

Legislative Assembly.

Thursday, 22nd August, 1940.

	PAGE
Questions: Agricultural Bank, farmers' proceeds, etc.	390
Trolley buses, Swanbourne service	390
Water supplies, Canning Dam and Mundaring connection	390
Plant Diseases Act, orchard registration fees	391
Royal Commission, stored wheat	391
Personal explanation, Minister for the North-West, and lotteries	391
Privilege, lotteries, Press and publication of questions	391
Leave of absence	395
Bills: Imprints, leave to introduce, 1r.	395
University of Western Australia Act Amendment, 1r.	398
Native Administration Act Amendment, 1r.	398
Bills of Sale Act Amendment, 1r.	398
Money Lenders Act Amendment, 1r.	398
Civil Defence (Emergency Powers), Message, 2r.	399
City of Perth (Rating Appeal), 2r.	403
Reserves (Government Domain), 2r.	405
Electoral Act Amendment, 2r.	406
Mine Workers' Relief (War Service), 2r.	406
Fremantle Gas and Coke Company's Act Amendment, 2r.	407
State Transport Co-ordination Act Amendment, 2r.	409
Licensed Surveyors Act Amendment, 2r.	410
Mine Workers' Relief (Payments Authorisation), 2r.	410
Metropolitan Market Trust (Land Revestment), 2r.	411
Agricultural Products Act Amendment, 2r.	412

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

QUESTION—AGRICULTURAL BANK.

Farmers' Proceeds, etc.

Hon. C. G. LATHAM asked the Minister for Lands: 1, What was the total amount received for the 1939-40 season on behalf of clients of the Agricultural Bank and its transferred activities in each of the following districts:—Geraldton, Kununoppin, Northam, Merredin, Bruce Rock, Narrogin, and Katanning? 2, What was the amount retained from the proceeds of farmers in the 1939-40 season by the Commissioners of the Agricultural Bank by virtue of Section 22E, paragraph (b) of the Industries Assistance Act? 3, What was the amount advanced by the Commissioners from such retained moneys for the purpose of assisting the farmer in his farming operations for the next following season, 1940-41?

The MINISTER FOR LANDS replied: 1, The total amount collected:—

District.	A/c Bank and Transferred Activities.		A/c I.A.B. Drought Relief.	
	£	s. d.	£	s. d.
Geraldton ..	52,034	11 6	18,477	12 9
Kununoppin ..	45,155	5 10	57,876	1 0
Northam ..	78,048	5 5	23,907	3 0

District.	A/c Bank and Transferred Activities.		A/c I.A.B. Drought Relief.	
	£	s. d.	£	s. d.

Merredin ..	49,436	7 5	42,922	15 8
Bruce Rock	60,887	18 11	8,319	5 5
Narrogin ..	53,207	2 6	256	19 3
Katanning .	38,710	8 11	141	6 7

2 and 3, The method provided under section 22E is not employed by the Commissioners, but each account is reviewed and seasonal finance arranged.

£ s. d.

The principal advances made to drought relief settlers for 1939-40 year were	112,016	13 5
Total principal drought relief receipts ..	148,973	6 5

Surplus of collections over payments ..	£36,956	13 0
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As a result of 1940-41 season's requirements, the Commissioners have approved of £90,039 being advanced.

QUESTION—TROLLEY BUSES.

Swanbourne Service.

Mr. NORTH asked the Minister for Railways: 1, Are the detail plans of the proposed new turning point of the trolley buses at Loch-street complete? 2, Has the Nedlands Road Board or the Claremont Municipal Council been consulted about the proposed changes? 3, Will the Swanbourne service be reduced under the proposals?

The MINISTER FOR RAILWAYS replied: 1, Yes. 2, No. 3, Yes, at morning and evening peaks from a five-minute to a six-minute service.

QUESTION—WATER SUPPLIES.

Canning Dam and Mundaring Connection.

Mr. SAMPSON asked the Minister for Works: 1, Has a decision been reached on the proposal to connect the Canning Dam with the Mundaring Reservoir by conduit? 2, If so, can he advise when the work will be put in hand? 3, If not, is the proposal still under consideration? 4, Is it expected that such connection, if made, will enable

water to be supplied to residents of the Swan View and other areas in the vicinity who at present, because of possible shortage, are unable to obtain it?

The MINISTER FOR WORKS replied: 1, Yes. 2, Dependent on delivery of steel plates from Broken Hill Proprietary, Limited. 3, Answered by 1 and 2. 4, No.

QUESTION—PLANT DISEASES ACT.

Orchard Registration Fees.

Mr. SAMPSON asked the Minister for Agriculture: In view of a recent court decision that the imposition of an additional charge of 2s. 6d. per acre on orchardists and vigneron under the Plant Diseases (Registration Fees) Act was illegal, will he advise whether it has been decided, in those cases where payment has been made, to refund such amounts?

The MINISTER FOR AGRICULTURE replied: It has already been decided, regarding the fees referred to, that these shall be refunded to those orchardists who have paid their fees for the year 1941, and in cases where this year's fees have not been paid that the amount received for the period January 1st to June 30th, 1940, shall be credited against the fees due for the current year.

QUESTION—ROYAL COMMISSION, STORED WHEAT.

Mr. SEWARD asked the Minister for Lands: 1, Has the inquiry into the stored wheat question by the Royal Commissioner, Mr. Justice Wolff, been concluded? 2, If so, can he state when the report will be available to Parliament?

The MINISTER FOR LANDS replied: 1, No. 2, No.

PERSONAL EXPLANATION.

Minister for the North-West and Lotteries.

THE MINISTER FOR THE NORTH-WEST (Hon. A. A. M. Coverley—Kimberley): I desire to make a personal explanation. I was misinformed when I told the House last evening that the Golden Apple

project had applied to the Lotteries Commission for permission to conduct a raffle, had been refused, and had decided to proceed. An application was made to the Lotteries Commission for permission to conduct a Golden Orange appeal. This was refused and the applicant did not proceed any further. Subsequently another committee advertised that it was proceeding with a Golden Apple appeal; hence the error in the information supplied to me. I make this correction in fairness to the committee that did carry out the will of the Lotteries Commission, and I apologise for the unintentional mistake.

PRIVILEGE—LOTTERIES.

Press and Publication of Questions.

HON. W. D. JOHNSON (Guildford-Midland) [4.37]: On a question of privilege, I wish to raise the matter of questions and answers being reported by the Press. The member for Middle Swan (Mr. J. Hegney) yesterday asked a series of questions involving the observance of the law in regard to the organisation of raffles. The practice of the Press to publish the questions and answers was not followed on this occasion. I quite appreciate that questions are not really in possession of the House other than by notice being given; nevertheless the Press as a rule does notify the reading public that certain questions have been asked, and then when the questions are officially noted as a result of official replies being given, they are in the possession of Parliament and are recorded on the Votes and Proceedings. The questions dealing with the raffles being conducted in connection with the Queen Carnival were not published, and there has been a very grave disregard of the practice of conveying the business of Parliament to the public in an impartial way. At any rate the practice has not been observed, and the questions and answers were suppressed. This is a very grave matter because the questions had relation to the observance of the law. You, Mr. Speaker, I and other members have to be very careful to ensure that when we have a law on the statute book and when we have a special body charged with the administration of the law, and the direction of that administrative authority is disregarded and the police have been instructed to take action, the information

should go to the public in order to convey to the public that Parliament is anxious that all sections of the community should observe the law. We have had much discussion in this House regarding observances of this kind, but here was a definite intimation from the Minister for Police that the Lotteries Commission had refused permission and yet the raffle was proceeded with. The Minister's answer went on to say that the police would be taking action. To suppress that information was quite wrong. I submit that if any question, with its answer, is not going to be published, then the rule should be made general and no question or answer must be published. We, as a Parliament, cannot possibly permit the Press to select which it will publish. The Press has either to give the lot or none; we cannot allow the Press to be the judge. Therefore there has been a mistake on the part of the Press, I earnestly believe, in not regarding this as a matter of outstanding importance that should be brought to the notice of the public. I move—

That this House requests the Press either to publish in full or refrain from publishing the questions asked of Ministers and the replies thereto, with particular reference to the questions asked at the last sitting of the House.

THE PREMIER (Hon. J. C. Willecock—Geraldton) [4.40]: The House would hardly be justified in carrying the motion as it is now framed. Generally speaking the Press of Western Australia, particularly the morning Press, do a good job in the reporting of Parliamentary proceedings, in properly gauging the importance of matters brought forward, and in the space allotted to the subjects dealt with. I feel that some of the questions brought forward by members, whilst of importance perhaps to them, are not of much importance to the general public. The Press can scarcely be requested meticulously and slavishly to report every word that is said on every question. They have their difficulties because of the restrictions imposed upon them by the Federal Government and the shortage of paper, and to ask the newspapers to publish everything would be asking too much. I sometimes feel that the information asked for by members in this House and another place hardly deserves to be printed at all. The Press is made up of responsible people, and if they take the same view, I can hardly

blame them. The newspapers are the purveyors of that which takes place in Parliament. As purveyors of news they take up the attitude that whatever the public is interested in to an extent sufficient to bring it within the category of news, is news they are prepared to publish. I think the Press should be allowed discretion in matters of this kind. I know a very grave responsibility is cast upon them in the discharge of their duties as purveyors of news to the general public, as to the importance to attach to that which is published, and to the manner in which the information is presented. Most of us during the last four or five years have had a deep insight into what is regarded as propaganda, the influence of propaganda, what it does, and how it affects people. We know that the enemy we are fighting to-day relies to a great extent on propaganda.

Hon. C. G. Latham: "Impropaganda."

The PREMIER: Yes. So long as the Press live up to their responsibilities their duty as a free Press is to give to the public information about questions of importance, and to give those questions so much of that space which is at their disposal as is commensurate with the value attached to the news. To say to the Western Australian Press, "You must exercise no discretion in respect of Parliamentary questions but publish all or nothing," would be to go too far. Without being offensive to anyone, I do think that some of the matter brought forward is of little or no importance, and we could not well say to the Press, "You must publish this answer or you must not publish that answer to any question." Some questions may be of no importance and others of tremendous importance. I am not belittling the importance of the question raised by the member for Guildford-Midland (Hon. W. D. Johnson).

Hon. W. D. Johnson: I am dealing with a specific question.

The PREMIER: I think the hon. member will have achieved his purpose by pointedly drawing attention to this matter, as he has done. The Press are not likely to ignore something that is deemed to be of sufficient importance for a debate concerning it to take place in Parliament. I am positive the Press will take some notice of this question and deal with it in the proper

manner. Newspapers are the guardians of public opinion, and are called upon to display a great deal of appreciation concerning what they consider to be first-class news or news of little importance. I have often thought that questions asked of the Government by members hardly warrant the expense of printing them on the notice paper, inasmuch as they are of very little general interest. The member who wishes to get the information could readily obtain it by other means, and supply it to the one or two persons who are interested in it, without having the matter printed on the notice paper and the reply printed in the Votes and Proceedings. It is suggested that the Press could then be asked to publish something that only two or three people in a remote locality are interested in. We would be ill-advised to carry the motion as it is worded. Generally speaking the Press do a good job with respect to the dissemination of information of value to the public. If the hon. member thinks that the question that was asked yesterday is a matter of public importance, inasmuch as it reflects on the administration of a department or on the administration of justice or has anything to do with the maintenance or the breach of the laws of the State, then he regards it as a matter of public importance that might well have received some notice in the Press. I cannot agree that to direct the Press to surrender their rights to make an intelligent selection from the reports that reach them, especially in these days of restrictions in the matter of space and paper, would be a proper thing to do. I would not even suggest that the newspapers should report all that one member said compared with merely half of what another member said. Someone has to make the selection and condense that which comes before the House. I do not feel inclined to support the motion as it has been moved. The hon. member has brought it forward and it has been discussed. By that means he has gained some particular publicity for this particular question, and I think he will have achieved his purpose without its being necessary to pass the motion.

HON. C. G. LATHAM (York) [4.47]: I could not vote for the motion as it is worded. The Press may say they are short of space and in consequence will not print the replies

to any questions. We do elicit quite a lot of information of value to the public by questions asked of Ministers, irrespective of who they are. These questions are of public importance, and on that account I hope the Press will continue to publish them as well as the replies thereto. The questions submitted to the House yesterday and the answer given by the Minister, I agree are of public importance. The hon. member could, however, have served his purpose as well had he drawn the attention of members of the Press to the matter, and asked them to have it published in to-morrow morning's paper. It would not matter if it were a day late. Generally speaking the public men of the State get a fair deal from the local Press, a better deal than they get in some of the other States. Because of that I do not think we should censure the Press. The motion seems to be a mild form of censure. I do not say that I am always satisfied with the space allotted to me in the Press.

Mr. Thorn: We are none of us satisfied.

Hon. C. G. LATHAM: I may feel that I sometimes have a grievance because interjections I may have made appear in such a form as not to be relevant to the matter before the House. That does not mean we should not allow the Press to publish any portions of that which comes before the House, but only all of that which comes before us. That, I think, is the object of the motion. The hon. member said by interjection that the motion did not deal with the subject in a general way, but I think it does.

The motion says—

This House requests the Press either to publish in full or refrain from publishing the questions asked of Ministers and the replies thereto.

With that portion of the motion I cannot agree. Therefore I do hope the mover will accept the Premier's suggestion to withdraw the motion. I feel sure that if he approaches the Press in the right way, full publicity will be given to the matter, which undoubtedly is of importance.

MR. McDONALD (West Perth) [4.51]: I appreciate the motive of the member for Guildford-Midland in raising a question of this kind, because it is of importance that even if there is condensation of the report of parliamentary proceedings it should be in such a form as to convey fairly all the

important aspects. However, having raised the question the hon. member has, I think, achieved the object he has in mind. I am glad to acknowledge that on the whole the Press, and the morning Press in particular, being the chief purveyor of information of proceedings in this House, does a remarkably good job. I often marvel at the skill with which a speech is compressed within a comparatively small space. A journalist of great experience has said to me that one of the chief arts of journalism was judicious condensation, because when space is limited, as it is particularly at the present time, and in that space as much as possible has to be conveyed of the news desired by the public, then evidently there must be a great deal of condensation in the presentation of news features. It seems to me that we should be better served by leaving to the Press, which on the whole does exercise its functions with admirable judgment, the responsibility of condensing reports where condensation can reasonably be effected. As regards answers to questions, to print them in full would at present make undue demands on space, and no doubt lead to the excision of other information of public interest. Therefore while appreciating the motives of the mover, I cannot support the request to the Press in the terms of the motion, by which terms it would be compelled to publish in full every answer when publishing any answer at all.

HON. W. D. JOHNSON (Guildford-Midland—in reply) [4.55]: I do not think hon. members fully appreciate the actual position. Probably it will help if I read part of the answer given to the member for Middle Swan (Mr. J. Hegney): I do not wish to read the whole—

An announcement appeared in the Press, indicating that a pony was to be raffled.

Altogether ignoring the law, these persons announced that they would raffle a pony.

As this had not been authorised by the Lotteries Commission, those responsible were communicated with, and an assurance was given that it would not be proceeded with. This assurance was not observed.

If that is not a serious matter, I do not know the meaning of the word "serious." These people go to the Lotteries Commission, a body which Parliament has charged with the responsibility of administering the laws relating to restriction of gambling. The Lot-

teries Commission definitely declares to the persons concerned, "That is wrong, and you must not do it." They ignore that declaration, and go ahead. Then, when questions are asked about the matter, and official replies are given, the public obtains no knowledge of these matters. The Minister's answer proceeds—

Those responsible for the "Golden Apple Project" applied to the Lotteries Commission for permission, but were refused.

The Minister has said that there is some slight alteration to be made in that part of his answer.

However, they announced their intention of proceeding. In both cases the police are taking necessary action.

I wish the House to appreciate that this is not a reply to merely an ordinary question. Suppose the unemployed do anything wrong, is not the Press expected to draw attention to the fact that the law is not being observed? In such cases leading articles are written stating how it should be observed, and how morally wrong it is for the law of the land to be ignored.

MR. SPEAKER: I do not think the hon. member is now replying to the debate.

HON. W. D. JOHNSON: If I am not replying, Sir, I do not know what I am doing. The position is that I am justifying my motion. The Premier suggests that certain questions ought not to be asked, and that if they are asked, they are not of sufficient public interest to warrant their being reported. I hope no Government will ever be given authority to decide what are, and what are not, important questions.

MR. SAMPSON: The Government is not in charge of the Press.

HON. W. D. JOHNSON: No; but what I wish to convey is that hon. members have to be recognised as responsible persons who ask questions which, although possibly not important from a Government point of view, may be highly important from a public point of view, and highly important to members' constituents. It must be assumed by representative members that if they ask questions, those questions will be viewed as matters of importance, and that when answers are given by responsible Ministers the public should have knowledge of the matter. On the other point—a more serious point—the Premier suggests that we should allow the Press to decide what shall, and what shall not; be published. That is my motion: that

is the serious side. If we are to allow the Press, because of shortage of space or for any other reason, to decide what it shall, or shall not, publish in regard to the proceedings of this House, the position becomes so serious as to lead me to suggest that the Press should either publish the lot or none. Under such conditions active, militant members of the House will never be reported, whereas other members, who suit the Press, will be given full publicity. I do not say that such a course will be adopted but the fact remains that if we do not take official notice of the ignoring on two occasions of a question and answers of such importance as these, we are failing in our duty, and are allowing the Press a right that the Press should not have, and a discrimination which it should not exercise.

Mr. Hughes: We would be giving the Press freedom to limit the freedom of Parliament.

Hon. W. D. JOHNSON: The hon. member suggests that this would be giving the Press the right to limit the freedom of Parliament. This is an outstanding matter of very grave importance. I do not subscribe at all to the Premier's saying, "The Press is all right, and we can leave it to the Press to do things properly."

The Premier: The Government has not control of the Press of this State. We are not in Germany.

Hon. W. D. JOHNSON: The Government has control of a situation of this kind, and the Government should say to the Press, "Either you publish the lot or you publish none." I have raised the question, and the Premier has stated he has no doubt that the Press, realising that this at least is looked upon as a matter of importance—a view which I am glad to note the Leader of the Opposition shares—will put the matter right. Therefore I will leave it at that. I ask leave of the House to withdraw my motion, trusting to the good judgment of the Press to do the fair thing in matters of this kind.

Motion by leave withdrawn.

LEAVE OF ABSENCE.

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

BILL—IMPRINTS.

Leave to Introduce.

MR. SAMPSON (Swan) [5.0]: I move—

That leave be given to introduce a Bill for an Act for preventing the printing and publishing of books and papers by persons not known.

HON. W. D. JOHNSON (Guildford-Midland) [5.1]: I ask members not to grant leave for the introduction of a Bill of this description. I do not mind a member making a speech in reference to the matter, but Parliament should not give him the right to introduce a Bill to prevent the printing and publishing of books and papers by persons not known. I emphasise those words "by persons not known."

The Premier: Not known by whom?

Hon. W. D. JOHNSON: Exactly. I need only draw attention to that aspect, to suggest that we should not let it be known to the world that a representative Parliament has gone to the extent proposed. I know full well, of course, that the Bill will not be passed, but we should not declare to the world that Parliament has regarded the matter so seriously as to allow the Bill to reach the second reading stage.

Mr. Thorn: If we do not have the author's name, then he is unknown. Is that right?

Hon. W. D. JOHNSON: That is the position. I suggest that leave be not given.

HON. C. G. LATHAM (York) [5.3]: I hope the House will agree to the motion. From time to time we have heard of persons printing and publishing documents containing seditious statements.

Mr. Thorn: Anonymously?

Hon. C. G. LATHAM: Yes. During the Address-in-reply debate members indulged in a discussion regarding a pamphlet that had been circulated throughout the city by being placed in letter boxes. Legislation already exists providing that newspapers and other printed matter must contain the names of the printer and publisher.

The Premier: It applies to them all.

Hon. C. G. LATHAM: The member for Swan (Mr. Sampson) has no doubt much more knowledge on this subject than I have, and I suggest that even if he proposes to take his contemplated action merely as a war measure, it is necessary to

nail down the responsibility of persons who print and publish the type of stuff that has been referred to in this House recently. We should take steps if necessary to prevent the circulation of imported matter. I listened to the member for Forrest (Mr. Holman), the member for Kalgoorlie (Mr. Styants) and others—including the member for Toodyay (Mr. Thorn) who had a very genuine complaint—who dealt extensively with the circulation of anonymous leaflets. I think Parliament ought to take steps to deal with the matter.

Hon. W. D. Johnson: But we do not require a Bill for that purpose.

Hon. C. G. LATHAM: Why not? Who knows what the Bill contains? The member for Guildford-Midland (Hon. W. D. Johnson) is allowing himself to develop into another Mother Shipton in that he seeks to forecast what proposed legislation will contain. I cannot forecast what the Bill will embody. If when the measure reaches the second reading stage, we find its contents are objectionable to the House we can deal with it then. I will certainly support the member for Swan to the extent that if his Bill will have the effect of preventing the printing, publishing or circulating of any printed matter that is subversive, the responsibility of Parliament demands that we shall agree to such a proposal.

Hon. W. D. Johnson: We have a law to do that now.

Hon. C. G. LATHAM: I do not know that we have. While I have not taken any notice of it whatever, the fact remains that I have received a document that was disgusting and disgraceful. I do not know who printed or published the document that was left in my letter box. A little while ago the Minister for Mines introduced a Bill to prevent certain information from being circulated. That very information is still being circulated, without the name of the printer being attached to the document. I believe those leaflets are printed outside the State, but the documents are circulated here and we should take steps to prevent that happening.

MR. HOLMAN (Forrest) [5.6]: I hope the House will be allowed to hear what the Bill seeks to achieve. At first glance the wording of the motion for leave is certainly peculiar. The best way to prevent the

printing and publishing of matter that is unsigned is to require the necessary imprint on the document. The motion refers to the printing and publishing of books and papers "by persons not known." There is sense in the wording of the motion for leave if members look long enough at it to discover that sense.

Mr. Marshall: For how long have you been looking at it?

Mr. HOLMAN: On the other hand, the prevention of the printing and publishing of documents by persons not known has a great deal to commend it.

Mr. Hughes: Of course, it should be extended to include invisible people!

Mr. HOLMAN: One point about printed matter that is circulated without any reference to the name of the printer or publisher, is that such documents can be circulated and someone may be slandered and yet the author of the document cannot be traced. Recently in Bassendean some literature was circulated during the road board election. It did not embody the printer's imprint and the defence submitted was that the circular had no connection whatever with the election, but related to something else.

Mr. J. Hegney: This would not prevent a document printed outside Western Australia from being circulated within the State.

Mr. HOLMAN: Neither I nor the hon. member knows what the Bill contains. I certainly do not agree with everything that the member for Swan (Mr. Sampson) does or says in print. At the same time I wish to hear what he has embodied in his Bill. The only opportunity I, in common with other members, have of gaining that information is for the second reading of the Bill to be moved.

MR. HUGHES (East Perth) [5.9]: I intend to vote against leave for the introduction of the Bill because obviously, from the wording of the motion, the Bill is aimed further to limit the freedom of the people. At the present time we should resist in its infancy every effort to curtail the liberties of the subject.

Mr. Holman: It would be just as well for you in regard to something else.

Mr. HUGHES: The most valuable right I possess as a citizen of the British Empire, and one that I exercise freely, is the

right to make a fool of myself. I object to anyone seeking to take that privilege away from me. I would sooner have that right myself than trust it to someone else. That is one of the privileges we have, and we should retain it.

Mr. Thorn: There is nothing clever about that!

Mr. HUGHES: There is.

Hon. W. D. Johnson: It is courageous.

Mr. HUGHES: It is a clever thing to have embodied in our Constitution the right to do such things as may be regarded as foolish. The only alternative is to take from ourselves the right to do those things and to transfer that right to someone else. There are many people who pride themselves on being democrats. Their idea of democracy is that you and I should have the right to do exactly as they think fit. Undoubtedly, the Bill will tend to limit somebody's freedom.

Mr. Doney: So does every Bill, for that matter.

Mr. HUGHES: If members would take the trouble to read the volume of regulations that has been issued by the Federal Government restricting the printing, publishing and dissemination of subversive literature, I venture to say they would not waste the time of the House in dealing with this Bill.

Mr. Holman: There are such things as anonymous letters.

Mr. SPEAKER: Order!

Mr. HUGHES: If I did not speak as openly and as frequently as I do, I would not get into so much trouble. When all is said and done, the Bill would not apply to literature from overseas. We have no control over that.

Hon. W. D. Johnson: Or over literature from the Eastern States.

Mr. HUGHES: Under Section 92 of the Australian Constitution, we cannot pass legislation to prevent a person from distributing in this State literature printed in the Eastern States.

Mr. Lambert: Its distribution could not be prevented.

Mr. HUGHES: I would not accept the *ipse dixit* of any member on that point, because it involves the question of interstate trade. It could not be said that we in Western

Australia under this or a similar Bill could prohibit the distribution in the State of a newspaper printed and published in Melbourne.

Mr. J. Hegney: Some persons were gaoled because they had in their possession subversive literature which was printed in the Eastern States.

Mr. HUGHES: No. They are in gaol for having had in their possession a document which did not contain the name of the printer and which dealt with the war.

Mr. J. Hegney: That is right.

Mr. HUGHES: All that the document had in it was "Win the war in the workers' way." Those men are now serving three months' imprisonment; and it is scandalous to think they should be imprisoned for such an offence. Personally, I think we ought to nip in the bud any attempt to limit our freedom. Particularly ought we to keep our balance at a time like this, when we are at war. In wartime some people are apt to become hysterical and want to tell other people what they should do. Many people have the idea that they will win the war simply by telling other people what they ought to do and managing their private affairs. In my opinion, we should not in wartime forfeit any more of our freedom than is absolutely necessary to serve the purpose of winning the war. From what I have read of the regulations issued by the Federal Government—and I suppose that is not more than about 1 per cent.—the Federal Government has all the power required to control these matters. If it has not, then it has power to make additional regulations. Why should we initiate legislation of this kind when the Federal Government already has power to do so? The next thing we shall be asked is to introduce legislation to prevent the publication of printed matter unless it is printed in a certain building, and thus we will re-introduce the Printers' Guild of medieval times. On general principles, I shall vote against the introduction of the Bill. We ought not to run amok and restrict the liberty of people here, there and everywhere. As I have said, the Federal Government has all the power required to legislate on this matter; and if the present regulations are insufficient, then the Federal Government has power to issue further regulations.

MR. McDONALD (West Perth) [5.15]: I propose to vote for the first reading of the Bill, for the reason that the member for East Perth (Mr. Hughes) intends to vote against it, on the principle of freedom. I do not know what the Bill contains, nor does any other member, and I am not disposed to support any move or practice which may deprive a member of his right to introduce a Bill. At the second reading stage it may be that I shall be entirely opposed to every clause in the Bill; but any member is entitled, as a representative of the people, to bring a Bill before the House and have it read a second time and explained to the House. The House then can exercise its power to reject or accept the Bill. A Bill should not be rejected on the first reading, when members do not know what it contains. That would, I think, be a limitation of a valuable right enjoyed by members.

MR. THORN (Toodyay) [5.16]: I entirely disagree with the remarks of the member for East Perth (Mr. Hughes), but I will grant him this: he claimed the right to make a fool of himself and he has done so.

Mr. SPEAKER: Order!

Mr. THORN: The member for East Perth spoke about freedom of speech. We still have freedom of speech; but this House should support any move having for its object the control of unsigned literature. On that point I am in accord with the member for Forrest (Mr. Holman).

Mr. Hughes: That is a different matter.

Member: The title of the Bill says "by persons unknown."

Mr. THORN: The member for Swan (Mr. Sampson) should be commended for introducing the Bill. If we are sincere, the least we can do is to wait until the second reading is moved in order to ascertain what the measure contains. Then we can make our decision. That is all I have to say on the subject.

MR. SAMPSON (Swan—in reply) [5.17]: I am surprised at the objection raised to the Bill. By some peculiar, occult faculty, the member for Guildford-Midland (Hon. W. D. Johnson) seems to be endowed with power, prescience, knowledge or second sight to such an extent that he is aware of the contents of the Bill. He has not seen it, nor has the member for East Perth (Mr. Hughes), who believes in freedom of speech and liberty

of the Press. The hon. member would not ask for license of the Press or permit unbridled behaviour of persons. He brought forward the question of newspapers. Without disclosing the contents of the Bill, I would point out that imprints on newspapers are Commonwealth-wide. Each State has a law making it obligatory on a publisher to add the name of the printer to the newspaper. We also have a law which makes it compulsory for a person authorising the printing of electoral matter to add his name to such matter; but we have no law which compels a printer to add his name to other printed matter. Consequently I felt that there was need for legislation. When the second reading stage is reached it will be competent for remarks to be made by those who now are opposing a measure of which they know nothing, and I am sure their comments will be welcome. The member for East Perth (Mr. Hughes) claims that the liberty of the subject should be limited.

Mr. Hughes: Did I say that? I thought I said the opposite.

Mr. SAMPSON: Well, the liberty of the subject should be unlimited. That might suit the hon. member better. But it does not suit some people, and that is one of the reasons for the introduction of the Bill. At this stage I do not wish to give reasons for having brought down the measure or to refer at length to the requests that reached me for its introduction. I am convinced that when hon. members receive the Bill and have an opportunity to peruse it, they will vote in favour of it. I was not surprised that objections were raised. I considered they were bound to come from the member for Guildford-Midland, (Hon. W. D. Johnson) or the member for Canning (Mr. Cross). Consequently, having anticipated objections, I am by no means disturbed.

Question put and passed.

Bill introduced and read a first time.

BILLS (4)—FIRST READING.

1, University of Western Australia Act Amendment.

Introduced by Hon. C. G. Latham.

2, Native Administration Act Amendment.
Introduced by Mr. Doney.

3, Bills of Sale Act Amendment.

4, Money Lenders Act Amendment.
Introduced by Mr. Cross.

BILL—CIVIL DEFENCE. (EMERGENCY POWERS).*Message.*

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

Second Reading.

THE MINISTER FOR MINES (Hon. A. H. Panton—Leederville) [5.25] in moving the second reading said: This is one of the most important and might also be said to be one of the most far-reaching Bills introduced into this Parliament. Many Bills are introduced in war time that would not otherwise be necessary, and that applies to this measure. During the war of 1914-18 no fewer than 20 separate laws, due principally to that conflict, were enacted. This, however, is the first occasion on which a measure has been proposed for the protection of the lives and property of the people of Western Australia, owing to war conditions. During the last war there was a definite alignment of Britain, her Allies and her opponents. At present we stand alone with little or no knowledge as to the attitude likely to be taken by those nations not already involved in the war. In addition, we are not in the happy position of being able to send troops away to fight and having at the same time the knowledge that we in Australia are free from attack. The position alters so quickly that to say what may happen from week to week is almost impossible. The Commonwealth Government is committed to sending troops overseas, but at the same time we have to be prepared against any hostile attack on our own land either by air, by a raider bombarding us from the sea, or by land forces: for it is possible though I think very improbable—at least I hope so—that an army may attempt to land on our shores. The Bill is to make provision for the protection of people and property in this State. While we all trust that the day will not arrive when we are faced with invasion, we must be prepared for an emergency.

Tasmania has enacted a measure similar to this one. In that State powers of administration are vested in what is known as the Civil Defence Legion. A like measure in Victoria provides that the Governor-in-Council may confer those powers on any Minister, organisation, person or officers.

The Queensland Act deals only with the appointment of air wardens by the Commissioner of Police and with the duties of such wardens in the event of air raids. The Bill is similar to the Tasmanian and Victorian measures. It contains a proposal to appoint a body to be known as the Civil Defence Council. The number of members on the council will be unlimited, but there must not be fewer than five. I think it will readily be agreed that to state definitely in a Bill of this description the exact number of members to be appointed would be inadvisable. We do not really know what is in front of us or how many people will be required to act in an advisory or administrative capacity under this measure.

The Bill is designed to assist the Commonwealth authorities and the relative responsibilities of the Commonwealth and State may be defined as follows:—(1) The Commonwealth to make adequate provision for the defence of Australia from enemy attack in any form; and (2), the State and the instrumentalities appointed by the State to provide for the safety of the civil population and its protection from the consequences of enemy attack. Members will appreciate that a line of demarcation is proposed between the responsibilities of the Commonwealth and of the States in the event of such an attack occurring. This was the basis on which a conference was held at Canberra between the Commonwealth and State Governments, and the following resolutions were agreed to:—

1. The Governments of the Commonwealth and the States are agreed on the urgent importance of the early completion of the measures already taken to prepare plans for the protection of the civil population of the respective States from the consequences of aerial attack, which may involve the employment of high explosive and incendiary bombs as well as the use of gas.

2. In the execution of that policy, the Governments of the Commonwealth and of the States also agree that—(a) The preparation of suitable schemes of passive protection of the civil population and the application of such schemes in time of emergency are essentially a responsibility of each particular State.

This Bill really provides for the preparation of such schemes which, to a large extent, will be left to the proposed council.

(b) The schemes will be based on the scale of attack which will be conveyed secretly by the Prime Minister to each Premier, and such schemes will, in detail, cover the various points submitted to the conference by the Common-

wealth Government as being essential features of efficient plans for the protection of the civil population.

(c) The Secretariat, Department of Defence, will be the central co-ordinating authority in connection with all national air raids precautions activities.

(d) The manner whereby liaison will be effected between responsible Commonwealth and State air raids precautions officers will be as suggested by the Commonwealth Government in the air raids precautions notes submitted to the conference.

(e) The Commonwealth War Book should record the important air raids precautions action to be taken by State Governments, and should be supplemented in due course by copies of the separate detailed State plans.

The War Book referred to is confidential between the Prime Minister and the Premiers. I have not seen it. It has been in hand since the war started, and I understand has a very important bearing on the defence of Australia. Whatever plans are made in each State will be recorded in the War Book. Following on these conference resolutions, the State Government commenced the preparation of a plan, and the Premier's Department became the central office under the chairmanship of Mr. Shapeott. The Government approached Professor N. S. Bayliss to accept the position of chief warden. I am pleased to say that Professor Bayliss accepted the responsibility, and under his guidance much volunteer work has been done in the organisation of wardens throughout the metropolitan area, and at Albany, Bunbury, Collie, Geraldton and Northam. Helpful co-operation in this work has also been received from the local authorities. The municipalities and road boards have nominated divisional and head wardens and provided accommodation, borne small expense—with doubtful power to do so—and given much valuable assistance. The local authorities have been at a disadvantage. They were in doubt whether they should use their money for this purpose, but this Bill provides the necessary authority for them to do so under special conditions.

In addition, the medical fraternity has formed a medical co-ordination committee to control the medical and hospital side of the plan. This section has formulated a very comprehensive scheme for use in the event of an attack. The St. John Ambulance Association has been approached and has given all possible assistance. In the event of an attack being made, the fire brigades will be a very important factor. They also have

been approached and have been allotted their task. The Military Department and many other organisations have co-operated in an important manner. The co-ordination of all these services and sections is essential, and Mr. G. H. W. Long, until recently Under Secretary of the Metropolitan Water Supply Department, offered his services. These have been accepted and Mr. Long has commenced duty as co-ordinating officer. On behalf of the Government I should like to thank the many people who have so willingly and enthusiastically given their assistance in the preparation of our plans. Their help has been most valuable. Lieutenant-Colonel Thirkell, Director of Civil Defence and State Co-operation, recently visited Western Australia, and the Premier was good enough to send me his report. Generally speaking, he was well satisfied with the progress made in this State. His advice on the need for greater co-operation between the various units is much appreciated and, with the passing of this measure, we hope to bring our organisation to a higher state of efficiency. We have gone a certain way, but it has become increasingly evident that a legal basis was necessary to permit of the full development of the plans. These plans necessarily envisage the enlistment and training of personnel, including wardens. Much has been done in the direction of selecting wardens and training them, but we have a large State containing many towns and the necessity for securing air wardens and training them is important. This scheme is by no means spectacular. We are not putting these helpers into uniform, or parading them with brass bands. The service, however, is essential in the event of an attack, and it is not easy to obtain the necessary personnel to carry out the work, particularly if these workers have no authority. First aid will also be an important factor in the event of an air raid being made on any of our towns. Though we have very efficient fire brigades, I think it would soon be found that there were insufficient firemen to carry on the work.

Mr. Cross: There are not sufficient in the metropolitan area in normal circumstances.

The MINISTER FOR MINES: I thought I would get a bite there. It is essential that we should have available a sufficient number of men, not necessarily trained as firemen, but trained in some way to ensure their being in a position to render valuable

assistance to the firemen. Even the member for Canning (Mr. Cross) will agree that in the event of a big fire occurring in the city the presence of a number of persons who know little or nothing about the work involved would constitute a greater nuisance than assistance to the experts engaged. It may be found necessary as time goes on to obtain the services of a sufficient number of men who will assist the firemen in the event of trouble arising. Then there are the rescue parties. That is not an easy job. In the event of a building being wrecked and people being buried beneath the debris, and of walls overhanging and being about to topple, it will be necessary to employ people who understand the class of work involved. They would have to be organised and made ready for action if required.

Provision must be made for a decontamination squad. Up to date we have not heard very much of gas, but in the event of Hitler taking it into his head to use gas, we must be prepared to cope with the situation. We must have available men who understand all about decontamination. The medical services I have dealt with. That section is to a large extent well on its way. If we were raided to-morrow, we should find that our medical men had been organised, that officers had been attached to medical services, and we would know where the hospitals were, what accommodation was available, and so forth. All these people have been posted ready to take their places. Then there is the necessity for the provision of sandbags and air raid shelters. It is very important that we should know exactly where to lay our hands on sandbags. I am not aware that any money has yet been appropriated by Parliament for that purpose. There are many places at which we ought to erect air raid shelters. Some of those places would make efficient air raid shelters, but we have no authority to go into them or to erect shelters where we think they ought to be. By this Bill we are asking for authority to provide air raid shelters and sand bags if necessary.

Another important factor in the event of an air raid will be the evacuation of people from dangerous areas. One would surmise that if there is going to be an attack, either from the sea or from the air, it will be somewhere along this coast. We could well imagine the difficulty at Fremantle of evacu-

ating large numbers of women and children if we had not already made provision for requisitioning the necessary premises, and vehicles for transport, petrol, oil and other commodities. It is also necessary to fix the compensation for the use of vehicles, if such compensation has to be paid. In the event of evacuation of large numbers of women and children, every preparation must be made in advance, and there may be also the inmates of institutions who will have to be evacuated quickly. Those in authority will want to be able to put their hands on any transport they require, and to be in a position to say at once in cases of emergency, "We want this or that." At the moment, because of the absence of legal authority, they could be told to mind their own business.

It is also necessary to establish warning systems and make provision for uniforms. To prevent chaos, the warnings should only be sounded by men in authority. It will be necessary to collect information from householders and others for presentation to the Registrar, but that is not as simple as it looks. I do not blame some householders for not giving information to any Tom, Dick or Harry who may come along. Information will require to be collected in various parts that are deemed to be potential places for air raids. To obtain that information it will be necessary to have people in authority. Strict supervision must be exercised over the demolition of buildings and of those that are partially damaged. Members will agree that if the roofs of buildings have been blown away, and the walls are beginning to stagger, the job of handling such work would not be one for a new chum. The work would be most dangerous even for skilled people, and from the point of view of the safety of the public, skilled men would have to be employed.

Mr. Sampson: That is one of the most dangerous jobs for anyone to undertake.

The MINISTER FOR MINES: In certain circumstances people are only too anxious to help, but by rushing in they are liable to act detrimentally to themselves as well as to others. It is also necessary to have some system for the valuation of premises, vehicles and stocks requisitioned with a view to determining the value of the hire or compensation in the event of damage. People who are used to that work will have to be employed and the duties allotted to them.

There are many other matters that it is impossible for me to enumerate in connection with this Bill. Those of us who have any imagination will visualise that many things will crop up from day to day, when calamities take place, that it is impossible to provide for at the moment. As can be believed the powers contained in the Bill are wide. The member for East Perth (Mr. Hughes) may, for instance, suggest that the powers are already possessed by the Commonwealth Government.

In the event of a hostile attack upon any part of Western Australia the Government may of its own volition, or at the urgent request of the Commonwealth Government, have to take immediate and drastic action for the protection of the civil population. In such event it is not of much use to consult the Leader of the National Party or the member for East Perth, as qualified legal men, whether we have the necessary authority under this or that Act. Consequently, we should have these powers embodied in an Act about which we as its framers know something. Provision is made for the establishment of a council which will consist of persons appointed by the Governor on the recommendation of the Minister. The appointments have not yet been considered. It will be agreed that very grave consideration will have to be given to the appointment of such a council, as its members will be granted very wide powers, subject to the Government. The powers, functions, and duties of the Government are set out in the Bill. The measure also provides that payment of allowances and expenses, to be made in the discretion of the Governor may be fixed or prescribed by regulation. Such payments can be made only on the recommendation of the Minister and with the approval of the Treasurer. In point of fact, it is not anticipated that the expenses incurred in preparation of plans and organisation will be very great. In Western Australia there are many highly capable men who are prepared to give their services, even in matters of this description. Power is also taken in the Bill for the Governor to make regulations providing for all or any purposes. This may appear a highly drastic power, but the measure deals only with defence and protection of life and property in case of emergency. There will not be an orgy of regulations for this, that, and the other. The Bill

deals chiefly with the protection of the lives of our people in the event of what I may call a tragedy. The regulations cover a very wide area, but they will only be made from time to time if necessity for doing so should arise. Further, the Bill permits the Governor to enter into any arrangement with the Governor-General to give effect to any Commonwealth law or regulation. This is necessary, as some of the powers which may be exercised can be granted only under the National Security Act or Defence Act. At the same time the Bill gives the Governor power to confer and impose powers and duties on any public official, body, or person.

Provision is also made, subject to the regulations, that local authorities shall provide for the protection of persons and property in their own districts. Local authorities, I know, in most cases are anxious to assist; but they desire to know how. One local authority in the metropolitan area takes the stand that these matters are matters for the Federal Government. I believe I am right in contending that in the event of an attack on Australia, that attack will not be a matter for the Federal Government or the State Government, but for the Australian nation.

Hon. C. G. Latham: Yes, and for every individual.

The MINISTER FOR MINES: Local governing bodies are just as much sections of the nation as is the Federal Government or the State Government. I agree with the Leader of the Opposition that an attack would be the concern of every individual Australian. The Leader of the Opposition knows something of war, and I think the hon. gentleman will agree that it is much better to organise many individuals than to have confusion when an emergency occurs. Regulations under this Bill shall be deemed to be a work or undertaking within the meaning of the Local Government Act. The cost of such work or undertaking may be paid out of the funds and reserves of the local authority. Whatever local governing authorities are asked to do will be a work or an undertaking under that Act accordingly. That has been one of the difficulties; the Local Government Act allows certain things to be done, but not the things here in view. Under the Bill a local authority may, if

required by the Governor, borrow money for the purposes of the measure. As members are aware, if a local governing authority, such as a municipal council, proposes to borrow money in ordinary circumstances, there is provision for a referendum of ratepayers to decide whether the money shall be borrowed or not. But a referendum cannot be held at a time when people are rushing around at the last moment, possibly making for air-raid shelters. An attack may come any day, and there will be no time to take a referendum. Therefore the Bill proposes that if the Minister is satisfied, and certifies to that effect, the local authority may borrow money for these purposes without giving anyone an opportunity to call for a referendum on the question. There is the safeguard as to the Minister being satisfied and so certifying.

Provision is made for penalties for any offence against the measure. The cost of administering it is to be paid out of moneys to be appropriated by Parliament. At present there is no such appropriation. We hope that the cost will not be great. The measure shall, unless repealed sooner, continue in operation only for the duration of the war and six months after.

As I have already mentioned, the Bill gives the Government very wide powers, which will, however, be used only in emergency. The main thing is to be prepared. Although a great deal of organisation has already been effected, this legislation is needed so that the Government shall, in the event of emergency, be able to take essential precautions to safeguard the civil population. That is the Bill. It is a highly difficult Bill to explain and to handle. I freely admit that if the measure becomes law, it will have to be enforced largely by regulation. I also admit freely that as a rule Parliament is disinclined to give wide powers for the making of regulations. However, the Bill has one purpose, and only one purpose: and that is the protection of civil life in Western Australia. The measure can be put into operation only in the event of certain possibilities becoming actualities. While waiting for such emergencies, we must provide that the necessary organisation shall be as nearly complete as possible. The proposed organisation is not one of those spectacular organisations

into which people flock; and, indeed, I do not know that it would be advisable to have them flocking in, because largely the work to be done is work for specialists. The Government has already received assistance from such specialists, and additional specialists are being trained. Whilst we are doing that, we want authority for doing the job properly. I commend the Bill to the House. In Committee, questions will doubtless be asked, and I shall be only too pleased to answer them to the utmost of my ability. I move—

That the Bill be now read a second time.

On motion by Mr. McDonald, debate adjourned.

BILL—CITY OF PERTH (RATING APPEAL).

Second Reading.

THE MINISTER FOR WORKS (Hon. H. Millington—Mt. Hawthorn) [5.58] in moving the second reading said: This Bill is introduced in compliance with a request submitted by the Perth City Council. The Municipal Corporations Act (Sections 401 and 402) provides that any person who thinks himself aggrieved on the ground of unfairness or incorrectness in the valuation of rateable property, or the amount assessed thereon, may appeal against that valuation. For the purpose of hearing the appeals, the council must sit as a court. If, when the council has dealt with the appeal, the ratepayer is dissatisfied with the decision, he may appeal to the Local Court.

Members will realise that it is difficult for a body of laymen, even with the best will in the world, to arrive at a just decision on the merits of a case in which there are so many abstruse and even technical points as are raised in regard to many appeals against valuations of big business premises, hotels and other involved cases, such as exist in a city like Perth.

In the case of a municipal body of the size of the Perth City Council, which comprises a Lord Mayor and 24 councillors, it is exceedingly difficult satisfactorily to operate such a court. Decisions can be made only by motions, and possibly amendments, duly moved and seconded and then put to the vote in the presence of the as-

sembled appellants. Particularly is this unsatisfactory when it is realised that the members of the court who have to move, second and vote on these motions hold their positions at the will of the electors, many of whom are assembled in the court room in support of their applications for reductions of values. Many of the members of the Perth City Council have for years past been of the opinion that a change should be made in the system of appeal as prescribed in the Municipal Corporations Act. Some years ago, after consultation with the City Solicitor, the proposal was advanced that the right of appeal to the council should be abolished and that appeals should be taken direct to the Local Court. After full consideration, however, it was considered that while this might be an improvement in one way, it would hardly be fair to the rate-payers on the score of expense. No cost is involved in an appeal to the council but an appeal to the court would probably necessitate costs for legal and expert valuation assistance. As the result of more mature consideration, the council has approved of the method of appeal set out in the Bill now before members.

It will be noted that the Bill applies only to the City of Perth. This is so mainly because of the size of the council and the involved nature of many of the valuation appeals which require to be adjudicated upon. Briefly, the proposal is to abolish the council as a rating appeal court and to appoint in lieu thereof a board of three members to hear all appeals. The suggestion is that the chairman shall be a lawyer, thus providing the benefit of a man with experience in the weighing of evidence, one who shall be a member of the Commonwealth Institute of Valuers and a third member who is to be the representative of the ratepayers. The right of appeal from the decision of the board to the local court is retained. It is considered that decisions obtained from an expert board of this description could, and would, be accepted with confidence. Rate-payers would have as free access to the board as they now have to the council under the Act in its present form, and there will be no necessity for any costs to be incurred through making appeals.

For the information of the House I have procured the following particulars with regard to valuation and appeal procedure in

the several capital cities of Australia. The valuing is performed in those centres by officers as follows:—

Perth: City valuer, who is a permanent officer of the council. Number of assessments, about 27,000.

Adelaide: City valuer—permanent officer of the council. Number of assessments, 13,181.

Melbourne: City valuer—permanent officer of the council, with the assistance of six ward valuers. Number of assessments, 23,231.

Sydney: City assessor and resumption valuer—permanent officer of the council. Number of assessments, 30,870.

Brisbane: Valuer—permanent officer of the council. Number of assessments, 94,000.

Hobart: Valuer—permanent officer of the council. Number of assessments, 12,733.

Members will notice from those details that in each instance the valuer is a permanent officer of the council concerned. The appeal authorities in those capital cities of the Eastern States are as follows:—

Sydney: (a) The Valuation Court if the value of the land does not exceed £5,000.

(b) The Land and Valuation Court if the value exceeds £5,000. The Valuation Court consists of the nearest Court of Petty Sessions.

The Land and Valuation Court consists of one of the following:—

Judge of the Supreme Court.

Deputy Judge of the Supreme Court.

District Court Judge.

Practising barrister of not less than five years' standing.

Practising solicitor of not less than seven years' standing.

Adelaide: Assessment Revision Committee, consisting of all the members of the council or any five or more of the said members, with a further appeal to the Local Court.

Melbourne: Court of Petty Sessions.

Brisbane: Valuation Court consisting of any two or more justices of the peace or any police magistrate.

That indicates the position as it obtains in the capital cities of the Eastern States. The decision of the Perth City Council was arrived at after mature consideration. A request was made to the Government prior to last session, but that request was withdrawn. After further consideration, practically the same proposal was again placed before the Government. I am not aware that any objections have been taken to the suggested change, although wide publicity was given to the intention of the council to effect the alteration outlined in the Bill. I remind members that the request for the change comes from those who constitute the present appeal court—the members of the municipal council themselves. It appears

to provide a satisfactory alternative to the existing law. Other municipalities did not ask for the alteration and therefore will not be included in this legislation. The Government is affected to some extent, as it accepts for its assessments for water rates the valuations of the Perth City Council. If these are altered on appeal, then our assessments are amended accordingly. That is the position. As I said, the Perth City Council—after a lengthy experience—desired this alteration in the law; and the Government, after consideration, agreed to introduce the Bill. It simply provides for the substitution of an appeal court, constituted as I have mentioned, for the full council of 24 members sitting as an appeal court. I move—

That the Bill be now read a second time.

On motion by Mr. Shearn, debate adjourned.

BILL—RESERVES (GOVERNMENT DOMAIN).

Second Reading.

THE MINISTER FOR LANDS (Hon. F. J. S. Wise—Gascoyne) [6.10] in moving the second reading said: This Bill provides for the excision of portion of the area known as the Government Domain for the purpose of constructing thereon a Government building. On numerous occasions debates have taken place in this House on the necessity and the urgency for additional and adequate accommodation for some of the Government departments. For many years successive Governments have endeavoured to obtain a satisfactory decision on this vexed question. The matter was debated again last session, but the Bill submitted was rejected by both Houses. Parliament then decided to appoint a joint committee of both Houses thoroughly to investigate the matter and make recommendations to the Government.

Hon. C. G. Latham: Parliament was not asked to give that authority; it has not the power.

The **MINISTER FOR LANDS**: Parliament gave that authority. It appointed a committee of both Houses—not a select committee, but a committee endowed with authority by Parliament to make an investigation and recommendations. The com-

mittee comprised eight members, and it fell to my lot to be chairman. In support of the committee's recommendations to Parliament, I can say they are the result of an exhaustive examination of this problem. The Bill presented to Parliament last session was in a form different from that which is now submitted. It related to another area, part of the area dealt with by the present Bill. Of the members of the committee selected by Parliament, at least five opposed the Bill presented to Parliament last session. As I say, the committee undertook an exhaustive examination and inspected every site that was considered suitable, having due regard to the principal considerations influencing the choice of a site.

Sitting suspended from 6.15 to 7.30 p.m.

The **MINISTER FOR LANDS**: To delay the House unduly on this matter is unnecessary. I was referring to the attention given to the subject over many years. Hon. members will be able to gauge the thoroughness with which the question has been tackled recently when they read the report of the committee, copies of which were distributed. Following a thorough examination of the position a unanimous decision was reached and the report contains adequate reasons for the committee's recommendations. Every consideration likely to influence the choice of a site for public buildings was fully examined and the features desirable in the site to be chosen were given full weight. All sites likely to prove suitable were inspected by the committee and the report shows the grounds on which the decision of the committee was based. The importance of finding a site for public buildings needs no stressing. The requirements of the Titles Office and the Agricultural Department have been emphasised many times in this Chamber. Taking a long view, all the Government's needs for many years will be provided for in the area the excision of which the House is asked to approve. It was not merely a majority, but a unanimous decision on the part of the committee that this site should be selected, and I am confident that all hon. members who carefully peruse the report will realise that no aspect of the matter was over-

looked before finality was reached. I move—

That the Bill be now read a second time.

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

BILL—ELECTORAL ACT AMENDMENT.

Second Reading.

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Kanowna) [7.34] in moving the second reading said: The Bill proposes to amend the Electoral Act 1907-36, the purpose being to tighten up certain sections. In the event of the Bill becoming law, it will be an offence for a person to nominate for election to the State Parliament if he is disqualified under the Constitution Act. Persons not eligible to sit in the House have nominated in the past. One such individual was elected, but did not take his seat. He did, however, receive the Parliamentary allowance and also travelled over the State and Eastern States railways on his member's pass. That kind of practice affects every member both of this House and another place. The Bill proposes to penalise any person or persons nominating without being qualified to sit in the House. It is astounding that individuals not possessing the necessary qualifications should attempt to seek the high honour of election to Parliament to represent the people of this huge State. The only means of preventing them from seeking loopholes in the Act whereby they may be returned to this Chamber is by penalising them. Hence the proposed amendment of the Act.

Provision is also made in the Bill that if a candidate for election dies between nomination and polling day or on polling day, the election will be considered to have failed. In the event of there being two candidates for a certain seat and one of the candidates being killed or dying on or before polling day, it would not be fair for the survivor to be elected as the representative of the people of that constituency, because in ordinary circumstances he might have no chance of winning the election. Should such a death occur at any time in the future, a fresh election will have to be held. The Bill contains machinery clauses to implement these

proposals, but they can be discussed in Committee.

The Act provides that if there are only two candidates and one of them withdraws or dies, the survivor is declared elected. We do not intend to interfere in the case of a withdrawal. The person withdrawing would still be alive and might be considered as having withdrawn only because he had not much chance of winning the contest. The death of a candidate, however, is a different matter altogether and in such circumstances it is only fair that another election should be held. If death intervenes it might have the effect of upsetting a Government. A very sad case occurred at the last elections. Miss May Holman met with an accident, and had she died before or on polling day, the other candidate would have been elected. That might have made the difference between the Labour Government's continuing in or going out of office. Members will appreciate that that would not be quite fair, and the Bill makes provision to meet such a case. If there is no candidate the election will wholly fail and a new writ will be issued. This is a simple but important Bill, and I think it should command the support of every member. By no means is it a party measure; it will affect all parties alike. I shall not labour the point. Members are thoroughly aware of the position and should be able to appreciate it to the extent of giving favourable consideration to the measure. I move—

That the Bill be now read a second time.

On motion by Mr. Watts, debate adjourned.

BILL—MINE WORKERS' RELIEF (WAR SERVICE).

Second Reading.

THE MINISTER FOR MINES (Hon. A. H. Panton—Leederville) [7.42] in moving the second reading said: This is a simple Bill designed to protect those mine workers who are contributors to the mine workers' relief fund and who enlist in the military forces. It is not an amendment of the Mine Workers' Relief Act, 1932-34, but is a separate and distinct measure to be read in conjunction with that Act. The protection comes under three categories. Laboratory certificates have a currency of two years. If a mine worker is absent from employment

in the mines for more than two years, he must be treated as a new applicant for employment. That is the existing law. He might have silicosis or some other complaint that would not prevent him from renewing his certificate if he was constantly employed, but would prevent him from obtaining an initial certificate if treated as a new applicant. If he was then found to be suffering from silicosis or other industrial complaint, he would not be issued with an initial certificate. A man joining the military forces might be absent for two years. He might have a touch of silicosis on leaving the mines, and if he had to submit to an examination for an initial certificate, he would not receive one.

The Bill provides that, while he is on war service, he will be considered as a constant mine worker for the purposes of laboratory examination. Such a man will be so regarded provided he submits himself for laboratory examination within six months of his discharge from the military forces. During his absence his liability to contribute to the fund under the principal Act will be wholly suspended. Provision is made that if a mine worker is examined by the laboratory within six months of his discharge from war service and he is then found to be eligible for any benefit under the principal Act, he shall be entitled to receive that benefit. We have made one exception. Under a proviso, he will not receive any benefit if he is then found to be suffering from tuberculosis. The reason for this proviso is that when a man enlists he has to pass an x-ray examination, which is a severe one.

Hon. C. G. Latham: When he enlists in the A.I.F.?

The MINISTER FOR MINES: Yes.

Mr. Doney: Would not that disclose the presence of silicosis?

The MINISTER FOR MINES: Yes. As the military authorities accepted the man as physically fit and x-rayed his lungs, we regard him as having been free from tuberculosis when he left the mining industry. If, on his return, he submits himself for laboratory examination and is found to be suffering from tuberculosis, we say the disease must have been contracted during the war service and that such a case is the responsibility of the Repatriation Department and not of the Mine Workers' Relief Fund. With anything else but tuberculosis, he may

return to his place in the mine, and he will be kept financial during his absence on service and will be entitled to any benefit other than for tuberculosis. That is all the Bill provides for. It is not asking too much of the Repatriation Department to accept responsibility for a man if he contracts tuberculosis while serving in the forces. I move—

That the Bill be now read a second time.

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

BILL—FREMANTLE GAS AND COKE COMPANY'S ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WORKS (Hon. H. Millington—Mt. Hawthorn) [7.48] in moving the second reading said: The effect of the amendment as contained in Clause 2 of this short Bill is to enable the company to increase its share capital from £60,000 to £120,000. The company was originally incorporated under the Joint Stock Companies Ordinance of 1855 with a nominal capital of £15,000, divided into 15,000 shares of £1 each. In 1886 the Government introduced and Parliament passed a measure entitled the Fremantle Gas and Coke Company's Act. Under Section 11 of the Act, the company was authorised to increase its capital from £15,000 to £60,000 conditionally upon any increase being sanctioned by the shareholders of the company at a special meeting convened for that purpose. Representations have been made by the company to the Government that additional capital is urgently required to enable the company adequately to cope with its expanding business. The principal Act restricting the capital issue to a maximum of £60,000 was passed in 1886. It is reasonable to assume that an increase is necessary after the lapse of so long a period. In 1886 the called-up capital of the company amounted to £15,000, and the gas made totalled 2½ million cubic feet. In 1919 the called-up capital was £30,000 and the gas made was 44 million cubic feet. Twenty years later, in 1939, the called-up capital was £60,000 and the gas made was 90 million cubic feet. In 1886 the company's activities were limited to within a radius of five miles of the Fremantle Town Hall, but in pursuance of an amendment passed in 1938 the company may now supply gas outside the aforementioned

tioned radius provided the approval of the local authorities concerned and the Governor is first obtained.

So far as I can ascertain the company is endeavouring to meet its responsibilities to the citizens of Fremantle and adjoining districts in a reasonable manner. To make sure of this point, today I got into touch with the local authorities concerned, namely, the Fremantle Municipal Council, the East Fremantle District Council, the North Fremantle District Council, the Claremont Municipal Council, and one other authority. In each instance I was told that the local authority was anxious to continue under existing conditions. Although the original Act provided that the work could be taken over by the local authority, no desire to do so has been expressed from any of those districts and no arrangements have been made with that object in view. Since the company has a monopoly to serve those districts, it is necessary that it should have additional capital with which to extend its business.

In 1919, four vertical retorts—a new method of carbonisation—capable of producing 69 million cubic feet of gas per annum were erected. The make of gas for that year was 44 million cubic feet, and for the year 1927 it had increased to 63 million cubic feet, when four additional retorts were erected. In 1929 the 69 million cubic feet mark had been reached. For the ensuing five years the output of gas per annum somewhat decreased, principally because of the depression. In 1936 the company's activities were extended to the Cottesloe district, and the make of gas for that year was 66 million cubic feet. The output again steadily increased for the years 1937 and 1938, and in 1939 the production was 90 million cubic feet consequent upon the development of a supply of gas to the Cottesloe district in 1936. The company's increased outlay of capital expenditure was considerable because of the installation of additional retorts, gasholders and concomitant parts of a gas manufacturing business. I am advised that the four retorts erected in 1919 have outlived their usefulness and been thrown out of action. In 1932 two extra retorts were built. As business has increased since the close of the year 1939—for the six months ended May, 1940, the make of gas was 50 million cubic feet—con-

sideration must now be given to the erection of two more retorts. The Bill, therefore, authorises the company to increase its capital from £60,000 to £120,000.

Mr. Tonkin: Will that be new capital or will there be an issue of new bonus shares?

The MINISTER FOR WORKS: The authorisation in the original Act limits the capital to £60,000, and the proposed amendment merely alters that figure to £120,000, which would mean that the company was authorised to raise capital to the extent of an additional £60,000.

Mr. Marshall: That could be done by watering the stock.

The MINISTER FOR WORKS: The Bill will authorise the raising of that additional capital. In Committee, we can determine whether the company should be restricted in any way as to the manner in which the capital shall be raised. The company is a private one. It has been ruled, however, that it is catering for the public and therefore working in the public interest. That is important. I inquired how the charges imposed compared with those of the only other supplying authority in the metropolitan area, the Perth City Council. I learned that the company supplied the first 1,000 cubic feet at an average rate of 7s. 11d. per thousand cubic feet, with which price the local authorities concerned are satisfied. The Claremont district is supplied partly from Perth and partly from Fremantle, but there is very little difference in the cost. The Perth City Council charges at the rate of 9s. 4d. per 1,000 feet for the first 500 cubic feet, so that the company's flat rate of 7s. 11d. has suited the smaller user better than has the rate of the Perth City Council. The company has not imposed unjust conditions upon its customers, and its rates compare more than favourably on the lower scale with the rates charged from Perth. The Perth City Council has bigger customers to whom the rate is reduced after the first 1,000 cubic feet. It cannot be said that the Fremantle Gas Company charges a rate that in any way prejudices the average householder.

It has been suggested that all the local authorities in the Fremantle district should be given the opportunity now availed of by the company. Had they desired, they could have taken over the supply of gas under the

provisions of the original Act, but they have not chosen to do so. Because it had the power, the company could have imposed conditions and influenced the price of gas to an extent that was not satisfactory to the users. The price is the important thing to the ratepayers. I assume that no one is quite so much concerned about the ratepayers of those districts as are the local authorities. Those authorities are satisfied to continue under existing conditions. I have, therefore, brought down this Bill to enable the company to go so far as to double its capital. That is not to say such a step will be taken immediately, but the additional capital will be required to meet the demands of the districts concerned, to serve which this House has already given the company the necessary authority. I move—

That the Bill be now read a second time.

On motion by Mr. Doney, debate adjourned.

BILL—STATE TRANSPORT CO-ORDINATION ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WORKS (Hon. H. Millington—Mt. Hawthorn) [8.1] in moving the second reading said: The Bill which is the subject of the present consideration of the House is intended to amend Section 59 of the State Transport Co-ordination Act, 1933-38. Section 59 deals with the administration of the Transport Co-ordination Fund; so that this amendment will not affect the provisions of the Act so far as they relate to the actual transport of goods or passengers or to the rights and obligations of road haulers. Section 59 provides firstly for the establishment of the Transport Co-ordination Fund, and continues in Subsection 2 as follows:—

Out of the said fund there shall be paid the cost of administration of this Act, and at the end of the financial year any balance remaining in the fund shall be divided into two portions in the same proportion as the total of license fees derived from licenses issued for omnibuses bears to the total license fees derived from licenses issued for commercial goods vehicles.

It is proposed to insert the words "and contributions to the Superannuation Fund payable by the board under any agreement made

between the board and the Treasurer under the provisions of Section six of the Superannuation and Family Benefits Act, 1938-39." This would authorise the payment of superannuation contributions as well as ordinary administration expenses.

The Superannuation and Family Benefits Act, 1938-39, provides for contributions being made by both employer and employee. Where the State Government is directly the employer, no difficulty arises; but in the cases of employees of the Western Australian Transport Board, the board must comply with the requirements of the Transport Act so far as the expenditure of its funds is concerned. These requirements are specifically laid down in Section 59. The procedure prescribed in relation to the Superannuation Fund is dependent on the Transport Act being in conformity, but the Superannuation Act itself cannot be interpreted as an amendment of the Transport Act.

The amending Bill is presented, therefore, to overcome the technicality which was not foreseen when the Superannuation Act was passed; and it is recommended to the favourable consideration of the House. The permanent staff of the Transport Board totals seven; and as only four of these have applied for permission to come under the terms of the Superannuation Act, the Transport Board's liability in respect of this matter is very small.

This amending Bill is needed because the Act is limited. The section I have read specifically sets out how the board's money shall be expended, and there is no power to pay contributions for employees to the Superannuation Fund. Employees have paid already, and it has been discovered that the Transport Board has no right to pay its share towards the Superannuation Fund. I understand that the same position exists in connection with Main Roads Board permanent employees, but there the necessary provision was made. The Transport Board staff is, as I have mentioned, very small, but more members of that staff desire to come under the Superannuation Act. Therefore, the Bill is necessary. I move—

That the Bill be now read a second time.

On motion by Mr. Doney, debate adjourned.

BILL—LICENSED SURVEYORS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR LANDS (Hon. F. J. S. Wise—Gascoyne) [8.7] in moving the second reading said: The law relating to the profession of licensed surveyors is contained in the Licensed Surveyors Act of 1909. Section 4 of that Act provides for the appointment of a licensed surveyors board consisting of six members—the Surveyor-General, and five other members nominated by the Government. The Licensed Surveyors Board has authority to conduct examinations, to issue licenses, and to hear charges against licensed surveyors in connection with activities within their profession. The Institution of Surveyors has for a long time requested that it should have direct representation on the board, and also that it should have the privilege to nominate two of its members as members of the board. The practice is that the Surveyor-General selects two nominees, and usually invites the Institution of Surveyors to nominate two members. Although only in one instance has it happened that a nominee of the institution has been turned down, the institution contends that it should have the right to nominate directly two representatives to be appointed to the board. Since the board has power to inquire into improper conduct by surveyors in relation to their profession, it is considered reasonable that the board should have the privilege mentioned.

There exists between the Australian States and New Zealand a reciprocal arrangement regarding issue of authorities and licenses; and there is also a reciprocal authority for suspension of members as between one board and another. Examinations are held simultaneously between the reciprocating States. Generally, in all other States the institution has the privilege which this Bill seeks to confer. The matter has been thoroughly examined, and the Surveyor-General is strongly of opinion that the institution should have this privilege, and that, as specified in the Bill, two members of the board should be nominated by the institution, and two members by the Government. Under the present Act no provision is made requiring any member of the board, apart from the

Surveyor-General, to be a licensed surveyor. The amendment embodied in the Bill provides that at least four members of the board shall be licensed surveyors. With the general trend of surveying towards engineering it is considered that at least some acknowledgment may be given to the Institution of Surveyors in having their direct nominees sitting on the board having authority over all licensed surveyors. The board consists of five licensed surveyors and Professor Blakey, Associate Professor of Engineering at the University of Western Australia.

The Bill is quite simple. The object is to overcome a phase that has been considered by the Institution of Surveyors to be of disadvantage for many years, and it brings the Licensed Surveyors Act of this State directly into line with the Licensed Surveyors Acts of the other States of Australia and of the Dominion of New Zealand. It was the intention of my predecessor in office to introduce this legislation, but, because of his impending departure for London, he decided to allow the matter to stand over for his successor to deal with. The measure has been thoroughly examined in all its aspects, and the fact that it will bring all Australian legislation regarding surveyors into line is one point that should commend the Bill to members. I move—

That the Bill be now read a second time.

On motion by Mr. Thorn, debate adjourned.

BILL—MINE WORKERS' RELIEF (PAYMENTS AUTHORISATION).

Second Reading.

THE MINISTER FOR MINES (Hon. A. H. Panton—Leederville) [8.12] in moving the second reading said: This is another small Bill that is rather interesting, particularly from a legal point of view, and represents an attempt to do justice to six widows who reside on the goldfields. The preamble of the Bill really explains the measure and the schedule provides members with the names of the deceased mine workers, the date of their deaths, the names of their widows and the amounts payable. In effect, the reason for the introduction of the Bill is that in 1936 a miner established his right to the payment by the Mine

Workers' Relief Fund, during the time he was receiving workers' compensation payments, of the difference between the amount of his weekly workers' compensation payments and the weekly wages he would have received if he had continued working. Other mine workers affected were also paid accordingly. In November, 1938, this miner claimed that he had been underpaid. His claim was that the payment should fluctuate with the basic wage ruling from time to time whilst he was in receipt of workers' compensation. Payment had been made on the basis of the amount of the basic wage ruling when the mine worker ceased work. The Mine Workers' Relief Board was advised by the Solicitor-General to pay as claimed by this miner, and he and other mine workers affected were paid accordingly.

Between 1936 and 1938, however, some mine workers, who would have received increased payments, died, and their widows claimed the sums that would have been due to their husbands if they had lived. The legal advice was that the husbands' rights to payment died with them; but it was considered that payment should be made to those widows whose husbands joined with the first claimant in his legal action. This was done. There now remained six widows whose husbands had not joined the claimant in the original action, and who were thus not legally entitled to payment. Apart from this legal disability, they were just as much entitled to payment as those widows who had already received payment. The Crown Law authorities advised that because they did not join in the original claim, their husbands were not legally entitled to payment. The Mine Workers' Relief Board was anxious and willing to pay the six widows, but if payment had been made without legislative authority, the members of the board would have become liable to surcharge by the Auditor-General. Members will recollect that the board is elective and comprises representatives of the Miners' Union and the Chamber of Mines, with a third member representing the Mines Department. Those gentlemen were not prepared to accept the responsibility in the circumstances. The Bill, therefore, grants the right to make the payments that everyone, including the Crown Law authorities, believes are morally, but at present not legally,

due to the six widows. I admit there is some doubt even about the legal phase. Many arguments have progressed on the point, and we referred the matter to the Crown Law Department for advice. I have already indicated what that advice was. The argument has been proceeding for upwards of 18 months and the Bill seeks to put an end to it.

The proviso to Section 48 of the Mine Workers' Relief Act, which gave rise to this action, was amended in 1933, and so no further claims can now arise. The total liability is limited to the six widows mentioned in the schedule who are to receive a total of £186 17s. 11d. When these payments have been made, the Act will have no further force. The Bill really commits the board to the payment to the six widows of the total amount I have mentioned. I am not aware of anyone who does not agree that the widows are morally, and many argue that they are legally, entitled to the payments. As the Crown Law Department advised that the board was not legally entitled to make those payments, the Government has introduced the amending Bill to settle the argument and allow the Mine Workers' Relief Fund to distribute the small amount involved. I move—

That the Bill be now read a second time.

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

BILL—METROPOLITAN MARKET TRUST (LAND REVESTMENT).

Second Reading.

THE MINISTER FOR LANDS (Hon.

F. J. S. Wise—Gascoyne) [8.18] in moving the second reading said: The object of the measure is to empower the Metropolitan Market Trust to hand over portion of its area in Wellington street to the City Council for the purpose of further widening Wellington street. Members will recollect that when the original buildings of the Market Trust were erected, provision was made for the widening of Wellington street to the full width of 90 feet at that point, and the Market Trust also then made available the area leading through from Wellington street to the subway. A measure was introduced in 1930 handing over portion of the area to the City of Perth, and because of recent additions to the Metropolitan Markets for the

purpose of the new egg and poultry section, the opportunity was taken to set back the buildings in alignment with the previous structure. All the Bill now before the House seeks to achieve, is to permit the Market Trust to hand over the area adjoining the frontage recently built upon to the City of Perth for the purpose of widening Wellington street. The Market Trust has a title to its land, but it is considered necessary that this matter should be made the subject of legislation. The Perth City Council desires to proceed immediately with the work, and that is the reason the Bill is submitted for the early consideration of the House. The Bill is self-explanatory and clear-cut; it is simply to implement the desire of the Market Trust to continue the widening of Wellington street while the opportunity offers. I move—

That the Bill be now read a second time.

On motion by Mr. McDonald, debate adjourned.

BILL—AGRICULTURAL PRODUCTS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR LANDS (Hon. F. J. S. Wise—Gascoyne) [8.22] in moving the second reading said: This Bill, which was introduced as the Privilege Bill, is quite non-contentious. Its object is to bring fruit trees and fruit vines within the scope of the definition in the principal Act. It applies particularly to fruit trees and fruit vines imported from other States. The object of amending the Act in this way is to prevent the importation into the State of inferior fruit trees. At least 75 per cent. of the fruit trees planted here are imported. The average number imported during the last three years is 80,000 trees per annum, and these come from the Eastern States. That number is sufficient to plant 800 acres of orchard. On arrival, the trees—particularly if there is foliage on them—are subjected to a most rigid inspection by the Superintendent of Horticulture and his staff. Most of the trees imported during recent years can safely be said to have been free from disease, but instances occurred where the importations were undesirable and sometimes diseased. Such trees were either

returned or destroyed. Although upon inspection some trees were found to be in a healthy condition, in many instances the trees were stunted or came from bad stocks. We have no power to condemn or destroy such trees, however, because they are not actually diseased. The amending Bill is designed to prevent the introduction into the State of such stock, which in the ordinary course would prove to be unhealthy and certainly unthrifty. It is undesirable that trees of that class should be planted in the young commercial orchards of the State. Some of the stock which has been unloaded on to the State and planted here has caused us grave concern. Notwithstanding that on the advice of the departmental officers many orchardists have refrained from planting such stock, there is always the danger that poorly-rooted stocks of stunted trees, which have apparently been quite healthy on arrival, will be planted. If the Bill passes, trees that do not measure up to our requirements will be destroyed. The Bill is simple, but will have a far-reaching effect upon the ultimate production of our fruit trees. As I have said, we depend upon the Eastern States for 75 per cent. of our normal plantings, and we should not be subjected to dumping of unwanted and undesirable types.

Mr. Sampson: Old stock.

THE MINISTER FOR LANDS: Yes. We should take every possible step to prevent their introduction. The Western Australian Fruitgrowers' Association and the fruitgrowers themselves have been consulted on the Bill and are anxious that it should pass, so that power may be given to the State to prevent the deterioration of our orchards by the planting of inferior trees. I move—

That the Bill be now read a second time.

On motion by Mr. Thorn, debate adjourned.

House adjourned at 9.27 p.m.