Mr. Hoar: I think you have the Minister worried.

Mr. MANN: I am not attempting to criticise the Minister but the trouble has been caused because of industrial strife throughout Australia. I do not think that in four years' time we will see any pipes in these areas and members cannot deny that industrial troubles are the cause of shortages. I hope the Premier will reconsider the question of a proper comprehensive water scheme in the far eastern areas, because they want water badly. Farmers in those areas have proved over the years that by proper farming they can produce marvellous crops and can also breed a fine type of sheep. I think this season will produce an extraordinary harvest although it is one of the driest seasons on record.

I hope my remarks will bear some fruit but I am afraid that the speeches of all members of Parliament, not only those sitting on this side of the Chamber but also those on the other side, are not given very much thought by members of the Government irrespective of their political leanings. However, I hope the Premier will take a different view and that he will take some notice of what I have said and also of the remarks of other members, because we are not here to criticise the Government but for the good of the State. I hope the Government will be broadminded enough to accept the help of all members on both sides. If any Government will not accept help to

carry out its policy then that Government must suffer by its decision. We are here, not to further our own personal interests, but for the welfare of Western Australia.

MR. SMITH (Brown Hill-Ivanhoe) [9.56]: The most disturbing feature of the Budget is the fact that the details of the revenue and expenditure have increased by about £6,000,000 in two years. This is probably due to rising costs and I think that that is an aspect of the national economy which is probably much more important than all the accountancy details. I do not propose to make a long speech but a famous German philosopher once said that "reading is thinking with other people's minds." I intend to take a risk with the truth of that statement this evening and confine myself to a couple of quotations from some celebrated professors for the consideration of those who are interested in rising prices.

The first quotation is by Professor Gustave Cassell, who in his theory of social economy said—

If all persons sell their wares for more money, no one gains thereby.

The individual gains from having more money only if others have not more money—that is if he can buy from others at as low prices as before.

Prosperity depends on the number of things exchanged, not on the counters used in effecting the exchanges.

The special proposition concerning money is that its value tends to vary precisely in proportion to its quantity. This constant relation does not hold good of any other commodity.

That might be dealing with the situation, some members might suggest, in an academic way, so perhaps they will find the next quotation a little more realistic. It is from an article by Professor Douglas Copland, Commonwealth Prices Commissioner from 1939 to 1945 and now Vice-Chancellor of the Australian National University, published in October, 1948. I quote—

It will be surprising if the next 12 months does not see an increase of another 15 per cent. in price levels in Australia.

Australia during the war was the envy of other countries because of the low level at which she was able to maintain prices.

As it is, Australia seems to have deliberately chosen the course of rising prices right up to the limit of the high export prices ruling, and in this way exposed her economy to the full blast of a fall in export prices. It

is an unfortunate end to a great experiment in price control which could have been used to protect the community from this difficulty.

April, 1943, was the end of the second period of price control. The Government introduced price stabilisation in that month. It was perhaps the most extensive experiment in control ever attempted by an Australian Government.

Prices were held stable for three years at a level about 22.5 per cent. above pre-war, and every visitor to this country was astonished at the low prices ruling compared with the experience of other nations.

We may put March, 1946, as the close of the third period of price control. For the next two years the Commissioner was faced with rising costs.

By June, 1948, a further and considerable rise in prices had taken place, bringing the cost of living to a level about 40 per cent. of that before the war.

The referendum in May altered the picture once more, and control was passed to the States without the aid of subsidies, except on butter, tea, cheese, and fertilisers.

A further increase is inevitable for several reasons—the withdrawal of the subsidies, continued increases in wages, high export prices, without (in many cases) the mechanism of low local prices, still rising import prices, the abandonment of control in a wide range of "non-essential" goods, the dispersion of authority under administration by six States.

This is the fifth and final period of control, the period of liquidation—and we must expect further increases in both prices and money incomes. We bask in the sunshine of high export prices now, and we can enjoy a moderate dose of inflation; but there will be re-cremations when the deflation comes, and those who have clamoured loudest for easing control will be among the bitter critics of constituted authority when the reverse comes.

It was a rare occasion when an organised deputation from consumers arrived at the door of the Prices Branch; not so with the producers. The consumers had few friends. Pressure was mostly from producers and it was surprising how many friends they had among parliamentarians.

The Premier: Did you say that the article was by Professor Copland?

Mr. SMITH: Yes, the article was published last month. I will leave those quotations in that concise form for the information of those who are interested in the subject of price control.

Progress reported.

House adjourned at 10.5 p.m.

Legislative Council.

Wednesday, 3rd November, 1948.

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

QUESTIONS.

WATER SUPPLIES.

As to Reduction in Goldfields Rates.

Hon. G. BENNETTS asked the Chief Secretary:

Has the Minister for Water Supply considered the request put to him by a deputation of Goldfields delegates for a cheaper water rate for the Goldfields. If so—

(1) What will the reduced rate be?

(2) When will it come into operation?

(3) Has the Minister given any consideration to a flat rate water charge for the State?