ing the factories to make out the tax returns for producers.

Mr. Bovell: The factories have to make out these returns; this only means an extra piece of carbon to them.

The MINISTER FOR LANDS: I want the producer to make out his own return each month or five weeks. I move an amendment—

That in line 2 of paragraph (c) of Subclause (2) the word "seven" be struck out with a view to inserting the word "forty" in lieu.

That will give the producer plenty of time to make out his return.

Mr. RODOREDA: I can understand what the Minister desires to do, but if we read the clause with the proposed amendment inserted, then I do not think it will accomplish what he desires. There is nothing about a monthly return in the clause but if the amendment is agreed to it will simply state that he will have to make a return for any and every sale made by him within 40 days of such sale.

Progress reported.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. D. R. McLarty—Murray-Wellington) I move—

That the House at its rising adjourn till 3 p.m., Friday, the 3rd December.

Question put and passed.

House adjourned at 11. 47 p.m.

Legislative Assembly.

Friday, 3rd December, 1948.

CONTENTS.

The SPEAKER took the Chair at 3 p.m. and read prayers.

BILL—MARKETING OF APPLES AND PEARS.

Message.

Message from the Governor received and read recommending appropriation for the purposes of the Bill.

QUESTIONS.

COAL.

As to Black Diamond Leases, Production, etc.

Hon. A. R. G. HAWKE asked the Premier:

(1) When did Amalgamated Collieries of W.A. Ltd. commence work this year on the Black Diamond Leases?

(2) What is the total cost of all work carried out by the company on the leases to 31st October last?

(3) How much of such cost had been recouped to the company by the Government at that date?

(4) What quantity of coal has been produced on the leases up to the present date?

The MINISTER FOR HOUSING replied:

(1) Work commenced on 22/4/1948.

(2) Approximately £12,400.

(3) Nil.

(4) Nil.

ROAD TRANSPORT OF WHEAT.

As to Competition.

Mr. BRADY asked the Minister for Transport:

(1) Is it a fact that metropolitan business houses are registering wheat trucks for hauling wheat from country sidings in competition with the railways and road haulage contractors who normally perform this cartage?

(2) If the answer to question No. (1) is "Yes," will preference be given to the railways and permanent road contractors?

The MINISTER replied:

(1) and (2) Road haulage is only being used to transport wheat that the railways are unable to handle. Should the railways be in a position to haul a greater quantity of wheat than at present, estimated road haulage will be correspondingly reduced.

There is, therefore, no case of road hauling competing with the railways.

Some inquiries have been made of the Transport Board by ordinary business firms as regards employment on wheat carting, but such were discouraged. Employment of carriers this season will be in the hands of Co-operative Bulk Handling, subject, of course, to the granting of a license by the Transport Board.

BILLS (2)—THIRD READING.

1, Coal Mine Workers (Pensions) Act Amendment.

2, Bush Fires Act Amendment (No. 2). Transmitted to the Council.

BILL—TRADING STAMP.

Second Reading.

THE MINISTER FOR LABOUR (Hon. L. Thorn—Toodyay) [3.7] in moving the second reading said: Representations have been made to this and previous Governments to introduce legislation to prohibit the use of trading stamps and gift coupons. Local traders and manufacturers have been consistent in their requests for such legislation since 1942. The Bill has been framed on legislation which for some years has been successfully administered in the States of South Australia and Queensland. To a large extent, it is practically a copy of the South Australian Trading Stamp Act.

The main reason advanced by Western Australian manufacturers and traders in favour of such legislation is that it would prevent large business houses from again commencing to operate systems of gift coupons, whereby they obtain an undue advantage over small businesses, since the latter cannot offer such a variety of gifts. Although the Bill contains several clauses, these are designed with the simple purpose of prohibiting the system and providing reasonable means to deal with anyone who contravenes the law. The time is particularly opportune for the introduction of the Bill because, owing to the shortage of the types of article that generally comprise the gifts, and owing to labour difficulties, there has not been for some years and is not at present any gift system operating in this State.

South Australia, before amending its legislation in 1938, caused a very searching inquiry to be made by a specially appointed committee. The committee considered the legislation operating in other States and countries and the submissions for and against trading coupons, including proposals to remove the restrictions then in force in South Australia. The committee also considered submissions by the Housewives' Association, organisations representing manufacturers, retail traders and consumer interests, as well as the effect of the coupon system on retail prices. The general conclusions and outstanding points were summarised as follows:—

(a) Goods given in exchange for coupons do not represent something for nothing to the consumers. They are paid for by the consumers in the price paid for the commodities.

(b) There is no evidence that coupon systems, whether operated by retailers or manufacturers, result in any lessening of the retail prices of commodities.

(c) A vigorously conducted coupon system operated by a competent selling organisation is capable of attracting to it business which is not justified by the prices or quality of its commodities. Smaller traders, whose com-

modities are of equal quality and price, are placed at a disadvantage on account of their inability to conduct a coupon system as attractive to consumers as that of the large competitors. It is possible for the result of such a system to be that the smaller traders may be gradually forced out of business. This would apply very largely in this State to the local manufacturer and trader versus the larger interests in other States.

Mr. Marshall: You do not mean to imply that a monopoly would be at all antagonistic to a small interest going out? That is your argument so far.

The MINISTER FOR LABOUR: I shall be pleased to hear the hon. member at a later stage.

To this extent the system tends to enable control of business in a particular class of commodity—tea, soaps, etc.—to be vested in monopolies or small groups of powerful traders.

(d) By means of a coupon system it is possible for large manufacturers to eliminate or considerably reduce competition, and in this manner exert over the business of retailers a form and measure of control which is neither justified nor desirable.

A real danger has existed that large manufacturers in Victoria and New South Wales could use the coupon system to eliminate smaller manufacturing concerns, especially in this State.

Mr. Marshall: Rubbish!

The MINISTER FOR LABOUR: I will show the hon. member whether it is rubbish. It may be thought that the offering of coupons with goods is a method of sharing profits with the consumers, instead of spending money in other avenues of advertising. However, such a conception is wrong, as general advertising is carried on, catalogues are prepared, and advertising of the "gift" coupon scheme itself takes place. The coupon system can develop into a bad and hidden force to the detriment of competitive secondary industry. It will be readily appreciated that local manufacturers have not the finance to compete with large, wealthy organisations and find the thousands of pounds which it is necessary to spend buying large quantities of "gifts," providing showrooms and staff for checking and display purposes. It is an unnecessary and wasteful system costing far more than the value received by the consumer.

The enactment of this legislation will not affect any person or firm insofar as purchasing or trading conditions apply today, as no coupon or "gift" system is in operation in this State now. On the other hand, it will stimulate honest trade through goods having to be offered on their real quality and merit, and help to give all manufacturers and traders, irrespective of financial resources, an equal opportunity. This is especially apparent when one considers that the only manufacturing concerns which would favour the coupon system are those which have the essential features of:—

(a) Making large profits;

(b) ability to stifle competition; and

(c) willingness to distract purchasers' attention from quality and fair price.

During the war, as members will realise, this State was very short of many commodities. This was due to the influx of troops from the Eastern States and to the great demand for shipping for the transport of troops and war munitions. During that period the firms in this State made a great effort to supply the needs of the people, particularly foodstuffs. They were able to establish factories in the State to produce those necessities. Today those firms are well established and employing large numbers of workers. I have been given to understand from merchants that if another crisis arose they could, with their present factories, meet to a large extent the needs of the State. As I said, the gift coupon system is not now operating in the State, but should it be introduced again, the wealthy firms in the Eastern States could, by its aid, drive our merchants out of business. They would probably have to close down their factories.

If members will give thought to the matter, they will fully appreciate the effect of the gift coupon system. I think they will be in agreement with me on the subject. I know that my own wife would buy an article, whether she thought it was the best quality or not, as long as there was a gift coupon attached to it, because she would think about the little present she would get later.

Hon. A. H. Panton: Why don't you buy her one?

The MINISTER FOR LABOUR: When I think of the factories that have been established at Fremantle, and at South Fremantle in particular, I should be surprised if members raised any opposition to a measure of this description.

Mr. Marshall: You raised opposition to a similar Bill years ago.

The MINISTER FOR LABOUR: The previous Government almost got to the stage of introducing a similar measure but suddenly dropped it. I often wonder why, because I shall prove to the House that it is our duty to build up our own industries and help them as far as we can.

Hon. A. H. Panton: More regimentation!

The MINISTER FOR LABOUR: I like that!

Hon. A. H. Panton: We have had more regimentation in the last three months than ever before.

The MINISTER FOR LABOUR: I once heard the hon. member put up a great case for local industries and the employment of our own people. He knows the importance of local industries in relation to the employment of our people. On the 11th August, 1944, Mr. Reg Bourke, the Secretary of the Shop Assistants' Union, wrote the following letter regarding free gift coupons:—

Your letter of the 9th inst. to hand. Our views on this subject are as follows:—

1. There are no free gifts.

Hon. A. H. Panton: To whom did he he write the letter?

The MINISTER FOR LABOUR: To the Wholesale Grocers and Druggists' Association. The letter continues—

2. Observation convinces us that the so-called free gift form of advertising is only open to exploitation by strong financial organisations enjoying complete or part monopoly of the line advertised.

Mr. Rodoreda: Are you intending to stop radio advertising, too?

The MINISTER FOR LABOUR: It is not our intention to stop any advertising, except the free gift coupon system, and we have not stopped that yet. Continuing—

3. That its effect is to squeeze out of the market small manufacturers of lines of equal, if not superior, merit owing to their lack of capital or turnover to offer bigger and better gifts.

4. We are forced to recognise, however, that the money now spent in free gift advertising could, or may, be spent in other forms of advertising, hence savings effected by its abolition will not be reflected in the price the public pay for the commodity.

General: On balance we are of the opinion that the psychological effect of the free gift system on the public militates against the small manufacturer or trader It forces the trader to stock free gift lines irrespective of the margin of profit allowed on those lines, which are usually fixed price lines in times of peace. The ultimate effect of the policy, notwithstanding the gullible platitudes I have heard over the years from some of your principals, is monopoly. We take our hurdles as we come to them. Hence we would be pleased to co-operate with you in achieving your objective.

Without doubt, the small retailer, in order to hold his trade, has to stock the lines to which free gifts are attached, because they are in demand simply owing to the fact that there is a free gift attached to them. The wholesalers know this and accordingly fix a very small margin of profit for the retailer. I have received representations from the Wholesale Grocers' Association asking me to get this legislation through before price fixing ceases, so that the big financial firms in Victoria and New South Wales should not have the opportunity to open here and crush our business. It is the duty of every member of the House to support the measure. I point out to members that Queensland and South Australia found it necessary to introduce similar legislation, which has been on their statute books for years. There is an urge for it here. Why? Because the smaller States know that they are in the hands and at the mercy of the large manufacturing businesses in Melbourne and Sydney. If we do not do something in the matter, we shall lose many of our small and valuable industries.

Mr. Marshall: They all depend on the coupon system!

Mr. Fox: You have not convinced a soul.

The MINISTER FOR LABOUR: Perhaps the hon. member has a brief for the other side.

Mr. Marshall: You certainly have one for your side.

The MINISTER FOR LABOUR: I hold a brief for Western Australia and am proud of it.

Members: Hear, hear!

The MINISTER FOR LABOUR: I will do my level best for the State.

Mr. Marshall: You are a good fellow.

The MINISTER FOR LABOUR: So is the hon. member. We will find him standing up with tears of blood dropping from

his eyes, pleading for the worker. I am putting up a case in the interests of industry in this State.

Mr. Marshall: Industry!

The MINISTER FOR LABOUR: Yes.

Mr. Marshall: What a hero!

The MINISTER FOR LABOUR: A case in the interests of the employment of our people. The hon. member chuckles about it. He surprises and astounds me. It is with the greatest pleasure that I move—

That the Bill be now read a second time.

On motion by Mr. Marshall, debate adjourned.

BILL—MILK ACT AMENDMENT.

Second Reading.

Debate adjourned from the 1st December.

MR. WILD (Swan) [3.25]: I listened with much interest the other evening to the very diverse opinions expressed on this Bill. A very big smoke screen was put up by members on both sides of the Chamber. The parent Act was passed in 1946 and amended last year. The first point we have to consider is the reason for its introduction. Everyone will agree that it was to provide wholesome, clean milk for the people of the State. With that object in view, a board was set up which I am certain, as indeed are large numbers of producers and consumers, has not proved to be effective. I shall touch upon one or two of the points raised by members the other evening. Some members objected to the Bill because it did not provide for producer representation on the board. We have had alleged producer representation on the board, but I say without fear of successful contradiction that for the past 13 or 14 years the milk producer has not been represented in any shape or form.

The Minister for Lands: Hear, hear!

Mr. WILD: One has only to recall the disgusting scene at Cannington some time ago in order to arrive at the conclusion that the person supposed to represent the producers no more represented them than any outsider did.

Mr. Fox: He was elected by the producers.

Mr. WILD: He may have been.

Mr. Fox: That is the lookout of the producers.

Mr. WILD: Producer representation strikes at the very core of this business. I have just come from a meeting of the Dairying Section of the Farmers' Union of Western Australia held this afternoon, at which the general president of the Union was present. The meeting expressed the unanimous opinion that, although this differentiation of policy cut across their lines, at the same time they were satisfied that what had been going on in the past would continue in the future if some alteration were not made. Representatives came from all over the South-West, from Harvey, Waroona, Byford and other centres. They passed a resolution to the effect that the Milk Executive, taking into account all the existing circumstances, approved of the board being reconstituted as suggested in the Bill. Many of the representatives at the meeting deplored the fact that they had to eat their words and admit that producer representation had failed. One or two cunning gentlemen have, by devious means, been able to get on the board. They are not producers. If the Act is allowed to continue in force as it stands, without being amended, there is nothing to prevent the same class of person getting on the board. One member made reference to placing a woman on the board. I am afraid I do not agree with that proposal.

Hon. A. H. Panton: You differ from the Premier.

The Minister for Lands: We are allowed to differ on this side of the House.

Mr. WILD: There are many places where a woman would be useful, but I do not think the Milk Board is an appropriate place for her. There are some small provisions in the Bill that I do not altogether agree with, although I agree entirely with the principle of the Bill. When we get into Committee, I shall have something to say about the period of seven years that have been fixed for the chairman of the board. I agree that books of account should be produced, but not taxation returns. That is going a little too far. I want to touch for a moment on the matter of milk being vested in the board. Some speakers have suggested that is socialisation. Well, if it is socialisation, let us

have it because we do not want a recurrence of what went on early this year at Cannington when a member of the Milk Board went there to do something in an endeavour to prevent the women and babies of Western Australia from having milk.

Hon. J. B. Sleeman: Put the doctors under the board!

Mr. WILD: One or two speakers objected to the sale of milk businesses. If a person secures a license to sell liquor, he has to go to the Licensing Court to apply for the transfer of the license. It is a fine idea that milk vendors should have to apply to the board before being allowed to sell their milk businesses, as otherwise there would be a possibility of the industry finishing up in the control of one or two combines. That is not in the interests of the milk industry. A certain section of the farmers consider, and rightly so, that under the compensation clauses, plus the sections in the Cattle Industry Compensation Act, some milk producers will pay twice. When the Bill is in Committee I hope to have an opportunity to correct that anomaly.

The main thing we have to consider is this: Is the present board operating as was intended when the parent Act was introduced? If members are sincere in wanting the people of Western Australia to have good, clean, wholesome milk, they must consider, firstly, the consumers and, secondly, the producer; and he cannot work the 35 or 40-hour week, but has to work seven days a week from daylight to dark. The Farmers' Union, which represents 75 per cent. of the milk producers of the State—although this cuts right across its principle of producer-representation on boards—is unanimous that the alteration in the Bill is in the best interests of milk producers. I therefore strongly urge the House, even though some members have objections to various clauses, to allow the Bill to go into Committee and then deal with the objections one by one.

MR. LESLIE (Mt. Marshall) [3.34]: Like the previous speaker, I am mainly concerned with the question of the appointment of the persons who are to constitute the new milk board. Because the question of producer-representation is a vital one to me and to members of the organisation with which I am associated, I do not propose to exercise a vote on the Bill without first having something to say. In normal circumstances I am strongly pledged to the policy of producer-representation on any board concerned with the disposal of the property of producers. But I find myself, on the question of milk, in a peculiar position in that from the inquiries I have made it is difficult to find out who is a producer. Many men not only produce a considerable quantity of milk and milk products, but are also interested in other phases of the milk industry. I find small producers in the same position. There are others who are barely producers. So, I am faced with this position: If I adhere rigidly and blindly to my usual policy, a section of genuine producers might be completely outvoted by producers who are also interested in other aspects of the industry, namely, milk vending and milk processing.

What has happened in the past must, to a large extent, be taken as a guide. Producer-representation in this industry, as it has operated in the past, has been such that interests, outside of producer-interests, have outweighed what should have been the loyalty of the producers' representative to the genuine producer. I believe there is some other way in which this must be tackled. I am not prepared to sacrifice the genuine whole-milk producers by putting them completely in the hands of someone whose interests lie in a contrary or conflicting direction. Therefore, the safest course must be to allow somebody apart to make the choice. So I am prepared to support the Bill, although it departs vitally from a principle on which I stand firm. The circumstances are such that I believe I am acting in the best interests of those I seek to serve by saying that they will be safeguarded by a disinterested party who is concerned with the industry as a whole. I do make this suggestion, however, that when the Minister is making the appointments, the organised body of milk producers might be consulted to ensure that, though the Minister may have in mind people who know a lot about milk processing and marketing, he will not appoint persons who have no sympathy with the producers. The Minister might give the House an assurance along those lines.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1 and 2—agreed to.

Clause 3—Repeal and substitution of Section 11:

Mr. NEEDHAM: I wish to move to delete the clause.

The CHAIRMAN: Order! The member for Perth cannot move to delete a clause.

Mr. NEEDHAM: Very well, I shall speak against it. The clause sets out that no person who has any practical knowledge of the industry at all can be appointed to the board. This is a radical departure from the procedure adopted in most Acts that provide for boards. The clause removes the industry from the control of those most concerned. As I cannot move to have the clause struck out, I will later move an amendment to strike out Subclause (3).

Hon. J. B. SLEEMAN: I move an amendment—

That at the end of Subclause (1) the words "one of whom shall be a woman" be added.

I have nothing to say against the size of the board as I think small boards are preferable to larger ones. We should include on the board a representative of the milk industry and a woman, as representative of the consumers.

Mr. FOX: I desire to move that the amendment be amended by striking out the words "one of whom shall be a woman" and inserting in lieu the words "who shall be a dairyman."

The Minister for Lands: Does the member for South Fremantle want two retail dairymen on the board?

Mr. FOX: No, two producers. The member for Mt. Marshall said in effect that the producers are an ignorant lot, not capable of electing someone to look after their interests. Later on I will move an amendment to have two producers appointed to the board.

Hon. J. B. SLEEMAN: If there were two dairymen on the board that would leave the consumers without representation. I think there should be on the board a woman to represent the consumers.

Mr. WILD: I oppose the amendment. This is a board to administer the industry and it is no use including on it persons who simply happen to represent either the industry or the consumers. I would prefer a board consisting of only one. I do not think any dairyman could find time to act on a board such as this. Generally those in the industry work seven days a week.

Mr. Marshall: Why does the clause prohibit a dairyman from being appointed?

Mr. WILD: There is nothing to say that a retired dairyman cannot be appointed.

Hon. J. B. SLEEMAN: There are women in this State who are as well able to administer a board as any man would be. I do not think the industry should have two representatives on the board while the consumers go entirely without representation.

Mr. ACKLAND: I believe in producer representation in every case where the producers' interests are at stake, but that is not the case here where the board administers the Act and regulates the selling and distribution of milk. As board members men of business ability are required.

Hon. A. H. PANTON: I have never before heard so many specious arguments or seen so many members suddenly change their views. I thought our wheatgrowers stood four-square for representation of the producers.

Mr. Ackland: You would take it away.

Hon. A. H. PANTON: I do not care how many dairymen we have on the board so long as the milk is supplied. Do not let us have the argument that the producers would now be better off without representation.

The Minister for Lands: We are all free thinkers on this side of the House.

Hon. A. H. PANTON: That is about all the Minister does think. I believe in loyalty to the Government, but when the Minister talks about being free thinkers; the only aspect he can mean is from a religious point of view. I intend only to talk long enough to allow the Honorary Minister to return to the Committee because this amendment concerns womenfolk.

The CHAIRMAN: The amendment before the Committee, as moved by the member for Fremantle, is that the words "one of whom shall be a woman" be added.

The MINISTER FOR LANDS: Can I discuss the whole board on this amendment?

The CHAIRMAN: I think so, but other members have been getting too far away from the point.

The MINISTER FOR LANDS: The idea behind this is to protect the producer. The producers have had no representation on the board owing to the methods that have been adopted in the conduct of elections. These elections have resulted in returning men who are interested in the retail side of milk. We had a deplorable situation in the hold-up of the milk supply to this city and it is to endeavour to prevent such a thing happening again that I am asking the Committee to agree to this clause.

Hon. A. H. Panton: You do not think that a board of this description could prevent that?

The MINISTER FOR LANDS: I think it could. When you find a member of the board who claims to be a dairyman, and is purely interested in the retail side, leading strikers to intimidate dairymen and milk retailers who desire to supply milk to the public, it is undesirable.

Hon. A. H. Panton: Is he still on the board?

The MINISTER FOR LANDS: Yes, and there is no way of getting him off that board without an amendment such as this being made.

Hon. J. B. Sleeman: You do not legislate for individuals.

The MINISTER FOR LANDS: During the period of petrol rationing this man travelled by car from the city through the Avon Valley to Albany, back across country to Manjimup, Busselton, Bunbury, and then on to Kalgoorlie. When he returned from Kalgoorlie he covered the track to Bunbury and Busselton again, picking up ballot papers from the retail dairymen in those centres. He brought them back in his pocket, all signed in favour of himself.

Hon. J. B. Sleeman: What do you think of the amendment?

The MINISTER FOR LANDS: The intention is to endeavour to get hold of a dairyman who has retired from the industry. Not an old man, but there are dairymen, quite capable men, too, who have sold out. Some of them have sold to soldier settlers and it is the intention to get hold of such a man if possible. There is nothing in the clause to say that we may not end up with a consumers' representative—a man with business knowledge. The present board members' one desire has been to increase the price of milk to their own financial advantage. There has been a lot of lobbying going on about this board. They were here last night in full force.

Hon. A. H. Panton: Nobody has ever spoken to me about it.

The MINISTER FOR LANDS: They have spoken to me.

Hon. A. H. Panton: I thought you meant they were lobbying this side of the House.

The MINISTER FOR LANDS: They saw several members of this Chamber, and particularly members on this side of the House. One dairyman suggested getting rid of the chairman, and when I asked him why he said that the chairman was mad. The chairman of the Milk Board was appointed by the Labour Government as secretary and then given the position of chairman. He is a man who can stand up to his job. He does his job in the interests of all sections of the community and will not allow one section to get his ear to give special favours. He has been referred to as a Hitler, a dictator, and everything under the sun, merely because he does his job without fear or favour. What a nice mess the board would be in if we got rid of him! At present there is nothing in the Bill to prevent the appointment of a woman.

Mr. Fox: And there is nothing to say that one will be appointed either.

The MINISTER FOR LANDS: It will be in the hands of the Minister. As the board is at present constituted, that could quite easily happen again. We feel that we should stand by the chairman of the board and the other member who was loyal to him, and endeavour to ensure that nothing of that sort occurs again. I trust that the Committee will not agree to amend the constitution of the board but will give the Government a free hand.

Hon. J. B. SLEEMAN: The Minister touched on everything but the amendment. Most of the time he talked about Mr. Stannard, who was not concerned in the discussion and is not dealt with in the amend-

ment. All we suggest is that a woman should be appointed to the board. What has the Minister against that? The Government placed a woman on the Housing Commission.

Mr. Marshall: And another in the Ministry.

The Minister for Lands: And she is doing a good job!

Hon. J. B. SLEEMAN: Does the Minister suggest that a woman would be incapable of participating in the administration of the board? Milk vitally concerns children and a woman would have some knowledge of what was required in consequence.

Mr. BOVELL: Members of the Opposition have had a lot to say about the composition of the board, but I understood the member for Swan to say that he had attended a meeting of interested producers this morning and that they were in favour of the provision in the Bill.

The Minister for Lands: I received the same information.

Mr. BOVELL: We should accept that as a guide. Opposition members are trying to complicate matters. If the producers themselves are satisfied, then I am.

Mr. FOX: I have received a telegram from the producers in the East Rockingham district. Those people supply a large quantity of milk for consumption in the metropolitan area. The telegram reads—

> Producers emphatically protest against elimination producers' representative from milk board.

Thus, there is a conflict of opinion.

The Minister for Lands: I received a communication from Boyup Brook in exactly the same wording.

Mr. FOX: The member for Irwin-Moore, whenever anything affecting the wheatgrowers is concerned, always contends that wheat is the property of the farmers and they should control their commodity.

Mr. Ackland: Hear, hear!

Mr. FOX: Milk is the property of the producers and they should have some say in the price fixed for their commodity and, consequently, should have representation on the board. The antics of members on the Government side of the House are highly amusing. I have never before seen such somersaulting on their part, and we shall not forget it. I support the amendment and propose to move a further one with the object of seeing that the dairymen have a representative on the board.

Mr. LESLIE: The amendment has been submitted for the purpose of sectionalising representation on the board. The member for Leederville, in his closing remarks, made some reference to being honest. I suggest that he and the member for South Fremantle might display some honesty in this debate.

Hon. A. H. Panton: If you are as honest as I am, you will have something to be proud of.

Mr. LESLIE: Hon. members should display some of that honesty in this debate.

Hon. A. H. Panton: You are the greatest somersaulter in Western Australia, and you know that is the truth.

Mr. LESLIE: I did not say, as the member for Leederville suggested I did, that the producers were incapable of selecting a representative.

Hon. A. H. Panton: I did not suggest that at all.

Mr. LESLIE: I took a note of the hon. member's remark when he made it. What I suggested was that there were so many conflicting interests with the producers that it would be hard to define which are the producers. It is hard to say who should be the representative of the producers because many of them are interested in other sections of the industry.

Hon. A. H. Panton: Do you say I said you stated they were incapable?

Mr. LESLIE: Yes.

Hon. A. H. Panton: I will look up "Hansard."

Mr. LESLIE: That is the position as I see it. There are producers interested in other sections of the industry rather than in milk production. It would be quite possible if those other sections had a majority, for them to elect a producers' representative on the board who was not interested in milk production. It would be dangerous to the producers themselves if that were permitted. We are certainly in favour of producer-representation, but circumstances must guide us in every instance, and we must not walk blindly along the one road. This morning

the milk council of the Farmers' Union carried this resolution—

That the milk executive, taking into account all existing circumstances, approve of the board being constituted as suggested in the Bill.

We must be guided by an expression of opinion by the organised body of the producers themselves, who say that the circumstances are such in this instance as to render a departure from the principle I have alluded to, perfectly justifiable.

Hon. A. H. PANTON: I defy the member for Mt. Marshall to show in "Hansard" that I used the word "incapable" at all. I was amazed at the story told by the Minister about the conduct of the election. I have no reason to doubt the Minister's veracity, and if he knew what was going on, I cannot understand why he permitted it. This is the most tragic thing I have heard of and is ten times worse than any sliding-panel incident in Sydney. The Minister spoke of a man's leaving Busselton and traversing the country to Kalgoorlie, leaving ballot papers and then picking them up.

The Minister for Lands: I said that he picked up the ballot papers, not that he left them.

Hon. A. H. PANTON: That makes the position worse. Fancy a man going around picking up ballot papers and still being on the board! It is time we had not only a new board but a new Minister.

The Minister for Lands: I am not sure that it did not occur when your party was in office.

Hon. A. H. PANTON: I do not care when it occurred. There have been Royal Commission's and committees of inquiry into matters much less serious than that. If we are going to have an election for a representative of the producers, let it be a straight-forward election and not something on the lines of which the Minister has spoken. However, I rose to disabuse the mind of the member for Mt. Marshall and to say that I did not use the word "incapable."

Hon. J. B. SLEEMAN: I want to see a board appointed representative of the producers and the consumers, the consumers' representative to be a woman. Surely a woman would be quite capable to sit on the board! She would be able to represent the consumers far better than would the average man.

Mr. SMITH: I oppose the amendment to appoint a woman to the board. We have had repeated experience of amendments of this sort being moved. When the Labour Party was in office, such amendments were moved by the Opposition. Now that a different party occupies the Treasury bench, the same sort of amendment comes from the Opposition. This is done for no reason other than to embarrass the Government and make an appeal to a section of the community that possesses votes. To include in the provision that one of the members of the board shall be a woman would be an insult. Women contend that they should enjoy equality with men and claim that they are mentally the equal of men. This being so, let them stand on their own merits in the matter of such appointments. There is nothing in the Bill to prevent the Government from appointing a woman. The question of whether a woman should be appointed should be left to the decision of the Government so that the person best qualified to undertake the responsibility may be selected.

Mr. HEGNEY: I agree with the member for Brown Hill-Ivanhoe in his attitude to the amendment. I was impressed by many of the Minister's remarks, but feel impelled to follow the principle adopted in the past. An examination of the constitution of numerous boards responsible for the marketing of commodities shows that one underlying principle has been adopted, namely, that the people who produce the commodity should have representation on the board. Recently we have been dealing with boards of another kind, for instance, the board to control the railways. There should be three members of the board, but one of them should represent the producing section of the community.

Hon. J. B. SLEEMAN: The member for Brown Hill-Ivanhoe indulged in flights of oratory while trying to belittle my amendment. He accused me of emotionalism. I am not given to that, and I assure him that I am not out for vote-catching. I moved the amendment in a genuine attempt to get what I thought the most suitable representative on a board of this sort.

Hon. E. H. H. HALL: Will the Minister reply to an interjection made by the member for Leederville? The Minister assured the Committee that a member of the board had indulged in what might be termed reprehensible practices.

Hon. A. H. Panton: The Minister raised the point.

Hon. J. T. TONKIN: I thought the Minister would have replied to the question of the member for Geraldton.

Mr. Smith: It has nothing to do with the amendment.

The Minister for Housing: The Bill is the reply.

Hon. J. T. TONKIN: I have always adopted the attitude that the Minister ought to be in a position to make his choice from the most competent persons available. I do not think the Minister, or the Government, ought to be obliged to appoint a woman, or two women, to the board. In some cases it would be better to have women on boards but there are certain industries which should be controlled by a board consisting of men. We should not make the clause restrictive. The attitude of the Government is not the same as before in this matter; it has turned a complete somersault.

The MINISTER FOR HOUSING: I am in complete agreement with the remarks made by the member for North-East Fremantle and the member for Brown Hill-Ivanhoe, that in a board of this kind the Government should accept the responsibility and have the right to make the best possible choice. I believe there are boards on which women can be most important members.

Hon. J. B. Sleeman: And this is one of them.

The MINISTER FOR HOUSING: No. I think no Government has done more to carry out that policy than this one in the short time it has been in office. But there is an important distinction here. The board, hitherto, has been a representative one, and an attempt has been made to appoint to it people representing certain sectional interests. In those circumstances I think a woman might be a suitable person to be on the board. But by the Bill we seek to get away from the direct representation basis. The people do not want the board to be a battle-ground of sectional interests. It will be composed of three people who have no personal interests to serve, but only an obligation to do their best for the industry and for the State.

Amendment put and negatived.

Mr. FOX: I move an amendment—

That in line 2 of Subsection (1) of proposed new Section 11 after the word "members" the words "one of whom shall be a dairyman" be added

The Minister said he did not want the board to be a battle-ground of sectional interests. I can understand the members of the Liberal Party not wanting any board to be a battle-ground of sectional interests because they are only representative of the middleman. I have moved the amendment in order to give the members of the Country and Democratic League who are stickler for producer-representation on boards, a chance to say whether they are in favour of adhering to their convictions, or somersaulting and voting with the Government.

The MINISTER FOR LANDS: I hope the Committee will not agree to the amendment. It is in contradistinction to the position which states that the members of the board shall not be interested in the industry. I have already said that I will seriously consider the appointment of a retired dairyman or milk producer. Many such men are available.

Mr. BOVELL: The amendment may not have the effect desired by the member for South Fremantle. There are several sections of the dairying industry and not all are concerned with the supply of whole milk.

Mr. FOX: A dairyman in the Bill is one who is engaged in the production of milk. The member for Swan ridiculed the idea of a retired dairyman being on the board. He said one was already on the board but had not given satisfaction. I do not know of any body of men who would agree to the Minister selecting a representative for them to go on a board such as this, but I could understand the Minister asking for two or three names to be submitted to him from which he would select the one he considered the most suitable. The producer should be represented by one actively engaged in producing whole milk, so that he might report directly to his association.

Mr. WILD: As I have said, there is nothing to prevent the Minister appointing a retired dairyman to the board.

Mr. Fox: You said the board had not given satisfaction with a retired dairyman on it.

Mr. WILD: The Farmers' Union of Western Australia, which includes 75 per cent. of the whole milk producers in the State passed a resolution stating—

That the milk executive, taking into account all the existing circumstances, approves of the board being reconstituted as suggested in the Bill.

I oppose the amendment.

Hon. J. B. SLEEMAN: On almost every other board there are producer representatives, but in this case the Government does not want such representation on the board.

The MINISTER FOR EDUCATION: A lot has been said this afternoon about the enormity of leaving producer representation off the board. In the majority of cases the producers desire and should have representation on boards constituted for the marketing of their products. In this instance the consensus of opinion is that such a board has not been successful. The circumstances under which it operates are not the same as those with relation to the marketing of other primary products. A large proportion of the milk is retailed by licensed persons who are not producers and who distribute the product to thousands of consumers on a retail basis. That difference may be the reason why this board is believed not to have succeeded. In this case the producers, having considered the circumstances and the operation of the board over the last three or four years, have said they do not want producer representation on the board.

Mr. Fox: The Minister said he had a telegram from Boyup Brook.

The MINISTER FOR EDUCATION: In a matter such as this we cannot recognise the views of odd sections of producers. We must consider the opinion of the organised body of producers. To do otherwise would be the negation of all organised movements of that kind. Obviously where hundreds of people are concerned there cannot be complete unanimity of opinion, but the majority in this case have expressed their opinion through the elected executive of the body, as shown by the communication from the executive of the milk section of the Farmers' Union of Western Australia. After the information already given to this Committee with regard to the views of the producers, any further beating of the air can be only for the purpose of obtaining political benefit from the argument. That is legitimate, but it does not improve the position of the Milk Board or the distribution of milk. It cannot alter the fact that the producers' organisation has expressed the opinion, after consideration of all the circumstances and with full knowledge of what has transpired, that the Bill is satisfactory to it. I cannot oppose the views of the representatives of the milk producers.

Mr. FOX: There is a difference of opinion as to whether the Bill represents the views of the producers. I do not know how many producers there are at Boyup Brook.

The Minister for Lands: It looked as though the wording of that telegram was inspired, as it was the same as that received by me.

Mr. FOX: I do not think the Minister should suggest that the wire he received was inspired. He has given the Committee evidence that a large body of milk producers are in favour of producer representation. I received a wire from East Rockingham, asking me to protest against the elimination of producer representation from the board. I ask the Committee to vote in favour of producer representation.

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

Ayes	12
Noes	20
Majority against	8

AYES.	
Mr. Coverley	Mr. Needham
Mr. Fox	Mr. Panton
Mr. Graham	Mr. Reynolds
Mr. Hegney	Mr. Sleeman
Mr. Marshall	Mr. Triat
Mr. May	Mr. Rodoreda
	(Teller.)

NOES.	
Mr. Abbott	Mr. North
Mr. Ackland	Mr. Read
Mr. Bovell	Mr. Seward
Mr. Doney	Mr. Shearn
Mr. Grayden	Mr. Smith
Mr. Hall	Mr. Thorn
Mr. Leslie	Mr. Watts
Mr. McDonald	Mr. Wild
Mr. Murray	Mr. Yates
Mr. Nimmo	Mr. Brand
	(Teller.)

PAIRS.

AYES.	NOES.
Mr. Wise	Mrs. Cardell-Oliver
Mr. Leahy	Sir N. Keenan.
Mr. Styants	Mr. Nalder
Mr. Hawke	Mr. Mann
Mr. Hoar	Mr. Perkins
Mr. Tonkin	Mr. McLarty

Amendment thus negatived.

Mr. NEEDHAM: Now that the storm in the milk-billy has subsided, I move an amendment—

That Subclause (3) be struck out.

The more we define, the more we limit. The Bill provides for the appointment of three members, but if my amendment is agreed to it will give the Government a wider selection. If we allow this restrictive subclause to remain in the Bill, it will handicap the Government in its choice. The deletion of the subclause will not in any way prevent the Government from appointing the best men in the community.

The MINISTER FOR LANDS: I cannot agree to the amendment. This clause has been discussed at great length and the desire is not to have anyone on the board who is directly connected with the milk industry. This is intended to be a safeguard for the future.

Mr. FOX: I wish to move an amendment which would come before the amendment now before the Committee.

The CHAIRMAN: The hon. member cannot do that unless the member for Perth withdraws his amendment.

Point of Order.

The Minister for Education: We must exercise care in this matter. I do not want to prevent the member for Perth from moving to delete Subclause (3) but if the member for South Fremantle proposes to delete certain words and the Committee decides that they must stand as printed, then we cannot delete the whole of Subclause (3). I do not wish the member for Perth to be in a position where he cannot have his amendment put to the Committee and that point should be cleared up before we proceed.

Committee Resumed.

Mr. FOX: My intention is to strike out the word "dairyman" in line 1 of paragraph (a) of Subclause (3). That will not alter the sense of the amendment of the member for Perth. If the clause is carried as it appears in the Bill that would definitely prohibit the appointment of a dairyman as representative of the producers. I therefore desire to strike out the word "dairyman" in line 1 of paragraph (a) of the subclause.

The CHAIRMAN: If the hon. member moved such an amendment and it was defeated that will prevent the member for Perth from proceeding with his amendment.

Mr. FOX: If the amendment by the member for Perth is put I am prepared to defer mine.

Amendment put and division taken with the following result:—

Ayes	16
Noes	18
Majority against	2

AYES.

Mr. Coverley	Mr. Nulsen
Mr. Fox	Mr. Panton
Mr. Graham	Mr. Read
Mr. Hall	Mr. Reynolds
Mr. Hegney	Mr. Shearn
Mr. Marshall	Mr. Sleeman
Mr. May	Mr. Triat
Mr. Needham	Mr. Rodoreda
	(Teller.)

NOES.

Mr. Abbott	Mr. Nimmo
Mr. Ackland	Mr. North
Mr. Bovell	Mr. Seward
Mr. Cornell	Mr. Smith
Mr. Doney	Mr. Thorn
Mr. Grayden	Mr. Watts
Mr. Leslie	Mr. Wild
Mr. McDonald	Mr. Yates
Mr. Murray	Mr. Braud
	(Teller.)

PAIRS.

AYES.	NOES.
Mr. Wise	Mrs. Cardell-Oliver
Mr. Leahy	Sir N. Keenan.
Mr. Styants	Mr. Nalder
Mr. Hawke	Mr. Cornell
Mr. Hoar	Mr. Perkins
Mr. Tonkin	Mr. McLarty

Amendment thus negatived.

Clause put and passed.

Clause 4—Repeal and substitution of Section 12:

Mr. READ: I move an amendment—

That in line 3 of Subclause (1) of new Section 12 the word "seven" be struck out and the word "three" inserted in lieu.

If the chairman of the Board is appointed for three years only it will bring his term into line with the other two members and the work of the board will then be open to revision after that period. There has been a tendency of members of the Government to favour short periods for board members.

The three members on the Licensing Court have been reappointed from year to year. However, I now notice that they have been reappointed for only six months which shows that some of the Ministers are not in favour of long-term appointments.

Mr. HEGNEY: I hope the amendment will not be agreed to. The term of the representatives on the Arbitration Court was extended from three to five years the other evening. The Government in appointing the chairman of the board will have regard to his qualifications and experience, and if he is worth anything he will decline to accept office for a period of only three years. He would require some security of tenure. Personally, I think seven years is a reasonable period. The chairman's position is different from that of the other members.

The Minister for Lands: Very much so.

Mr. HEGNEY: At present, the chairman's appointment is at the Governor's pleasure and to that extent is a Kathleen Mavourneen affair. It would be very unfair to require a man to reliquish a position he held to accept the chairmanship of the board, with a tenure of only three years.

Hon. E. H. H. HALL: I cannot understand why the Government should provide for a man holding the position of chairman for seven years. If a chairman were carrying out his duties efficiently, there would be no trouble, and certainly the Government would not desire to remove him from office. But we have heard this evening that one of the board members appointed by the producers has proved a failure. If a member of the board after serving two or three years developed, shall I say, some peculiarity, we would have to suffer him for the full term of seven years. Fortunately, in this State we do not follow the practice adopted in other countries whereby officials are changed when a new Government assumes power. Therefore, if a man were discharging his office satisfactorily, who would want to get rid of him?

Hon. J. T. TONKIN: The Minister will have to do something about the clause, because it will not work satisfactorily. I do not object to a term of seven years for the chairman, providing there are certain safeguards. The Bill seeks to repeal Section 12, so we cannot make use of that, and we can only deal with members of the board under Section 13, which sets out that a board member shall vacate his seat if he resigns, dies, becomes insane, or fails to attend meetings of the board for three consecutive months without leave. That will not be satisfactory from the standpoint of controlling the chairman, who must certainly attend meetings much more frequently than once in three months. If he failed to do so, the Minister would have no power to remove him from office. Thus, a most unsatisfactory state of affairs would be set up. The New South Wales Act enables a Minister to get rid of the chairman if he is guilty of unsatisfactory or reprehensible conduct. Unsatisfactory conduct would cover the position when the chairman did not give proper attention to his duties.

There is a suggestion that the Government's policy is not to continue a man on a board when he reaches 65 years of age. If we agree to the seven-year term, a man who is excellent in the position of chairman may be worthy in every respect of reappointment, but he may have only three or four years to go before he is 65. That would present a difficulty in that the Government would either have to abrogate its policy and allow the man to continue when he was over 65 years of age, or get rid of him. The New South Wales Act deals with that situation and our Act should be amended along the same lines. A seven-year period would make it very awkward for the Government to do the right thing. I will not agree to such a period if there is no opportunity to get rid of a man for unsatisfactory conduct.

The MINISTER FOR LANDS: I fully appreciate the soundness of the hon. member's remarks. I had a look at the section and thought the difficulty might be overcome by inserting the word "incompetent" instead of the word "insane," and also by taking into consideration the other suggestions the hon. member made. While he was speaking, I got in touch with the Honorary Minister for Agriculture and he has given me an assurance that if we can frame suitable amendments to cover the situation, he will have them inserted in another place.

Hon. J. T. Tonkin: That will suit me.

Amendment put and negatived.

Clause put and passed.

Clauses 5 to 7—agreed to.

Clause 8—Amendment of Section 26:

Mr. READ: I move an amendment—

That lines 6 to 9 of paragraph (a) of proposed new Subsection (3) the words "balance sheet, copy of any taxation return verified by statutory declaration to be a true copy of the original of which it purports to be a copy" be struck out.

Very often dairymen and milk vendors engaged in this industry are not wholly dependent upon any particular avenue for their livelihood, and details regarding the whole of their businesses would have to be disclosed to the board in their income tax returns. Amounts collected from all sources would be shown in the returns. Without those words, there would be ample protection for the board, as it would still be necessary to produce any books of account or other documents kept in connection with the business.

The MINISTER FOR LANDS: The member for North-East Fremantle stressed this point on the second reading, and I have pencilled the words out. I accept the amendment.

Amendment put and passed.

Mr. READ: I move an amendment—

That in paragraph (b) the words "balance sheets, copies" be struck out.

This is complementary to the amendment just passed.

The MINISTER FOR LANDS: I cannot accept the amendment, which is not complementary to the other. The chairman has been desirous of helping the producers and retailers if they would only supply him with the necessary statements of accounts, but this they have refused to do. The chairman must have that information to enable him to reach his decisions.

Mr. READ: Paragraph (a) provides that certain documents must be supplied, but under paragraph (b) it is a matter of the board's retaining books and documents that have been produced.

Mr. MARSHALL: I oppose the amendment. Such particulars must be supplied to enable the board to carry out its functions. Under paragraph (b) all that is asked is that the board may take copies of or extracts from the documents. The mere production of documents might not allow sufficient time for making extracts for use in court if legal action had to be taken against a producer.

Hon. J. T. TONKIN: The wording of the paragraph is not satisfactory because the board could refuse to return the documents, and that might hinder a man in his business.

The Minister for Housing: Include the words "for a reasonable time."

Hon. J. T. TONKIN: Is there a definition of "reasonable time?"

The Attorney General: Make it 14 days.

The Minister for Housing: Not exceeding 14 days.

Hon. J. T. TONKIN: That should meet the case.

Mr. MARSHALL: I point out that if the amendment of the member for Victoria Park is put, the member for North-East Fremantle might find it difficult to move his amendment. I suggest that the amendment now before the Chair be withdrawn temporarily.

Mr. READ: I think the suggestion that has been made will meet my objection, and I ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Hon. J. T. TONKIN: I move an amendment—

That after the word "may" in line 1 of paragraph (b) the words "for a period not exceeding 14 days" be inserted.

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

Clause 9—New Section 26A added:

Mr. FOX: I understand this clause is the result of the disruption of the industry last year. I am opposed to the provision, because I consider that every effort should be made to settle a dispute by peaceable means. I agree that there ought not to be any stoppage of the milk supply, but I am certainly opposed to coercive legislation of this character. The Government said at the time that it had plans to carry on the industry; it should be in a position now to put those plans into effect. A threat should not be held over the retailers, as it would only aggravate the position should there be another hold-up. I move an amendment—

That proposed new Section 26A be struck out.

The MINISTER FOR LANDS: I give an assurance that the Government will do everything in its power to prevent, by negotiation, another hold-up of the industry.

This clause is not a threat to the producers and the retailers; its object is to ensure a milk supply to hospitals, institutions and children.

Mr. HEGNEY: The trouble that occurred in the industry some time ago is the only hold-up for many years, and it will be many years before there is a recurrence. In my opinion, this provision will tend to antagonise the dairymen and retailers. I agree with the member for South Fremantle that the clause is a threat, and for that reason I am opposed to it. Anyone reading the Bill must come to the conclusion that this is a threat to those who take part in a hold-up in the industry. The Government believes in free enterprise, but due to the importance of this commodity it has seen fit to regulate and control its production and distribution. The Government should give the Milk Board full powers right from the inception, or leave this clause out of the Bill.

Mr. WILD: The producers have asked me to state that they are definitely in agreement with the milk being vested in the board. They went even further and said they were in agreement with having milk vested in the board in its entirety.

Mr. Hegney: All the time?

Mr. WILD: Yes.

Mr. Hegney: Why not do it?

Mr. WILD: I am in favour of the clause.

Hon. J. T. TONKIN: I will be greatly surprised if the clause remains in the Bill. It might pass here, but when the members of the Legislative Council wake up to it, it will go out. The intentions of Governments do not amount to anything in law. Courts interpret Acts but do not worry about the intentions of the Government when they were framed. While the Government might put this in the Bill as a disciplinary provision, it cannot do anything to restrict it to that use. The clause is as wide as possible. It gives power to this, or any future board, to vest all the milk in the board without giving a reason to anyone, because the clause states—

> When in the opinion of the Board there is, or is likely to be anything affecting, or likely to affect, the production or distribution of milk.

The distribution of milk could be affected by a disease in the industry, a dry season or a strike amongst the drivers carting the milk. If this power is included in the measure there will be nothing to prevent some future Government from tipping off the chairman to be of opinion that something is likely to happen to affect the distribution of milk, and then all the milk could immediately be vested in the board. I am surprised if that is what the Government wants, because it is utterly opposed to its declared policy from time to time. I shall not vote against the clause because it will prepare the ground so that milk may in the future be vested in the board whenever the Government feels disposed to take that action.

The MINISTER FOR LANDS: I confirm the remarks of the member for Swan. I received this communication today from the wholemilk section of the Farmers' Union. It is a resolution worded as follows:—

> That the milk section of the Farmers' Union is strongly in favour of wholesale milk supplied for human consumption or used within the metropolitan milk distributing district or the sub-districts becoming absolutely vested in and be the property of the Milk Board.

Under the provision in the Bill the milk cannot be vested in the board until the Governor so orders. That indicates clearly that the milk cannot be so vested without the sanction of the Minister in charge. There is that protection. It would have to be essential for milk to be vested in the board before the Governor would give approval.

Mr. SHEARN: I find myself in agreement with the member for North-East Fremantle. Unless I misunderstood the Minister, the purpose of the clause is to ensure that in the event of any hold-up in the industry, as there was a while ago, public institutions, hospitals, etc., shall get their supplies of milk. I remind the Minister that on the occasion of the recent hold-up, milk was supplied by the retailers, but not under the scheme the Government had in mind, whatever it was. With a change of Government the clause might be used for a purpose entirely different from that now intended.

Mr. NEEDHAM: The clause would clothe any Government with extraordinary power. This legislation was brought about by what was in effect an industrial dispute. As I said during the second read-

ing debate, more resolution on the part of the Government would have prevented that hold-up. As it stands, the Bill would not prevent further trouble of that kind arising. I suggest that consideration of this clause should be postponed and that Subclause (2) should be re-drafted to include provision for conciliation.

The MINISTER FOR HOUSING: I well recall the termination of milk supplies some months ago, as I then realised more clearly than ever before how dependent certain sections of the community are on regular supplies of milk. At that time the Government made every effort within its power to secure milk for those who most needed it. The Government was in process of putting into operation an organisation for that purpose when the need for it disappeared, as the stoppage fortunately lasted only a short time. In such an emergency any Government would be compelled to step in and see that children, hospitals, sick people and others got regular supplies of milk.

If in a district there should be an outbreak of disease in dairy cattle, or a disastrous drought, or some other circumstance similar to those, it should be the duty of a Government to ensure that it had the power to have milk sent into that district to meet the situation. I do not like regimentation, but in relation to milk for children and invalids and other special cases, any Government would be compelled by public opinion to step in and continue the milk supply, and it should have power to enable it to carry out that objective.

Hon. J. T. TONKIN: The situation is most amusing. When the Minister introduced the Bill he indicated that the inclusion of the clause was purely for disciplinary purposes and that it had arisen out of the recent trouble that occurred. We have heard the Minister for Housing emphasising that point of view. Yet, in order to add weight to his case the Minister reads a communication from the people who are to be affected to say they are tickled pink about it. This is supposed to be introduced to discipline a certain section of the industry.

The Minister for Housing: No, to ensure supply.

Hon. J. T. TONKIN: When introducing the Bill the Minister said that it was because of what had recently occurred.

The Minister for Housing: It is fundamentally to ensure essential supplies.

Hon. J. T. TONKIN: If these people thoroughly agree with it then why not make it the policy? If the board believes that in times of difficulty it is possible to get a better distribution of milk under the vesting than without it, then let us adopt it and not dilly-dally around. Either the communication the Minister read to the Chamber is not bona-fide or if it is, then this is not in any way a disciplinary measure.

Mr. FOX: I am sorry that the member for North-East Fremantle has awakened the Minister to the possibilities of what might happen if the Bill is agreed to in its present form. During the milk strike there was no unity of action. Some of the retailers were distributing milk all the time and I am not sure that there was any great hardship among the people.

The Minister for Housing: Did you read the papers at that time?

Mr. FOX: We could vest the milk in the municipalities or some other public institutions in order that it can be distributed. I think the distributors are doing a good job and I do not consider it right and proper to hold the big stick over them in this way.

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR LANDS: As already stated, I am against the deletion of this clause. However, I propose to move two amendments that may be satisfactory to the member for North-East Fremantle regarding the vesting of the milk. My proposed amendments are as follows:—

That the words "affecting or likely to affect the production or distribution of milk or both" in lines 20 to 22 of Subclause (2) of proposed new Section 26 (a) be struck out and the words "to prevent or be likely to prevent the production or distribution of milk or both so that a state of emergency has, in the opinion of the Board arisen or is about to arise" be inserted in lieu.

That in line 6 of Subclause 2 of proposed new Section 26 (a) after the word "Governor" the words "as soon as the state of emergency has terminated" be inserted.

The CHAIRMAN: Before the Minister moves his amendments, will the member for South Fremantle withdraw the amendment in his name?

Mr. FOX: No, I will not withdraw my amendment because I think this is only subterfuge on the part of the Minister to get him out of a difficulty.

The MINISTER FOR EDUCATION: If the amendment by the member for South Fremantle is carried or defeated it will be impossible for the Minister to move his amendment because the whole of proposed new Section 26 (a) will stand.

The MINISTER FOR LANDS: I have been informed that I will have to move for the recommittal of the Bill to insert this amendment, if the hon. member's amendment is either carried or lost, so I give the Committee the assurance that I will move my amendment.

Mr. MARSHALL: This is most remarkable behaviour on the part of the Government. We have been dealing with this particular clause for over one hour. The Committee has been assured by the Minister for Lands that the producers want this clause in the Bill. Now, when there is greater clarity because of some utterances on the part of the Opposition, the Minister immediately sets out to alter the provisions which the producers themselves want. I do not subscribe to the view held by the member for North-East Fremantle that this provision is all-embracing and fully comprehensive. I have not seen anything of a more totalitarian character than this particular provision. It should be made clear that the producers want this provision and not the distributors.

If a Labour Government had endeavoured to introduce a Bill of this sort involving the producers, the Premier and everyone associated with him would have bitterly attacked us. This would be regarded as sectional legislation and we would be accused of doing to the milk producers something we would not have the courage to do to industrial unions. It savours of Hitler at his best. It is on such occasions that we appreciate that we have another place and we can say, "Thank God for the Legislative Council"—because this will not be passed by that Chamber.

Hon. J. B. Sleeman: You had better be careful.

Mr. MARSHALL: I do not mind. That has been said about the Council so many times that it is now a commonplace.

The MINISTER FOR LANDS: I would like to put the member for Murchison on the right track. I am endeavouring to keep faith with members. When I introduced the Bill, I told them that the clause dealing with the vesting of milk had been included as a temporary measure for the purpose of meeting any emergency that might arise. After listening to the discussion and having examined the clause to see if it could be made more definite, during the tea adjournment I had an amendment drafted which will make it more specific and emphasise that it is merely for use in cases of emergency. The whole-milk producers themselves have asked that the provision should be specific and permanent. However, I intend to keep faith with members; hence the drafting of the amendment. I cannot move it at this juncture, and, rather than recommit the Bill, I give an undertaking that I will have it included in the Bill in another place. That is as far as I can go, but I cannot agree to the deletion of the clause.

Amendment put and negatived.

Clause put and passed.

Clauses 10 to 14, Title—agreed to.

Bill reported with amendments and the report adopted.

Third Reading

Bill read a third time and transmitted to the Council.

BILL—LAND ACT AMENDMENT (No. 2).

Second Reading.

THE MINISTER FOR LANDS (Hon. L. Thorn—Toodyay) [7.47] in moving the second reading said: Division 4 of the Land Act, 1933, deals with special settlement lands. It states in Subsection (1) of Section 84 that the Governor may, by notice in the "Government Gazette" define and set apart any Crown land as special settlement land. Section 85 (1) provides that any land within a special settlement area may be cleared, drained or otherwise improved by the Minister before or after it is thrown open for selection. The interpretation of the drafting of this section is that the Minister can improve the land only by clearing or draining, or by operations of a nature allied to clearing or draining. He cannot

build a house or sheds, or carry out fencing or the establishment of pastures, orchards, etc.

The days of rough pioneering are over and experience has shown that it is uneconomical to allow settlers to spend the best years of their lives slowly bringing a holding into production. This State has vast areas of Crown lands, more particularly in the Bunbury and Albany zones and in the assured rainfall areas, which must be brought into production. The existing Land Act provides, in Section 42, for the allocation of Crown land to a purchaser under the conditional purchase provisions, the terms providing for the purchase price to be extended over a period of 25 to 30 years and to be paid in the form of an annual rental not exceeding 6d. per acre. The lessee is required to provide an adequate water supply within the first two years of the lease, if required by the Minister to do so. Furthermore, it sets out that——

> He shall expend on prescribed improvements an amount equal to one-tenth of the purchase money in every year of the first 10 years thereof, and shall fence in at least one half of the land within the first five years and the whole of the land within the said period of 10 years.

In the Bunbury and Albany areas referred to, the average holding allotted to a settler would be approximately 400 acres, and the price in many instances would be between 4s. and 6s. per acre. The total price, therefore, on a 400-acre block may be regarded as £100. In such circumstances, the improvement clauses would require an expenditure on improvements in each of the first 10 years of only £10 and, for the total of 10 years, only £100.

The Act permits the Minister to grant an extension of the time for completion of such fencing or improvements. The conditions regarding improvements under the Act are so liberal that in many instances lessees have not developed their land to the stage where the areas can be regarded as farms. Under the provisions of the Bill, it will be possible for the Government to ensure that the land is developed to such an extent that each lot will become a valuable farm.

The attention of the Government was drawn to this position by the Albany Zone Development Committee in its initial report, when it pointed out that the Government's announced intentions of developing the zone would immediately cause a rush for Crown lands within economic reach of the port of Albany. The Government, therefore, suspended the allocation of further Crown lands in these areas, except in very special cases, pending a review of the land legislation, in order that trafficking in Crown land under the existing Act could be prevented.

The Government has expedited the carrying out of soil surveys in the south-west portion of the State and, where these surveys indicate suitable conditions for land settlement, it is proposed to take steps to bring them into the earliest possible production. Some of the areas that are heavily timbered will require special methods of treatment, and heavy mechanical equipment of some type will be required for the economic treatment of the virgin areas. Mostly this can be done only by the Government and represents work preparatory to placing the settler on the land. In some areas the settler will require 400 acres, and in other areas up to 2,000 acres.

It is desired to amend the Act so that the Government may prescribe the conditions of settlement in any particular district or area and set out the improvements required, which will have to be carried out by the settler during his lease.

The Government also desires power to put on the land, either before or during the occupancy of the settler, a house and the necessary sheds and other buildings required by him, in addition to other improvements necessary for effective occupancy. The amendments in the Bill will enable the Government to make progress with its schemes in the Albany zone. I move—

> That the Bill be now read a second time.

On motion by Hon. A. H. Panton, debate adjourned.

BILL—HOSPITAL BENEFITS AGREEMENT.

Second Reading.

THE MINISTER FOR HEALTH (Hon. A. V. R. Abbott—North Perth) [7.54] in moving the second reading said: In 1945 an agreement was entered into between the Commonwealth and the States for the purpose of providing hospital benefits. Under the agreement, the Commonwealth contributed the sum of 6s. for each bed oc-

cupied daily in a public hospital and a sum of 6s. was allowed to the occupant of a bed in any non-public hospital. Since that time the money value of the allowance has depreciated and, under the agreement, it is now proposed that the Commonwealth shall pay 8s. in lieu of 6s.

Another alteration proposed is to exclude from the agreement all patients occupying beds in hospitals set aside for the treatment of tuberculosis. The reason for excluding these patients is that, as from the 1st July of this year, the Commonwealth has undertaken the whole responsibility for the maintenance of institutions for the care of tuberculosis patients over and above what was already being paid by the State as at the 1st July.

Hon. E. Nulsen: Will the hospitals individually benefit by the amendment?

The MINISTER FOR HEALTH: The existing provisions of the agreement will continue to apply except that the benefit will be increased to 8s.

Hon. E. Nulsen: That means that the Government will get the extra 2s.?

Hon. A. H. Panton: In a private hospital, the patient will get the 8s.

The MINISTER FOR HEALTH: That is so. The only alterations to the agreement are in respect to the amount of the benefit and in respect of tuberculosis patients, though one or two minor amendments of an administrative nature are included which, if necessary, can be dealt with more appropriately in Committee. This is a simple measure, but one of considerable importance to the public hospitals and the budgetary position of the State. I move—

That the Bill be now read a second time.

HON. A. H. PANTON (Leederville) [7.58]: The Bill deals with one of those agreements under which we have been working for some years. The Minister was good enough to make a copy of the measure available to me a few minutes ago, and a perusal of it showed, as he stated, that the intention is to increase the amount of 6s. to 8s. When a patient enters a public hospital or public ward, he is treated free so far as hospitalisation is concerned, and the hospital is entitled to collect the 8s. If he enters a private hospital, he is entitled to receive the 8s.; in other words, when he gets his account, a sum equal to 8s. per day is deducted from the total.

When the Commonwealth assistance of 6s. a day was under discussion, I attended two or three conferences at Canberra, and the question was raised as to what would happen respecting the medical service in an institution like the Royal Perth Hospital, where all the medical work is done free of charge to the patient. At that time, there was a means test for the Royal Perth Hospital. A person making application for admission was interrogated by a clerk who, if satisfied that the applicant was unable to pay for outside treatment, would admit him. That was because some 62 doctors at the hospital were doing a voluntary job and naturally were not prepared to treat, free of charge, a person who could afford to pay. This was only logical.

When the Royal Perth Hospital became a purely public hospital, the question was immediately raised by the honorary staff as to what was to happen. They said, "There is no means test and, provided beds are available, any person desiring to enter the hospital could do so and would be treated free as far as hospitalisation was concerned." The hospital was receiving 6s. per day, but the patient was also receiving medical treatment by the honorary staff. Can the Minister tell me whether any arrangement was come to by the hospital board and the honorary medical staff to overcome that difficulty, or whether the medical staff are still acting in an honorary capacity and treating all and sundry free of charge? The contribution does not, of course, cover the actual hospital expenses. The Royal Perth Hospital had an excellent system of collection. The average cost was about 13s. 8d. per day a couple of years ago, while the average collections were 5s. 3d. or 5s. 10d. In country districts, where the farming community were better able to pay—or perhaps I should say more inclined to pay—the hospitals were collecting up to 9s. and 10s. per day. I welcome the Bill but would like the Minister to supply me with the information for which I have asked.

MR. CORNELL (Avon) [8.3]: This Bill apparently implements the agreement arrived at between the Commonwealth and

the State so far as the hospital benefits scheme is concerned. The basic contribution by the Commonwealth to the State in the past has been at the rate of 6s. per patient per day; but, as I pointed out in my speech on the Address-in-reply, the public hospitals did not necessarily receive that amount. Certain hospital collections in base years were taken and the hospitals were recouped from the Commonwealth fund to that extent. For instance, some public hospitals received as much as 11s. 6d. per day, whereas I think the Royal Perth Hospital and the Wooroloo Sanatorium received only between 2s. and 3s. per day. I find that since the 30th June, after the hospital finances had been reviewed by the Medical Department, some difference in the previous state of affairs has been brought about.

In the past, the subsidy paid by the State Government to public hospitals was kept entirely separate from any moneys received by them from the Hospital Benefits Fund. The basis was this: At the beginning of each financial year the Medical Department assessed the amount of the subsidy which each individual hospital would receive, and each month a cheque for the amount was paid to the hospital. Similarly, each hospital rendered a monthly return to the Health Department, on the basis of which it received, through the Health Department, an amount equivalent to the assessed sum, to which it is entitled from the Hospital Benefits Fund. The Health Department has now amalgamated the two payments and the hospitals receive one cheque each month. There is nothing to show how this combined amount is made up. In a recent circular to hospitals—I speak now of the country hospitals—it was stated that the needs of the hospital for the ensuing year had been assessed by the Health Department and that one cheque would be made available to it each month.

On behalf of one hospital, I made inquiries of the Health Department as to how much of the amount was State subsidy and what the hospital would receive, per patient per day, from the Hospital Benefits Fund. The reply was delightfully vague, the information not being forthcoming. It appears to me that the Health Department is cashing in a little on Commonwealth assistance and that what the hospital should get from the Commonwealth fund is not necessarily being paid to it. I would like the Minister's assurance that he will investigate the position and supply the hospitals who require it with information showing exactly what amount each is entitled to receive from the Commonwealth fund. For instance, the Kellerberrin Hospital received 9s. per day for each public ward patient treated. When an increase was agreed upon between the States some 18 months ago, that contribution was increased to 10s. 1d.

There is a further increase of 2s. to which the hospitals are entitled to meet rising costs, which the Prime Minister admitted had unquestionably taken place. But because the two contributions are lumped together, it is impossible to say what portion represents the State subsidy and what portion the hospital is undoubtedly entitled to receive from the Commonwealth fund. It has been stated that the Commonwealth assistance was not intended in any way to benefit the hospitals. It was intended solely to benefit the patient. Under the present set-up it seems to me that the Health Department might be getting something from the Commonwealth fund for its own benefit and to the detriment of public hospitals. I should like the Minister's assurance that the information to which I have referred will be given to hospitals upon application.

THE MINISTER FOR HEALTH (Hon. A. V. R. Abbott—North Perth—in reply) [8.8]: Dealing first with the question raised by the member for Avon, the hon. member is no doubt aware that there is no special allocation to any particular hospital. Clause 3 of the Schedule to the Hospital Benefits Agreement Act, 1945, provides—

> The Commonwealth shall, subject to compliance by the State with the provisions of the agreement, pay to the State, by way of financial assistance, in respect of beds occupied by qualified persons in public and non-public wards in public hospitals, amounts determined in accordance with the agreement.

Members know that the amount is 6s. The State, having received it, pays it into the hospital fund which is used for maintaining all public hospitals in the State. The State has not only to pay out the 6s. it receives from the Commonwealth but a great deal more from its own resources. The expenditure in connection with that has gone up very much since the original agreement was entered into in 1945. The increase of

2s. will not nearly compensate the State for the increased expenditure in connection with the maintenance of hospital patients that has occurred since that date. So, there is no special allocation to any particular hospital. The moneys are paid according to the needs of the various hospitals.

Mr. Cornell: I do not agree with you there.

The MINISTER FOR HEALTH: That is what is done. I am perfectly prepared to discuss the matter with the hon. member and try to satisfy him that the hospital he mentioned is getting a reasonable share of the funds available. Dealing with the question raised by the member for Leederville from memory—and I am speaking now only from knowledge I have and without reference to the departmental officers—the medical treatment at the Perth Hospital is still based on an honorary system. To the best of my knowledge, no other arrangement has ever been entered into and the medical practitioners of Western Australia are continuing voluntarily to give their services at that hospital. No arrangement has been made in connection with any particular patient.

Hon. E. Nulsen: It is just as it was?

The MINISTER FOR HEALTH: Yes. I know that at one time this point was raised, but matters have drifted. No question has ever been raised in connection with the Royal Perth Hospital.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and transmitted to the Council.

BILL—HIDE AND LEATHER INDUSTRIES STABILISATION.

Second Reading.

THE ATTORNEY GENERAL (Hon. A. V. R. Abbott—North Perth) [8.15] in moving the second reading said: The object of the Bill is to enable price control of leather, boots and shoes, and other leather products to be continued. With the outbreak of war in 1939 world demands for leather increased with the consequence th prices for hides and skins rose sharply Australia. World prices also rose and, s for a period in 1940, have remained hi ever since. In order to maintain essent supplies for home consumption and milit purposes and to maintain prices at a reas able level, some form of control beca necessary. Accordingly, a marketing sche was evolved and its operation provided under the Commonwealth National Secur (Hide and Leather Industries) Regulati made in November, 1939. The scheme w based on the compulsory acquisition by Hide and Leather Industries Board on half of the Commonwealth of all hid yearling and calf skins produced in Aust lia at prices included in the table of lim as approved by the Commonwealth Pri Commissioner.

The table of limit prices varied fr grade to grade and from State to State, related directly to actual prices operating individual States in August, 1939, plus per cent. in the case of hides and 15 cent. in the case of yearling and calf ski Hides and skins have been made available the tanning industry at those costs si October, 1939, and leather and footw prices have been determined on such co As part of the scheme, an appraisement co mittee was set up in each State, the fu tions of which were to appraise all hi acquired by the board in accordance with table of limits. A further part of scheme was the setting up of allocation co mittees in each State.

These committees allocated the availa hides to local tanners, the allocation be based on their pre-war requirements gether with existing capacity. Tanners th were able to maintain their pre-war o put at prices much below those which wo have prevailed had they had to buy th requirements on the local market in compe tion with oversea buyers. The whole of Australian output of hides and skins h not, in recent years, been needed for ho consumption. The exportable surplus w dealt with as under—

1. It was sold at world parity pri directly to oversea buyers.

2. It was sold to local tanners at wo parity prices.

3. It was sold to local tanners at the praised prices.

Obviously if a person bought hides at the appraised prices and subsequently exported them, or leather made from them, at world parity prices, he would be gaining an unfair advantage. Accordingly the scheme provided that hides or leather should not be exported without a license. The practice has been that where a tanner or leather manufacturer who has paid only appraised prices for the hides or leather desired to export, he had to pay the board such an amount as would have the effect of bringing the price paid for the hides or leather up to world parity level. These payments were known as "deferred payments." No mention of them appears in the regulations. A license would not be granted unless the deferred payments were made. The board's revenue was derived from the following sources: (a) sales of hides and skins to tanners at appraised prices; (b) sales of hides and skins at export prices, and (c) the collection of deferred payments on leather, footwear and leather goods exported. Out of this revenue the board paid compensation for the hides and skins acquired by it.

Broadly, the effects of the scheme have been to secure (a) an equitable distribution of Australian grown hides to the tanning industry, (b) a return to the hide suppliers of moneys acquired by the board in the course of its marketing activities, (c) stabilised prices of leather, and therefore of boots and shoes for use in Australia, and (d) organised stability of the leather and footwear industries. The Commonwealth Government has intimated that it will allow the Hide and Leather Industry Regulations to expire on the 31st December next. As world prices for hides and skins remain high, unless some substitute form of control is set up to operate as from the 1st January, 1949, the prices of hides and skins to tanners must rise, with the consequence that the price of leather goods, including footwear, must also rise.

It is estimated that, if local tanners have to pay present world prices for hides, the price of footwear must rise by approximately 12s. per pair on the cheaper lines and approximately 20s. per pair on the dearer lines. Such a price rise in the cost of footwear would not only substantially increase the cost of living but also inevitably lead to unemployment in the footwear industry, as it would result in a drop in the demand.

Hon. J. T. Tonkin: How many pairs do they get out of a hide?

The ATTORNEY GENERAL: These figures were given to me by my departmental experts. I understand that the only portion of the boot made from the hide is the sole.

Hon. J. T. Tonkin: What is the rest of it made of?

The ATTORNEY GENERAL: Calf or yearling skin, I understand. I have not a great deal of technical knowledge in the matter but I think what is referred to as a hide is a bullock skin.

Mr. Rodoreda: A lot of the boots are now made out of brown paper.

The ATTORNEY GENERAL: The proposal is that, for the time being, the kind of control that has existed hitherto under the Commonwealth regulations should be continued under complementary Commonwealth and State legislation. To achieve that purpose it is necessary for the Commonwealth to pass legislation setting up a hide and leather industry board with the same objects and powers as the present board has under the regulations. The legislation will provide for the acquisition by the board of all hides produced in Commonwealth territories and the setting up of allocation and appraisement committees in those territories. It will also contain a prohibition on the export of hides or leather without a license. The Commonwealth measure was introduced on Friday the 26th November.

Mr. Marshall: What representation will the States have on the Board?

The ATTORNEY GENERAL: The States will have to pass legislation empowering the board to acquire all hides produced in the States and authorising the setting up of allocation and appraisement committees in each State and generally providing the necessary machinery to enable the board to function in each State. It will also be appreciated that the legislation to be passed by the States must be more or less uniform if the scheme is to be effective. It will be necessary for the States to agree on uniformity of action as to control, the level of prices and the movements of prices.

In this connection it should be noted that the Commonwealth Act will provide that the table of limits upon which the amount of compensation payable to a producer is to be based, so far as it relates to hides acquired in any State, on the prices for hides in that State as fixed by the State's price fixing authority. The States, therefore, will have power to determine the price to the producer of all acquired hides. The Commonwealth Act will empower the Commonwealth Government to guarantee the board's accounts with a bank, but beyond this no financial commitments will be incurred by any of the Governments concerned, as the board's expenses of administering the scheme are to be defrayed out of its own funds. Footwear being an essential commodity, its price is important to the national economy, especially among the lower income groups with young families. Price control is therefore essential

Hon. E. Nulsen: I take it this is really complementary legislation?

The ATTORNEY GENERAL: Yes, the Bill I propose to introduce is to be complementary legislation. I will deal with some of the main provisions of the Bill, leaving the less important clauses to be dealt with in Committee. Unnder the Commonwealth Act an Australian hide and leather industry board has been provided for. The board is to consist of a chairman and eleven other members to be appointed by the Commonwealth Minister. Each State, however, is to have the right to nominate one member representing the cattle-raisers of the State concerned. To assist the Commonwealth board in carrying on its activities the State Bills propose to establish first of all appraisement committees and secondly allocation committees.

The appraisement committee is to consist of six members all of whom shall be appointed by the State Minister, three to be engaged in the tanning of hides or skins, two to be hide brokers and one a hide exporter. The committee is to exercise all its powers and functions subject to the direction of the board. The duties of the appraisement committee will be to appraise the value of all hides. The appraisements will be on a table of limits that in this State will be fixed by the Price Controller under the Prices Control Act, 1948. He will fix the table of limits within which the appraisement is to take place and the appraisement committee will then allocate those prices according to the quality of the hides.

The allocation committee is to distribute, on an equitable basis, the hides which may be sold to tanners at auction, and for that purpose it may assess the quota of hides which may be bought at each sale by a tanner. Again, the committee shall exercise its powers subject to any direction by the board. No sale of hides will be permitted before appraisement and hides will become the property of the board. The board is to pay for all hides the appropriate price specified in the table of limits, or such amount in excess of that price as the board, subject to direction by the Minister, determines from time to time. The provision as to payment is contained in Section 18 of the Commonwealth Act which states:—

> Where hides are acquired by the Board in pursuance of this Act, or where, under a State Act relating to the hide and leather industries, the payment to be made by the Board in respect of hides acquired by the Board in pursuance of the State Act is to be fixed in accordance with the provisions of this Act, the Board shall pay for those hides the appropriate price specified in the table of limits or such amount in excess of that price as the Board, subject to any direction by the Minister, determines from time to time.

That means that from time to time a reasonable addition to the appraised price is allowed to cover an equitable share in the moneys received in respect of the export of hides. Those hides that are sold for oversea markets contribute a greater price than the appraised price and when the hides are purchased they are paid for by the board. A proportion of that money is added to the appraised price.

Hon. E. Nulsen: You will not get the full export price.

The ATTORNEY GENERAL: No, because there will be expenses of the board to be deducted as well as administration costs and also a certain reserve is to be kept to enable the control to function properly. I have already pointed out that the limits fixed for the appraisement in Western Australia are to be fixed by our own price controller and the same will apply in each of the other States. Under the Commonwealth scheme the prices fixed for each State were determined by the Commonwealth price-fixing organisation and the individual States had no share in that portion

of the administration. Local producers of these products will be able to make direct representation to the local authorities as to the price being appraised in respect of their products.

Mr. Marshall: What about the quantity for each State?

The ATTORNEY GENERAL: The quantity for each State will be determined by the allocation committee which is to be a local committee but subject always to the over-ruling authority of the board.

Mr. Marshall: I feel that Western Australia has not had a fair deal because there has always been a shortage of leather in this State.

The ATTORNEY GENERAL: Under this administration a more forcible representation will be able to be made.

Mr. Marshall: I hope it will be more successful.

Mr. Hegney: You say it will be subject to the board. Will not the Commonwealth authority have the final say?

The ATTORNEY GENERAL: They will have the final say as to allocation and also as to the conduct of the appraisement committee, but the local committee will have the say as to the price limits.

Mr. Marshall: I think they have been too long looking for export markets, rather than supplying the local demand first, because the local price is lower.

The ATTORNEY GENERAL: I am not familiar with that situation.

Mr. Marshall: You probably will be before the Bill gets through.

The ATTORNEY GENERAL: I hope not. All dealers in hides and leather, as in the existing scheme, will be licensed. The provisions I have mentioned comprise the main principles in the Bill. Any others are of an administrative nature and can more properly be dealt with in Committee. The conference of price-fixing Ministers of the various States fully realised that if prices in connection with footwear and other leather goods were to be controlled, some scheme of this nature had to be evolved. That can only be done in conjunction and in agreement with the Commonwealth, because if the Australian price was lower, and it is lower, than the oversea price, we could not fix a price lower than the oversea price in respect of the manufactured products. Otherwise they would have been exported. That was subject, of course, to Commonwealth permission. So it was necessary that an arrangement should be made between the States and the Commonwealth. There is a similar arrangement as regards some metals —lead, for example. The Australian price for lead is much lower than the oversea price and it is only by arrangement between the companies and the Commonwealth that they can carry on in this manner. The form of the Bill is such as has been agreed to by all the States and if this scheme is to operate there must be uniformity in all State legislation.

Hon. E. Nulsen: This Bill is identical with those in other States.

The ATTORNEY GENERAL: Yes. It was agreed that the three States should meet and draft a Bill for submission to the Commonwealth. This was done and the Commonwealth has agreed to it. As far as I am aware, the Commonwealth Government has submitted its Bill, if it has not already been passed, and the scheme will operate if all the States pass their respective legislation, as it is expected they will, by the 1st January. I move—

That the Bill be now read a second time.

On motion by Hon. J. T. Tonkin, debate adjourned.

BILL—PURCHASERS' PROTECTION ACT AMENDMENT.

Second Reading.

THE ATTORNEY GENERAL (Hon. A. V. R. Abbott—North Perth) [8.38] in moving the second reading said: This Bill is to incorporate some amendments in the Purchasers' Protection Act, 1933-46. As members are aware, the object of that Act is to give certain protection to purchasers of suburban land who have bought it at an excessive price. Section 10 of the Act provides—

(1) If in any proceedings taken in any court for recovery of purchase money or enforcement of any other remedy against the purchaser under a contract for sale of subdivisional land, or for performance of such contract by the purchaser, the court is satisfied that the payment of such purchase money, or the enforcement of such remedy against the purchaser, or the performance of the contract by the purchaser, will inflict hardship

on the purchaser by reason of his poverty or other inability to perform his obligations under the contract—

After that, an amending Bill included these words—

"or that, within three months prior to the application of the purchaser hereinafter mentioned, the valuation for rating purposes of the land by the Local Authority, as defined in Section 5 of the Road Districts Act, 1919-1943, is less than fifty per centum of the original purchase price under the contract."

Section 10 then continues—

and that the land which is the subject of such contract can be restored—

I want members to note that provision. The section continues—

—to the vendor in substantially similar condition to that in which it was at the time of the sale, the court may, on the application of the purchaser, in lieu of adjudging that all or any part of the purchase money be paid, or that any remedy shall be enforced, or that the purchaser shall perform the contract, order that possession of the land shall be delivered to the vendor, that the contract shall be cancelled, and that any deposit paid by the purchaser to the vendor shall be forfeited to the vendor. In such case also the court may also award damages to be paid by the purchaser to the vendor for non-performance of the contract in addition to the forfeiture of the deposit:

It has been found that, owing to the large number of resumptions being made on behalf of the Housing Commission, a good many blocks of subdivisional land are being resumed at a value exceedingly less than the owner of the land had contracted to pay. Had the vendor of that land, prior to resumption, tried to enforce the contract against such purchaser, he could have applied for relief under this Act, and if the necessary facts to obtain same could be established, he could be given relief on the lines I have described. But, as I have pointed out, before he is entitled to relief the land must be substantially in the same condition as it was when purchased, and possession must be returned to the vendor. Of course, if the land is resumed, the purchaser is not in a position to return it to the vendor and is only entitled to receive from the Government a fair value for the land, while he may remain liable, under contract of sale, to pay to the vendor a much increased price. So, in the circumstances, it is considered reasonable that a purchaser should still be entitled to some relief.

In addition, Section 10 refers only to t vendor and, in some cases, the vendor h transferred his equity in his contract to third party, or the vendor may be deceas and, as Section 10 now stands, no relief c be obtained as against a third party against his personal representatives in ca of death. That again is being altered. the same time, the whole section has be recast because the effect is rather diffic to understand. There are a great ma words strung together and it needs carel reading to appreciate its meaning. The fore, it has been recast to make it mo readily understandable but, with the exce tion I have quoted, the provisions rema the same. Dealing with the Bill itself, will be seen that it is proposed by Clause to delete Section 10 and to substitute a n section. A vendor is now described as ing a vendor mentioned in the contract, a his executors, administrators and assig Subparagraph (i) of paragraph (b) of same clause contains a similar provision that already in the Act, and subparagra (ii) deals with a new addition. It reads

(ii) in the case of subdivisional land—

(I) which cannot be restored to t vendor in substantially similar condition that in which it was at the time of s because of its resumption pursuant to t provisions of any Act; and

(II) in respect of which the comp sation payable, because of the resumpti and within three months prior to that plication, is less than fifty per centum the purchase price under the contract—

may order that—

(A) the contract shall be cancelled; a

(B) the amount of any consideration way of purchase price, paid by or on half of the purchaser to the vendor, sh be forfeited to the vendor; and

(C) subject as hereinafter in this s section provided, the amount of any co pensation for the resumption of the int ests of the vendor and the purchaser, sh be payable to the vendor.

So, the vendor of land under the new p vision will get the compensation to whi the purchaser would otherwise have b entitled. In addition to that, if the co thinks fit damages not exceeding one-fou part of the purchase price shall be paid the purchaser to the vendor for non-p formance of the purchaser's part of contract. These are the principles e bodied in the Bill for inclusion in the and I certainly think the amendments desirable. A number of returned soldi

are affected and representations have been made by the R.S.L., which considers that some of its members require protection. I feel I can commend the measure to the House, and I have pleasure in moving—

That the Bill be now read a second time.

On motion by Mr. Hegney, debate adjourned.

BILL—PHARMACY AND POISONS ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. A. A. M. COVERLEY (Kimberley) [8.52]: The Bill, as outlined by the Attorney General, deals with the Pharmacy and Poisons Act, which has not been amended for some years. In the meantime, with the progress of science, a number of new and dangerous drugs are available and have now to be controlled. From that point of view, I have no objection to the measure. As a matter of fact, the Bill in general has my support. I realise that dangerous drugs should be stringently controlled in the interests of the public. The only new principle involved in the measure is that the principal Act will now be controlled by a council that will be elected by the pharmacists of Western Australia. That body should be fairly competent, as it will consist of people who understand their business and the serious nature of the Act they will administer. From that standpoint, the position should be quite all right. I suppose the Pharmaceutical Society is like any other professional body in that its members are not a happy family to the extent of 100 per cent.

Quite possibly, some members of the organisation will not be in agreement with the set-up under the new legislation. That is one phase to which I propose to invite the attention of members when the Bill is dealt with in Committee. The council will be all-powerful in dealing with pharmacists who may commit breaches of the Act. The new body will have authority and power to try complaints, act as prosecutor and be the adjudicator as well, with reference to those who may transgress the provisions of the Act. There is an appeal to the Governor who, of course, is the Minister, and that suggests to me an appeal from Caesar to Caesar.

In the circumstances, when the Bill is considered in Committee I will suggest an alteration in that regard. Naturally, the Minister, who will be responsible for the administration of the Act, will be advised by the council, which will have power to fine a chemist, whom they may charge with neglect or some other offence, or to deregister him for 12 months or even for life. That is a severe penalty. There is a W.A. Trotting Association touch about it! However, I shall have an opportunity to discuss that particular phase in Committee.

There is one other provision with which I am not enamoured. Under it a pharmacist will be prevented from supplying drugs or poisons to any person apparently under the age of 18 years, without the purchaser being able to produce a witness known to the vendor and himself. In my opinion, the principal Act already adequately covers that matter and no chemist is permitted to deliver poisonous drugs to any person, irrespective of age, without observing certain precautionary measures that are specified. By that means, the sale of drugs has been well safeguarded in the past.

I am afraid that the added safeguards embodied in the Bill may impose hardship upon some country people and on the farming fraternity in particular. I have in mind the new drug known as penicillin, the use of which has become necessary by dairymen. Unless the age limit specified in the Bill is eliminated, I can foresee some sections of the community being greatly inconvenienced. In fact, I intend to ask members to delete that clause. I shall reserve any further comment till the Committee stage and in the meantime will support the second reading.

MR. READ (Victoria Park) [8.58]: The Bill proposes to amend the Pharmacy and Poisons Act and is for the purpose of further protecting the public from the uncontrolled purchase and use of dangerous drugs. The Act was last amended in 1937 and since that date, owing to the tightening up of the regulations under which poisons may be sold, there has been in Western Australia not more than half the number of deaths from poisoning that occurred earlier. Since the amending of the Act, a decade of work and experience in the sale of poisons and of the administration of the Act by

pharmacists, has revealed that in the public interest it is necessary to amend some of its provisions.

The amendment proposed to Section 7 provides for the election of the council by the pharmaceutical chemists. The method of election will be the same and the term of office is to be prescribed by regulation. The present council consists of seven members elected by the pharmacists of the State. They are elected for three years and all retire on the same day. The amendment proposes the same number of members and the same term of office, but the times of retiring are to be staggered so that the State will not be left without pharmaceutical control for perhaps a week or two pending an election.

Section 20 of the Act deals with the punishment for a pharmaceutical chemist convicted of certain offences. Reference to this matter was made by the member for Kimberley. Under that provision, when a pharmacist is found guilty of an offence, there is no alternative to de-registration. It is considered that there should be power to prescribe a lesser penalty than de-registration for some of the offences, and this proposal is embodied in the Bill.

The proposed amendment to Section 23 deals with the examination and preparation of students at the technical college. In the Act certain subjects are definitely laid down for study, but with the march of time, it has been found that some of the subjects specified could well be deleted while certain other subjects should be included. For instance, under the Act, we all had to learn botany, but the subject is no longer very necessary to a pharmacist, although it is still taught. Because of large manufacturing concerns turning out our drugs chemists do not need a knowledge of the subject.

It is proposed to repeal Section 34 of the Act, which deals with vessels and wrappers containing poison and requiring them to be so marked. The proposed new section will enable the conditions to be prescribed. At present we are required to put a label of a certain size on a container of poison. With the advance of science, many concentrated forms of medicine are put up in such small containers that, if a poison label of the size required were used, there would be no room for the directions which are so necessary when dealing with powerful drugs. We should be permitted to regulate the size of the label to the size of the container. ... it is, the pharmacist has to put a label the same size on a 1-inch bottle as on petrol tin.

The Act, by Section 42, prohibits the sa of certain poisons except by licensed pe sons. It fixes the responsibility and pr vides for licenses to sell poisons stipulat in the Ninth Schedule to be issued accordance with conditions prescribe Owing to mistaken wording in the A licences were issued to a firm in the countr but now it is proposed to issue the licen to one person in the firm who shall be r sponsible for the selling and for the ca with which these poisons are dispensed.

The most important schedule of dangero drugs relates to those for human us namely, penicillin, benadryl, barbiturat sulphonamides, etc., which are supplied on on a doctor's prescription. It is considere that the purchase of these particular dru should be discountenanced. Regarding t barbiturates, which is one of the barbitu group, these may be purchased by anyon and, during the past few years many deat from poison by these drugs have occurred Australia, so much so that in all the oth States, the sale of these drugs has be prohibited, except on a doctor's prescri tion. Most of the deaths from poisoning this State have been due to the use of su drugs. As recently as the 11th May of th year, Coroner Rodriguez found that Mr P. died from barbituric acid poisoning, du to taking an overdose of drugs belonging the barbiturate class. He went on to say-

In my opinion the sale of barbiturate dru of a similar nature should require a doctor prescription.

That is what we are asking for under th measure.

Mr. Marshall: What about the sulphanil mides?

Mr. READ: They were discovered a fe years ago but their use was not understoo as it is at present. The first to be put o the market was sulphanilimide for all sor of internal complaints, and it was found be marvellously effective. Since then, hov ever, that group has been improved to suc an extent that different forms are prescribe for different treatments. I think there a nine or ten different forms including sulph pyradin, sulphathiazole, sulphadiazine, an sulphamerazine. All of these are prescribe

for certain ailments. It has been found that unless the dosage of these drugs is restricted to certain quantities and administered at certain hours, they are not very effective, but cause distress, sometimes toxic symptoms. It was found that it built up a resistance in the system. Sulpha resistance can be communicated to other persons. For instance, a person suffering from pneumonia may, by coughing, transmit resistance to another person not suffering from pneumonia. Should that person afterwards contract this disease, a resistance would be built up by the wrong use of the drug.

It is necessary to control these drugs from that aspect. All the different groups of this drug are given in varying doses. For instance, in some cases of pneumonia the dose would be eight tablets, four tablets in two hours' time, two tablets every four hours perhaps day and night for two days, and then one tablet three times a day for a week. Such doses are frequently prescribed by doctors. But a person not qualified would be most unsafe in dosing himself with these drugs. It is therefore thought desirable to control their sale and they should only be obtained on a doctor's prescription. The Twelfth Schedule itemises drugs and preparations for veterinary use. It is thought that in far distant places the control of these drugs should be somewhat relaxed.

Mr. Marshall: The elephant at the zoo might get an overdose.

Mr. READ: It is thought advisable that sulpha drugs and penicillin for use in the country should only be supplied on the prescription of a veterinary surgeon. In certain circumstances, however, it may be necessary for these drugs to be made immediately available. For instance, mastitis, a disease affecting cows, may be quickly abated, and often is, by the use of penicillin, and no doubt it would stop the spread of the disease to other animals. Provision is made for that drug to be made available quickly and without routine. Penicillin is rather different, as it must be kept in refrigeration or cold storage, which is not necessary in the case of the sulpha drugs. It was therefore thought advisable to allow penicillin preparations to be stored at perhaps butter factories and co-operative stores in the country, as it would be possible to keep them in cold storage in those establishments. They will only be permitted to be sold for veterinary purposes, however.

The Bill also provides that, except in cases of emergency, no person shall accept any prescription for preparation of medicine otherwise than at a pharmacy at which the medicine shall be prepared and supplied. This is designed to lessen the danger of supplying medicines to the wrong person. Prescriptions and medicine bottles are often displayed in grocers' shops and drapers' stores, with an intimation that persons can obtain repeat prescriptions, which are then dispensed at a pharmacy in some other suburb. This tends to backyard methods and is a dangerous proceeding, because a person might be supplied with the wrong medicine. A doctor may write out a prescription as follows:—"Please repeat No..... for Mrs. Smith." Members will readily see that in such an instance a mistake could easily be made. Knowing some of the difficulties under which pharmacists work at present, I commend to the House the acceptance of this Bill.

MR. MARSHALL (Murchison) [9.17]: Had the member for Victoria Park continued along the same line a little longer, I would have swooned from sheer fear of the future. I do not know where we are getting. What seems to me now to be a greater problem than ever is how grandmother lived.

The Minister for Health: Very often she did not.

Mr. MARSHALL: Notwithstanding the absence of this restrictive legislation and all the care and consideration we are bestowing on the modern person, grandmother got through life much better.

Mr. Bovell: Do not forget that the average age is lengthening.

Mr. MARSHALL: I would not object to control over some form of deadly poison which probably must be used by some unfortunate person; but our laws today cover almost everything. For instance, there was a common medicine, known as chlorodyne, much in use when I was an infant. I saw my mother giving it to my little brothers and sisters.

Hon. J. B. Sleeman: Did it poison you?

Mr. MARSHALL: I sometimes wish to God it had.

Mr. Graham: Hear, hear!

Mr. MARSHALL: Mother even used it on an infant three months of age. She had no directions, either, other than those contained in the label on the bottle. Yet I never knew of a fatal accident resulting from the administration of chlorodyne. To-day it is labelled "Poison" and it will soon find its way into one of the schedules of the Act and persons will have to get a doctor's prescription before it will be possible for them to buy it.

Hon. J. B. Sleeman: It is a wonder it is not in the schedules to the Bill.

Mr. MARSHALL: I marvel that it has not been put in. This Bill is another example of severe control and, in my humble judgment, drastic restriction.

The Minister for Health: No.

Mr. MARSHALL: For some of the drugs mentioned in the Tenth Schedule we must have a doctor's prescription. I want to know what the qualified chemists are doing. Why cannot they label the bottle and tell the patient or the purchaser what the quantities are? If a person wants to take an overdose, he can do so. It is possible to take an overdose of anything. People even over-eat and, I am sorry to say, over-drink.

Mr. Bovell: And over-talk too!

Mr. MARSHALL: We have been drifting along these lines for years and there does not seem to be any indication that restrictive legislation giving rights and monopolies to certain individuals is getting less. Certain people clamour to get legislative protection for their own purposes and to enable them to make profits. Just imagine a person having to get a doctor's prescription for a number of the items mentioned in the Tenth Schedule of the Bill! The doctor's fee is 10s. 6d., if not more. I understand they have increased the value of their services.

Mr. Graham: Not the value; the charge.

Mr. MARSHALL: There is no limit to the charges for professional services, but I am not complaining about that. I am wondering when there is going to be a halt to this bringing in of legislation to give exclusive rights and privileges to certain sections of the community to the detriment of the unfortunate individual who is compell by law to patronise them. How are we goi to get on in the more remote parts of t State? We have not doctors or chemists some places.

Mr. Read: You will bring the peo down by plane.

Mr. MARSHALL: The miner, the pr pector, the sandalwood cutter, and t kangaroorer are wealthy, like the chemi from Victoria Park, and if they want go anywhere they can fly! I want to tell t hon. member they are not wealthy. They a entitled to the same consideration as th who live in the metropolitan area. They a pioneering and suffering sacrifices in th places and the women are entitled to a more consideration than they get. They ha not the amenities of city life. They ha to tolerate heat and dust for eight mont of the year with a scarcity of water whi is a necessary commodity of everyday li and of which there is an abundance in t city, but not in the parts I am referring I do not mind legislation to control some the more deadly forms of drugs and poiso but we are getting to the stage now wh we will have eucalyptus and paraffin labelled poison. I do not know why should always be careful about the reckl individual, and be persecuting other peo in the process. It is up to the individual be self-reliant.

People should not need laws such as t on the statute book; they are a punishme to people who do look after their own int ests. It is a wonder the Government has n sought to amend the liquor laws to lab alcoholic liquors "poison" because if a pe son drinks too much it will kill him. I not know how some survive. I have for long time found people much inconvenienc in respect to this legislation because if th go to a chemist's shop to buy somethi they know how to use, they are told "I a sorry; you have to get a witness." It is n always convenient in the remote parts the State to get witnesses.

What stupid, futile legislation it is, b cause, who would not be a witness to he a friend? And of what value is it to ha a witness? If the person making the pu chase takes an overdose, the witness cann save his life. The system is becoming so u bearable that people will soon have to ta drastic action against the Legislature whi

is all the time controlling and coercing people into doing things and saying that they cannot have this but must have that. Then the Government prates about the freedom we enjoy. As the representative of the people in the Murchison electorate I feel that this is my opportunity to enter a protest on their behalf. As far as I am concerned, this piece of legislation can return whence it came.

HON. J. B. SLEEMAN (Fremantle) [9.27]: The time has arrived when we should ask the Premier to bring down a Bill to say what we can do without a permit. It seems to me that we are drafted here and permitted there; that we cannot do this and we must not do that. The Premier promised he would do away with a lot of the direction that had previously applied, but there is more and more of it every day. I agree with most of what the member for Murchison said. It will not be long before we will need a permit to get a bottle of Beecham's pills or of methylated spirits, because some people drink it and die as a result. It seems to me that whenever we get a new drug the doctors label it "Very dangerous: a doctor's permit necessary before it can be used."

Previously when I had a bit of a cold I could go to a chemist and get half a dozen sulfadiazine tablets which would generally fix me up, or if a I had a tummyache I could get some sulfaguanidine. But now in order to get these things, it is necessary to go to the doctor, pay him 10s. 6d. for a prescription, and then go back to the chemist. It is time we had a showdown and said to the doctors, "We are not going to be stopped from getting what we are entitled to have, if there is no great danger involved." The doctors say that these things will kill people. Well, many other things are fatal, but it is not necessary to get a permit to procure them. The sulfa drugs have never done me much harm. The people should be allowed a bit more freedom.

THE MINISTER FOR HEALTH (Hon. A. V. R. Abbott—North Perth—in reply) [9.29]: There is some little misunderstanding in connection with the provisions of the Act which, admittedly, in order to be understood, requires a good deal of careful study and explanation by someone who has a practical knowledge of its operations. The poisons are graded. The Fifth Schedule poisons are the deadly ones. If members read the list of poisons in the first part of that schedule they will appreciate that careful control is necessary. Among them are arsenic, cocaine, cyanide, ergot, opium, phosphorus, rough-on-rats—I do not know what that is—

Mr. Leslie: That is the Minister.

The MINISTER FOR HEALTH: —strychnine and its preparations —

Hon. J. B. Sleeman: Why did you not include poisoned wheat, for mice?

The MINISTER FOR HEALTH: That is dealt with under a different schedule. The provision referred to by the member for Kimberley applies only to those particular poisons and not to the poisons in the Ninth Schedule or any of those intended to be placed under the provisions of the Act in the Eleventh and Twelfth Schedules as set out in Bill. Doctors' prescriptions are required only under exceptional circumstances, and only for those drugs that are peculiarly dangerous if taken by anyone other than under the supervision of a doctor. I refer to drugs such as cocaine, opium, and so on. It would be dangerous for those drugs to be purchased except under strict medical supervision.

Any ordinary poison can be purchased, so long as it is dispensed by a qualified chemist, without a prescription. Only the most deadly drugs require a prescription. The member for Kimberley also referred to the fact that the appeal from any disciplinary action taken by the council is to the Governor. That provision exists in another part of the Act and it was at the suggestion of the council that it was put in that form. Where a representative body of that kind makes a submission, it merits careful consideration. I listened with interest to the remarks of the member for Victoria Park. No doubt the Act is comparatively simple to him, with his technical training and knowledge, whereas I have to give it the most careful study in order to understand it.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Hill in the Chair; the Minister for Health in charge of the Bill.

Clauses 1 to 9—agreed to.

Clause 10—Amendment of Section 20:

Hon. A. A. M. COVERLEY: This clause deals with the powers of the council, but gives it extreme power. The council is given power to de-register a practising chemist for life and his only appeal is to the Governor, which means actually to the Minister. Although the council will consist of reputable people, it will still be possible for some injustice to be done. The appeal will be really from Caesar to Caesar as the council is actually to be the Minister's adviser in this case. I cannot see the Minister wanting to go to any great pains to disagree with the recommendation of the council. The Minister is probably too busy to give the necessary personal attention to a case of this description, and he would accept the word of the council. If he wanted further information, he would probably pass the matter over to some other official adviser. Where a man's livelihood is in jeopardy, we should give him an opportunity of placing an appeal before a magistrate in open court where he can call witnesses to protect himself. I move an amendment—

That in line 7 of proposed new Subsection (8) the words "the Governor" be struck out and the words "a magistrate" inserted in lieu.

Mr. READ: I support the amendment. The clause is designed to make lesser penalties for the offences which pharmacists might commit. The amendment will provide an appeal to somebody who is right outside the profession, and will enable a man to call witnesses, if necessary.

The MINISTER FOR HEALTH: As the section in the Act exists at the moment, there is no appeal at all. The decision of the council is final and conclusive.

Mr. Read: That is so.

The MINISTER FOR HEALTH: I do not agree that this is an appeal from Caesar to Caesar. The council has two functions. One is to manage its internal affairs, and the other is the controlling of poisons. The Minister has no direct contact in the administration of the council nor has he any direct interest, in the same manner as the Minister for Local Government has no direct interest in the carrying out of bylaws by local authorities. If a person objects to the decision of a local authority under a bylaw, he can appeal to the Minister.

Hon. A. A. M. Coverley: The same a plies here.

The MINISTER FOR HEALTH: I ha yet to hear of a Minister who takes h responsibilities lightly, as was suggest by the member for Kimberley.

Hon. A. A. M. Coverley: I did not s "lightly."

The MINISTER FOR HEALTH: T suggestion was that the Minister might too busy. This suggestion has been p forward by the council for the purpose disciplining its members. Would it be su gested that there should be an appeal fro a Trades Hall decision, and that that a peal should be heard by a magistrate?

Hon. J. B. Sleeman: We would not agr to an appeal to the Minister from a Trad Hall decision.

The MINISTER FOR HEALTH: I a sure the hon. member would not. This a provision that has been included at t council's suggestion. The penalties can less and, in addition, there is a right appeal where there was not one befo The amendment would not be suitable b cause it would involve some arrangemen regarding procedure. A Minister would just as impartial and experienced in ma ters such as this as would a magistrate.

Mr. MARSHALL: The Minister h found peculiar reasons for objecting to t amendment. He advanced the argume that a Minister would be as impartial a equally as just as a magistrate. Of cour he would be! But is the Minister in a po tion to sift the evidence, both for a against?

The Minister for Health: Why not?

Mr. MARSHALL: Is the Minister have a small court in his office, calling fi counsel for the prosecution and then cou sel for the defence? No member of t Trades Hall who violates the rules or co stitution of an organisation to which belongs, and is punished, is subject to th punishment as the final decision. He a peals to a magistrate. Did not the Minist notice only recently that in a big industri organisation an executive officer was di missed and he applied to an appropria court and was reinstated?

The Minister for Health: That was for breach of contract.

Mr. MARSHALL: No, it was not. Every member of an organisation has a right to appeal to a magistrate when the executive of his organisation deal with him unjustly, but it would be a remarkable thing if we sent him to the Minister for Labour.

Hon. A. H. Panton: The present Minister for Labour?

Mr. MARSHALL: Any Minister for Labour. The present Minister is all right because he told the Party that the industrialists are eating out of his hand.

The Minister for Lands: They are not doing that; but they are very contented.

Mr. MARSHALL: What better person can be found than a magistrate to adjudicate upon trouble which may arise? The Minister must look at the number of factors provided for in the amendment. They are not altogether technical factors against which some members may appeal to the Supreme Court and find themselves punished. Frequently, these autocratic individuals who have high prerogatives in the administrative world of these councils are not always too careful in the handling of their colleagues, particularly if they are refractory and find themselves up against their decisions.

This council has jurisdiction over apprentices; over the institution an apprentice will enter; over his examination, and it controls practically the whole of chemistry in this State. If one of the members were refractory or became under the influence of liquor the council would punish him and he would then have to go to the Governor. The Governor represents more than one Minister. If a member desired to appeal to the Minister it would be placed in the Bill, but it is to the Governor-in-Council to whom he must appeal. I agree with the member for Kimberley that the man who will sift the evidence is the magistrate. No-one can give the Minister any advice.

The Minister for Health: What about the Health Department?

Mr. MARSHALL: What would the Health Department know about the administration under this Bill?

The Minister for Health: What would the magistrate know?

Mr. MARSHALL: It is his job to sift these things out. He would not know anything about wilful murder but it is his job to find out who committed the crime. He would be more qualified than a Minister, even the present Minister with his legally trained mind. I want to draw the Minister's attention to a small error in the early part of this amendment. It says, "Clause 10 is amended by deleting Subclause (1)." So by that we take Subclause (1) completely out. Then it says "insert before Subclause (2) the following Subclause 1 (a)." It will only be "(1)" not "1(a)." I support the amendment.

Hon. A. A. M. COVERLEY: I cannot follow the Minister's reasoning. I could become facetious about this matter and say that if a man got one or two under his belt and was brought before a magistrate he would be fined £1. But under the Bill if he were brought before the supreme council he could be deregistered for six months and fined in addition. It could go further and deregister him for 12 months and fine him with all the expenses of the council meeting. It is farcical. The Minister knows as well as I do that most professional people, such as the members of the legal profession, at least have an appeal which is not to the person administering the Barristers Board, but to the Supreme Court.

Surely the Minister might lean a little towards these professional men and say they are entitled to appeal to a somewhat higher tribunal than himself! Every member knows that the Minister in charge will be only submitting the evidence to the Governor-in-Council which will be checked by the Medical and Health Departments. There will be one or two dissentients in this council, no matter who gives the decision. The chemists will be more satisfied if they have an appeal to a magistrate to whom they can give evidence in support of their case. This would be preferable to the more or less haphazard method of giving the decision to the Minister for submission to Executive Council. It is not a genuine or just appeal and the Minister should not force the issue.

The Minister for Health: I do not want to force the issue.

Hon. A. A. M. COVERLEY: The Minister is giving them—

The Minister for Health: What they ask.

Hon. A. A. M. COVERLEY: I am not satisfied with what they ask and the rank and file of the pharmaceutical organisations are not satisfied either. There are dissentients amongst them as there are in all walks of life. If a man is unfortunate enough to be brought before this council he should be given British justice. Surely the Committee will agree with that.

The MINISTER FOR HEALTH: I have no objection to the suggestion put forward by the hon. member.

Hon. A. H. Panton: Then why waste time?

The MINISTER FOR HEALTH: The Bill was submitted in its present form at the request of the Pharmaceutical Society.

Hon. A. H. Panton: That is what we object to. You do not usually give every organisation just what it requests.

The MINISTER FOR HEALTH: No, but there are provisions in the Act that do not allow for any appeal, even to the Governor, and that applies to other Acts as well.

Hon. A. A. M. Coverley: I am not responsible for that. You introduced the Bill and you are responsible.

The MINISTER FOR HEALTH: It would be inconsistent to provide an appeal to the Governor in one part and to make no such provision elsewhere.

Hon. A. A. M. Coverley: I object to a man's livelihood being taken from him by this means.

The MINISTER FOR HEALTH: If it is necessary to discipline a chemist, the Bill provides the right of appeal to the Governor. If we are to amend it so as to allow the appeal to go to a magistrate and perhaps in another measure allow an appeal to the Governor, we shall be inconsistent. If it is considered necessary, I am prepared to consult the Pharmaceutical Council again, and if they agree that such an amendment is desirable, I will adopt that course. If the amendment were accepted, it would be necessary to consider how the appeal could be dealt with.

Hon. A. H. Panton: That would be done by regulation.

Hon. A. A. M. Coverley: Just as is done under other Acts. There is no difficulty there.

Hon. A. H. Panton: You will have to provide regulations under this measure just as under other Acts.

The MINISTER FOR HEALTH: I am in some doubt about the matter, but I am prepared to consult the pharmacists and, if necessary, have the Bill amended in another place.

Hon. A. A. M. Coverley: No, we will alter it here.

Hon. J. B. SLEEMAN: The Minister intends to make the chemist appeal to the Governor, which is really to the Minister, but in his own profession a barrister who is dealt with, is not required to appeal to the Minister but is allowed to go to the Supreme Court. Surely the chemist should have a similar right.

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

Clauses 11 to 15—agreed to.

Clause 16—Amendment of Section 31:

Hon. A. A. M. COVERLEY: I would like the Minister to give the Committee some further information regarding the clause, which deals with the prohibition upon the supplying of drugs to persons apparently under 18 years of age. The safeguards embodied in the Act have dealt satisfactorily with this phase without causing inconvenience to people living outback, such as they will experience if the clause is agreed to in its present form. Strychnine is used for poisoning dogs and other pests and frequently a person under 18 years of age is sent to the store at some centre in the back country to procure supplies. In the dairying industry a member of the family may be sent to a chemist to purchase necessary drugs. Section 31 embodies all the safeguards that are necessary, so why cause a lot of inconvenience by the addition of these further precautionary measures?

The MINISTER FOR HEALTH: I can only rely upon my advisers on a matter of this sort. I cannot express a personal opinion, but I would point out that this applies only to the deadly drugs, referred to in the Fifth Schedule, which should not be sold to anyone under 18 years of age who is unknown to the vendor, unless in the presence of some witness who is acquainted with both. That seems to be reasonable. I know that strychnine is sold for poison-

ing dogs, but, made into a preparation, it would come under the Ninth Schedule deal- I know that strychnine is sold for poison- however, I understand that strychnine could be sold only under restrictions, and would it not be dangerous to supply strychnine or arsenic to a lad of 18 or to a person unknown to the vendor?

Hon. A. A. M. Coverley: Not in the parts of the State to which I refer, because the people handle poisons every day.

The MINISTER FOR HEALTH: The only alteration we are proposing is that these poisons shall not be sold to a person under the age of 18 or to one unknown to the vendor.

Hon. A. A. M. Coverley: There is no chemist north of Geraldton.

The MINISTER FOR HEALTH: These provisions have been inserted after consultation with members of the medical and pharmaceutical professions, and the object is to close an avenue now making possible misadventure or misuse. I am prepared to refer the matter to the secretary of the organisation and, if necessary, will have an amendment moved in another place.

Hon. J. B. SLEEMAN: Under the clause a person of less than 18 years or anyone unknown to the vendor could not be supplied with a bottle of iodine. Could anything be more ridiculous? If a man wanted to commit suicide, would it make any difference whether he was known or unknown to the vendor? A lad under 18 could not buy a bottle of chlorodyne. The whole thing is foolish.

Mr. READ: I think there is a misunderstanding. Iodine does not come under the schedule mentioned.

Mr. MARSHALL: Of what use is it for the member for Victoria Park to say that these things come under a different schedule? The poisons in the Fifth Schedule include iodine, phosphorous, chlorodyne, iodoform and even soothing syrups.

The Minister for Health: Pure iodoform is a deadly poison.

Mr. MARSHALL: A man that intends to commit suicide will take or do anything. I have known persons to drink eucalyptus in large quantities or even put their heads in a gas stove. The tendency seems to be to put more soothing syrups in the schedule rather than take any out. Much of this legislation is useless because, if people intend to commit suicide, these restrictions will not prevent them. All we are doing is causing inconvenience to people who have no intention of committing suicide.

Hon. J. B. Sleeman: Just irritating them.

Mr. MARSHALL: I do not know how my poor old grandmother ever survived. She made her own remedies, poison or no poison, and we thrived on them.

Clause put and passed.

Clauses 17 to 19—agreed to.

Clause 20—Amendment of Section 42:

Mr. MAY: Will the Minister give the Committee information as to the conditions under which a license would be issued to an employee?

The MINISTER FOR HEALTH: This clause is designed to ensure that due precautions are taken by firms and companies in the care of poisons entrusted to them for commercial purposes. The employee undertakes the responsibility for seeing that the poisons are supplied in accordance with the provisions of the Act and that they are duly locked up. However, both the employee and the employer are responsible for any breach of the Act.

Mr. May: The employee must be licensed. Evidently he will be involved in some cost.

The MINISTER FOR HEALTH: There is no cost to the employee.

Mr. May: Does the Minister mean that if the employee supplied a wrong poison and some accident resulted, he would not be held responsible?

The MINISTER FOR HEALTH: Both the employee and the employer would be responsible in such a case. The employee would be held responsible for his own acts.

Mr. READ: The object of this clause is to make someone responsible for the serving of poisons in outback places. A license cannot be issued to a company; it must be issued to an employee of the company.

Mr. May: Must he be qualified?

Mr. READ: No.

Hon. A. A. M. Coverley called attention to the state of the Committee.

Bells rung and a quorum formed.

Clause put and passed.

Clauses 21 to 28—agreed to.

The CHAIRMAN: I will put the Title.

Point of Order.

Mr. Marshall: There are schedules to pass first.

The Chairman: The schedules are included in Clause 28 which has been passed.

Mr. Marshall: Mr. Chairman, that is not right. We have to get Schedules 10 to 12 in the Bill.

The Chairman: My ruling is that they are part of the clause.

Hon. J. B. Sleeman: I contend that the schedules must be passed before they can be placed in the Act.

The Minister for Health: They were passed with Clause 28.

Mr. Marshall: The Standing Orders provide that each clause of the Bill must be taken one by one, and that then the schedules must be taken.

The Chairman: I have given my ruling that the schedules are part of Clause 28. If the hon. member wishes, he is at liberty to disagree with my ruling.

Committee Resumed.

Title—agreed to.

Bill reported with an amendment and the report adopted.

Third Reading.

Bill read a third time and transmitted to the Council.

BILL—WHEAT POOL ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 1st December.

HON. J. T. TONKIN (North-East Fremantle) [10.31]: The Bill is to empower the trustees of the Wheat Pool to run a voluntary oat pool. It was introduced in the Legislative Council on the 30th November, the Minister stating it was of such great urgency that it was desirable to have the Bill passed through all stages at that sitting. It is remarkable that this hurry has suddenly occurred, because the Minister has known for months that the Commonwealth would not guarantee a price for oats and there was, therefore, no chance whatever of the establishment of a Commonwealth pool unless all the States were prepared to co-operate. This State, in common with South Australia, was not prepared to co-operate. That is why no Commonwealth pool for the marketing of oats was possible this year. That is a bad thing for the growers because the experience of last year was such as to indicate that the establishment of a Commonwealth pool would be of great benefit. On the 5th November there appeared a Press statement from the Minister for Commerce and Agriculture in the Commonwealth Government as follows:—

A second advance had been made for 1947-1948 crop oats delivered to the Australian Barley Board. This was stated by the Minister for Commerce and Agriculture, Mr. R. T. Pollard, today.

The advance would be 1s. 10d. a bushel less freight. This is equivalent to an average of 1s. 6d. a bushel net. The advance will bring payments to 5s. 4d. a bushel, less freight, and will distribute another £2,100,000 to the growers. Nearly 28,000,000 bushels of oats were received by the Board. Only a small proportion was still unsold, but it will be some time before the shipment of export quantities is completed. Shipment is satisfactory, and as export prices were high, a further advance on the crop will be possible later. This will show a very good return to the growers from a record crop which was delivered voluntarily to the Commonwealth for sale.

On the 5th December, 1947, Mr. Pollard had this to say—

The Australian Barley Board had arranged the sale of the exportable surplus of the 1947-1948 oat crop. The sale has been made to the British Ministry of Food which will accept up to 12,000,000 bushels at a price equivalent to 11s. 6d. per bushel f.o.b.

The farmers in Australia had the benefit to be obtained from Commonwealth marketing. Because of that knowledge, the matter of marketing oats was mentioned at a meeting of the Australian Agricultural Council in June of this year. The Victorian Minister for Agriculture, I think was responsible for raising it initially, and the Commonwealth Minister indicated that the Commonwealth was not prepared to guarantee a minimum price. He did say, however, that if all the States would agree to co-operate, the Commonwealth was prepared to organise again a voluntary pool which would be the sole exporter. The Victorian Minister for Agriculture was anxious to take advantage of the position. The matter was again raised in July at a conference of Premiers and Ministers for Agriculture, and once again Mr. Pollard made the position of the Commonwealth quite

clear, namely, that a guaranteed minimum price would not be given, but that the Commonwealth was prepared to arrange for a Commonwealth voluntary pool if all the States would co-operate.

Nothing happened, because of the failure of Western Australia and South Australia to show any interest in the establishment of a Commonwealth pool. The Victorian Minister, who was a Minister in a composite Government of the Liberal and Country Parties, was very wrath about the whole thing, and on the 17th November he made a statement to the newspapers, and I quote an extract of the statement he is alleged to have made. The heading is, "No oat pool this season. Lack of interest by two States," and the extract to which I wish to refer is as follows:—

Vacillation on the part of some of the States had prevented the formation of an oat pool this season. Making this announcement late last week, the Minister for Agriculture (Col. C. A. Dennett, M.L.A.) said that he had tried for more than four months to get all States to co-operate in establishing an oat pool for this season. These persistent efforts had failed, however chiefly because of the lack of interest shown by South Australia and Western Australia.

The Minister recalled that, when he had raised the matter at a meeting of the Australian Agricultural Council in June, the Federal Minister had declared emphatically that the Commonwealth would not give a guaranteed price for oats in the coming season. This was repeated clearly at a conference of Premiers and Ministers for Agriculture in July. Therefore, everybody interested in oats had known all along where they stood on the question of a guaranteed price. The attitude of the Commonwealth had been that it was willing to set up the machinery for an oat pool, but it would do this only if all the States agreed to co-operate in the plan.

The Minister pointed out that following the July conference he had persistently endeavoured to obtain some understanding among the States so that they could reach a uniform agreement on oat marketing, but South Australia and Western Australia had shown clearly that they were not interested. Having reached agreement with the remaining States, the Minister said that he had asked the Federal authorities if they would set up an oat pool without South Australia and Western Australia, but they had declined to do this, repeating that the only basis on which a pool could be established was one of co-operation by all the States. The bitter truth was that this co-operation had not been obtained, said the Minister, despite continued and persistent efforts by Victoria. It was now too late. First samples of oats were already arriving and there would not now be time to establish a pool, even if all States were agreeable. This meant that oats would return to a system of open marketing. The Victorian Government would do everything possible to help growers with the marketing problem and he, as Minister, appreciating that storage might be one of the vital factors, had asked officers of his department to make an immediate survey to see what storage capacity might be available. A good and orderly system had broken down because certain States had, quite frankly, failed to take any interest, said the Minister.

When we come to consider that the man who made that statement was a Minister in a Government comprised of parties similar to the parties making up this Government, we are forced to the conclusion that he would be most reluctant to make such a statement, which he would know must be adverse towards his own friends. But, because he felt the position so keenly and had been frustrated in his efforts, he was constrained to make that statement. This Government cannot escape the criticism of having played a major part in preventing the establishment of a Commonwealth pool for the marketing of oats, a pool that demonstrated very clearly last year the advantage it was to the growers in preventing a return to open marketing and therefore guaranteeing the maximum price for the exportable surplus.

That would have been bad enough, but the Minister in this State has made the position worse by his lack of candour in connection with the present situation, because whenever he has been called upon to answer a question or make a statement, his replies have been such as to throw the blame on to the Commonwealth for any delay that has occurred. That is not at all fair, as I hope to prove. On the 17th November last, the member for York asked some questions. He must have known the answers before he asked them. I think he asked them to give the Minister an opportunity to try to put the Government right in the eyes of the growers, because at that stage the desire for some form of marketing had become persistent and was growing into a clamour. At page 2504 of "Hansard" No. 18, the member for York asked—

(1) Is the Government aware that many farmers have stripped considerable quantities of oats, which are awaiting delivery to some marketing authority?

(2) What action is being taken by the Government to see that some satisfactory oat-marketing authority is available to market such oats?

The Minister replied—

(1) Yes.

(2) Efforts have been made in co-operation with Co-operative Bulk Handling Ltd. to arrange a growers' voluntary pool for the marketing of oats, but the scheme has not been finalised because the Commonwealth Government, to whom representations have been made, have not yet agreed to a general export license for oats.

Anyone reading that would come to the conclusion that the State Minister had busied himself in endeavouring to get a pool established but had been held up because of some laxity on the part of the Commonwealth. Let us see what the facts are. On the 27th October, the Honorary Minister for Agriculture in this State wrote to Mr. Pollard in connection with the export of oats and said—which is most remarkable—

Representations have been made to me to request you to lift restrictions on the export of oats. Merchants in Western Australia are prepared to offer a reasonable price for oats, provided export licenses are assured. In view of the large surplus of oats in Australia, it would appear desirable that all export restrictions be lifted on oats.

What does that letter show? It shows that on the 27th October the Minister had no idea in his mind for the establishment of a pool. He was assuring the Commonwealth Minister for Agriculture that merchants were prepared to offer a reasonable price, so he was really all out in favour of open marketing and wanted to know whether the Commonwealth was prepared to lift the restrictions on the export of oats, as the final paragraph of his letter shows. It was not a request for an export license for a pool, but an intimation that the merchants would give a reasonable price and that in his opinion the restrictions on the export of oats should be lifted. Before the Federal Minister had an opportunity of replying to that letter—a matter of seven days afterwards—the Honorary Minister for Agriculture in this State sent a further communication to the Commonwealth, saying—

It is the intention of oatgrowers in Western Australia to market their oats from the coming harvest by means of a voluntary pool. The export of oats from this State will, of course, depend upon the granting of export licenses by the Commonwealth Government. Will you please inform me if export licenses will be granted to exporters in Western Australia for the export of the new season's oats. There are over 400 tons of old season's oats still in Western Australia.

The Minister for Railways: How did you get those letters?

Hon. J. T. TONKIN: That is my business.

The Minister for Railways: One will have to be careful what one writes to the Commonwealth Government.

Hon. J. T. TONKIN: I am quoting what these letters contained.

The Minister for Railways: You have a letter from the Minister.

Hon. J. T. TONKIN: I have a copy of a letter. I am quoting what the Minister in Western Australia wrote to the Commonwealth Minister.

The Minister for Railways: It is a most remarkable thing.

Hon. J. T. TONKIN: It may be remarkable, but not nearly as remarkable as the attitude of the Government in connection with this matter.

The Minister for Housing: Mr. Chifley has been very worried over this sort of thing.

Hon. J. T. TONKIN: Over what?

The Minister for Housing: Over certain letters that have been read in Parliament.

Hon. J. T. TONKIN: In the Commonwealth Parliament, members belonging to the same party as the Minister for Housing have endeavoured to justify using in the House correspondence that was supposed to be absolutely confidential and information that emanated from a Cabinet meeting in Great Britain.

The Minister for Railways: That is entirely different.

Hon. J. T. TONKIN: I agree quite readily that it is very different. What I am quoting from purports to be correspondence between the Minister for Agriculture in Western Australia and the Minister for Commerce in the Commonwealth. It is not a confidential document and is available, upon motion, to anybody in the House.

The Minister for Lands: It is evident that everything that goes over there they send you back a copy of.

Hon. J. T. TONKIN: The Minister will generalise. Because I happen to quote some correspondence in connection with oat marketing he says it is evident that everything that goes over there is known to us. If the Minister's reasoning will enable him to come to a conclusion like that, then I cannot help it.

The Minister for Housing: It is very natural.

Hon. J. T. TONKIN: So long as I came by this correspondence quite openly and honestly, is there any harm in my using it to the discomfiture of members opposite?

The Minister for Railways: It is a question of how you got it that worries me.

Hon. J. T. TONKIN: Well, why not have a Royal Commission to ascertain that?

The Minister for Lands: It is not worth it.

Hon. J. T. TONKIN: I assure the Minister that I came by it quite honestly. I did not steal it.

The Minister for Railways: I would not suggest that.

Hon. J. T. TONKIN: And I did not ask anybody from the office to give me a copy of it.

The Minister for Housing: I accept that assurance.

Point of Order.

Hon. A. H. Panton drew attention to the state of the House.

Mr. Speaker: There are 17 members in the House.

Hon. A. H. Panton: Are they in the House?

Mr. Speaker: They are in the precincts of the House.

Hon. A. H. Panton: I do not agree with your ruling, Mr. Speaker. If members are not in their seats they are not in the House, but I do not want to argue at this time of the night.

Mr. Speaker: I have counted 17 members in the Chamber.

Debate Resumed.

Hon. J. T. TONKIN: It should be clear that the Minister here changed his mind very quickly. First of all he was advocating the lifting of export restrictions on oats from the merchants who were prepared to offer a fair price. Within a week he indicated that the growers wanted a voluntary pool, and he would like to know whether export licenses could be granted. The Minister was advised that consideration had been given to his correspondence and that it was intended to facilitate the export of oats surplus to Australian requirements and export permits would be issued. He was told that if a compulsory pool operated it would be practicable to give it the sole right to export, but that it appeared that there may be voluntary pools in some States and the ordinary merchant operation in others and that merchants would operate where the pools were voluntary. He was further advised that in the circumstances it was not practicable to give an exclusive right of export to a voluntary pool and that export permits would be issued to the voluntary pools and other exporters, but that steps would be taken to ensure adequate local supplies which would require supervision of exports. In conclusion, the Honorary Minister was told that it would be advisable for the voluntary pool to make application early if it desired an export permit.

The Commonwealth made its attitude quite clear. It desired the establishment of a Commonwealth pool with the co-operation of all States and considered that as being the most satisfactory manner and in the best interests of the grower. Owing to the attitude adopted in certain States full co-operation was not possible and it was proposed that in certain States the merchants would operate on free marketing and in others there would be voluntary pools. Because of that, and for no other reason, it was not possible to give an exclusive right to the voluntary pools to market their produce. That can only mean that as a result of the vaccilation of the Government in this State the growers will get less for their oats than they would have got otherwise.

Valuable time has been lost and now we have all this urgency—the Honorary Minister in another place rushing along and wanting a Bill put through all stages in one sitting when he had months to make up his mind and when he knew what the situation would be long before then. He could have

taken the appropriate action so that everything would have been ready to go when the oats were available for sale. Instead of that, he waits until portion of the crop has been harvested and the growers are becoming persistent for action. Then he bestirs himself and wants the legislation rushed through immediately. It now becomes a matter of the greatest urgency. What way is that to look after the interests of the producers? I think we ought to pass this Bill and we should give the trustees the power to run the pool and to get these oats marketed. However, they will not have an exclusive export permit and merchants will operate as well. Past experience has shown us clearly that a return to open marketing is not in the best interests of growers.

We have been told down the years that at least the members of the Country and Democratic League are most carefully watching the best interests of the producers all the time. They have gone to sleep in this instance. What I cannot understand is why they did not follow the lead given them by the Minister in Victoria. If there had been a Government of a different complexion there I could have understood there being some hesitancy on the part of the Government here to do anything which might bring any kudos to the Minister of that Government. It is a strange thing that representations from that Government fell on deaf ears so far as the Governments of South Australia and Western Australia were concerned. If the growers suffer severely as a result of the lack of the necessary arrangements, they must blame the Governments of Western Australia and South Australia for the position. Had those two Governments indicated a willingness to co-operate then there would have been a Commonwealth pool this year; that pool would have been the sole marketing authority and it would have resulted in a much better position than will be the case now.

I have no doubt that the trustees of the Wheat Pool will make the best out of the present situation, because they are skilled men who know their business and in the circumstances will market the crop to the best advantage. However, I feel certain that they would quite readily admit that their job has been made much more difficult because this legislation is so belated. The more I think of it the more amazed I become that this Government absolutely refused to display the slightest interest in the marketing of oats until this late hour. The letter that I quoted which was written on the 27th October, not such a long time ago, shows that at that date the Government had no intention of forming any pool, or of co-operating with other States or establishing the pool similar to the one they now propose to set up. What happened in the meantime? Was the pressure from the growers such as to bring home finally to Ministers that they had better bestir themselves?

There must be some explanation because otherwise it is hard to see how the Government would be quite deaf to the representations of the Minister for Agriculture in Victoria over a period of months and then, when it was too late to co-operate, decide to bring this legislation in and have a voluntary pool established in Western Australia, one which would operate at the same time as the merchants were disposing of the crop oversea. Of course, the position is that the merchants will have an export license and the trustees of the Wheat Pool will have one also. They will endeavour to market the oats which are surplus to Australian requirements. The present indications are that the price will be considerably less than that which was received last year.

There are two lessons to be learned from that and they are that organised marketing on a Commonwealth-wide basis offers far greater possibilities in the interests of growers than separate marketing schemes in the different States, and also, that a return to open marketing conditions would be of no value whatever so far as the growers are concerned. It is an extremely good thing that the growers in this State, who know their own business best, have realised that concerning the products which they grow —I refer to wheat and oats—marketing on a pooling basis is the very best arrangement today. Because of their views on that matter, the wheat stabilisation plan resulted, and now this legislation is before the Chamber because those growers have made it plain to the Government that they want marketing through a pool. I support the Bill.

THE MINISTER FOR LANDS (Hon. L. Thorn—Toodyay—in reply) [11.4]: I am glad to have the support of the hon. member.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed*.

House adjourned at 11.5 p.m.

Legislative Council.

Tuesday, 7th December, 1948.

CONTENTS.

The PRESIDENT took the Chair at 3 p.m., and read prayers.

MINISTERIAL STATEMENT.

Electoral Districts Act—Commissioners' Final Report.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban): The final report of the Commissioners appointed under the Electoral Districts Act was promulgated by the Governor in Executive Council this morning, and I did hope to have one copy to place on the Table of the House for members to see. I anticipate getting it during the afternoon. Unfortunately, there will be only one copy for this House and one for another place, but when the printing can be done—it is expected to be in a week or a fortnight—each member will get a copy.

QUESTION.

NATIVE ADMINISTRATION.

As to Citizenship Rights Granted.

Hon. R. M. FORREST asked the Chief Secretary:

(1) How many full-blooded aborigines and how many half-castes, respectively, have been given citizenship rights above the 26th parallel since the Natives (Citizenship Rights) Act was passed?

(2) How many full-blooded aborigines and how many half-castes, respectively, have been given citizenship rights below the 26th parallel during the same period?

The CHIEF SECRETARY replied:

(1) No full-bloods; 135 other bloods.

(2) 3 full-bloods; 110 other bloods.

BILL—CONSTITUTION ACTS AMENDMENT (No. 2).

Third Reading.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban) [3.5]: I move—

That the Bill be now read a third time.

Question put.

The PRESIDENT: As it is necessary to have a constitutional majority, I shall divide the House.

Division taken with the following result:—

Ayes	16
Noes	7
Majority for	9