

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

Ayes	28
Noes	6

Majority for 22

AYES.

Mr. Berry	Mr. Millington
Mr. Boyle	Mr. Needham
Mr. Coverley	Mr. Nulsen
Mr. Cross	Mr. Pantou
Mr. Fox	Mr. Raphael
Mr. Hawke	Mr. Rodoreda
Mr. J. Hegney	Mr. Sampson
Mr. W. Hegney	Mr. F. C. L. Smith
Mr. Hill	Mr. Watts
Mr. Holman	Mr. Willcock
Mr. Johnson	Mr. Willmott
Mr. Lambert	Mr. Wise
Mr. Leahy	Mr. Withers
Mr. Marshall	Mr. Wilson

(Teller.)

NOES.

Mr. Hughes	Mr. McLarty
Mr. Latham	Mr. Seward
Mr. McDonald	Mr. Doney

(Teller.)

Question thus passed.

House adjourned at 11.3 p.m.

Legislative Council,

Thursday, 7th November, 1940.

questions: Railways, Newcastle coal, freight	1788
Bills: Bills of Sale Act Amendment, 3a.	1788
City of Perth (Rating Appeals), further report	1788
Lotteries (Control) Act Amendment, 2a.	1788
Inspection of Machinery Act Amendment (No. 2), Com. report	1790
Civil Defence (Emergency Powers), 2a.	1790
Optometrists, 2a., Com.	1794
Registration of Firms Act Amendment, Com.	1796

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

QUESTION—RAILWAYS.

Newcastle Coal, Freight.

Hon. J. CORNELL asked the Chief Secretary: What is the freight charge per ton for the carriage of Newcastle coal from (a) Fremantle to Kalgoorlie? (b) Esperance to Kalgoorlie?

The CHIEF SECRETARY replied: (a) 27s. 6d. per ton. (b) 21s. per ton.

BILL—BILLS OF SALE ACT AMENDMENT.

Read a third time and returned to the Assembly with amendments.

BILL—CITY OF PERTH (RATING APPEALS).

Reports of Committee adopted.

BILL—LOTTERIES (CONTROL) ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.38] in moving the second reading said: This Bill provides for the continuance of the Lotteries (Control) Act for a period of 12 months to the 31st December, 1941. I believe members are fully aware that the benefits derived by the various charitable organisations through the operation of the Lotteries Commission are distributed throughout the length and breadth of the State, and it can also be said that the operations of the commission are responsible for a considerable amount of much-needed charitable relief that would not be available but for the existence of the commission. Hospitals, orphanages and the needy have all received material assistance. Unfortunately, owing to the very great demands on the purses of the public, particularly for patriotic purposes, during the last 12 months, there has been a falling off in the patronage of the lotteries conducted by the commission, and consequently the amount of money available for distribution in this way is not as large as it has been in previous years. The lotteries are feeling the effect, but I hope that during the coming year the amount available for distribution, if it does not increase, will be not less than that which was available this year. For the information of hon. members I propose to quote some particulars which have been supplied to me by the Lotteries Commission, and which will indicate the manner and directions in which proceeds have been distributed since last year's Act was passed. Seven consultations have been finalised to the close of the No. 90 consultation. The total amount subscribed by the public was

£174,995. Prize money amounted to £58,899 17s. 6d., representing 50.8 per cent. Expenses, which included 10 per cent. commission on sale of tickets paid to agents, totalled £32,994 9s. 9d., equal to 18.9 per cent. The profit realised was £53,100 12s. 9d., or 30.3 per cent., which, together with a balance of £33,136 8s. 5d. carried forward from 1939, bank interest to the 30th June, 1940, of £723 7s. 7d., and unclaimed prizes, unexpended grants, etc., amounting to £779 0s. 3d., brings the total amount available for distribution to £87,739 9s. Of this amount, £60,917 4s. 9d. was paid out in donations; and commitments to the close of the No. 90 consultation amounted to £10,490 14s. 3d., leaving a balance of £16,331 10s. undistributed. During the year hospitals have been assisted to the extent of £34,867 7s. 3d., and 927 pairs of blankets have been made available for distribution to the indigent and needy in the community through the medium of the various relief committees; and, in addition, the sum of £1,765 has been spent in relieving distress through the same agencies. A sum of £250 has been made available to the Child Welfare Department to enable it to provide clothing and necessary articles of household furniture in the homes of widows with children who are dependent on the department for the means of living. The Hospital Social Service, which was introduced by the help of the Lotteries Commission, has received £2,260 14s. during the year. The following orphanages have received allocations totalling £9,457 19s.:—Anglican Girls, Swan Boys, Castledare, Clontarf, Parkerville Home, St. Joseph's, and St. Vincent's Foundling Home. In the case of the orphanages the Lotteries Commission provides assistance towards maintenance based on 3s. per child per week. Consequently the amount granted is determined by the number of inmates of each orphanage. A summary of donations made from the 1st January to the 21st October, 1940, is as follows:—

	£	s.	d.
Hospitals	34,867	7	3
Orphanages	9,457	19	0
Institutions	15,775	9	7
Blankets and Sheets ..	816	8	11
	<u>£60,917</u>	<u>4</u>	<u>9</u>

Donations granted during the same period to institutions and organisations other than hospitals and orphanages total £15,775 9s. 7d. The list is a lengthy one, and I do not know that hon. members wish me to read the whole of it; if they do, I shall be glad to do so. Outstanding commitments of the Commission at the close of the No. 90 consultation total £10,490 14s. 3d. I think it will be agreed that the Lotteries Commission is doing quite a good work, and I feel sure that members have no objection to the continuance of its operations for another year. According I move —

That the Bill be now read a second time.

HON. G. W. MILES (North) [4.47]: I support the second reading of the Bill, and consider that steps should be taken to reduce the cost of conducting the lotteries. The 10 per cent. commission payable to agents on sale of tickets I regard as excessive. Personally I hold that the sale of tickets could be covered by 5 per cent. on the gross returns. This would result in a great saving. Another matter to be taken into consideration is the management of the lotteries. While the present management has done good work, I believe that a manager with staff could run the whole business, and that two other men could be appointed in an honorary capacity to assist in the distribution of profits—for instance, the Lord Mayor of Perth and the Mayor of Fremantle could carry out that work, with the manager. Thus there would be a saving of two commissioners' salaries. With those economies, the lotteries would become more popular, and there would be greater profits available for continuing the good work of the commission.

HON. SIR HAL COLEBATCH (Metropolitan) [4.49]: I am glad that the Government has seen the wisdom of extending the life of the Act for only a single year. I believe that at the present time there is a very considerable falling-off in contributions to the lotteries, due largely to the fact that people are waking up to the advantage of giving their money to charity direct, with the knowledge that the whole of it will go for the purposes for which it is intended. I hope that before the Act, as extended by the present Bill, has expired, this utterly extravagant and entirely uneconomic means

of raising money for our public charities will have entirely worked itself out.

On motion by Hon. J. Cornell, debate adjourned.

BILL—INSPECTION OF MACHINERY ACT AMENDMENT (No. 2).

In Committee.

Hon. J. Cornell in the Chair; Hon. C. F. Baxter in charge of the Bill.

Clause 1—Agreed to.

Clause 2—Amendment of Section 4:

Hon. C. F. BAXTER: I regret that such a long time has elapsed since the second reading of the Bill was passed, as I am rather afraid that its purport may have escaped the recollection of members. Section 4 of the Act provides that it shall not apply to machinery driven by an oil or petrol engine not exceeding six horse-power. As members are aware, tractors of 20, 25 or 30 horse-power are to-day used for all classes of farm work; but once a belt is attached to the tractor, the tractor must be registered and it is then liable to inspection by the officers of the department. Order-in-Council published in the "Government Gazette" of the 29th September, 1922, sets out that the following machinery shall cease to be machinery subject to the Act:—

Electrical motors used exclusively by agriculturists, pastoralists, orchardists, and dairy-men, and used for irrigating or dairying purposes only, in pursuit of the owner's calling, upon which no labour other than that of the owner is employed, and which are not used for driving circular saws, corn-crushers, refrigerating plants, ammonia compressors, or other dangerous machinery.

That Order-in-Council applies only to a certain section of people using machinery. Why should it not also apply to farmers? Then another Order-in-Council, published in the "Government Gazette" of the 16th April, 1937, provides—

As from and including the 1st day of November, 1936, the machinery hereinafter specified shall be deemed to have ceased to be machinery subject to the said Act, and also that the machinery aforesaid shall, until this Order-in-Council is revoked, continue hereafter to cease to be machinery subject to the said Act, that is to say: With the exception of refrigerating machinery exceeding five-ton capacity, all machinery driven other than by steam which is used on banana or pineapple plantations situated on the banks or within a distance of two miles from the banks of the Gascoyne River.

I quote those two examples for the information of members. One order deals with people in the south of the State, the other with people in the north. I agree that it is necessary to inspect machinery driven by steam. The clause seeks to strike out paragraph 7 of Section 4 and to insert in lieu the following paragraph:—

7. Driven by an internal combustion engine or by electricity, and which is used exclusively by an agriculturist, pastoralist, dairy-farmer, market-gardener, orchardist, or pearler in pursuit of his calling as such.

Hon. J. Nicholson: Why omit "oil or petrol"?

Hon. C. F. BAXTER: Because I state in the amendment "driven by an internal combustion engine or by electricity." If agreed to, the amendment would clarify the position. There is no reason why the existing position should continue. The Act was drafted in 1921, since when there has been considerable extension in the use of tractors. If tractors must be registered as machinery, then farmers will be placed in the absurd position of having to buy a stationary engine to do much of the work on their farms which is now done by tractors.

Clause put and passed.

Claims 3 and 4—agreed to.

Bill reported without amendment and the report adopted.

BILL—CIVIL DEFENCE (EMERGENCY POWERS).

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.2]: in moving the second reading said: This Bill is a comprehensive one, by which it is proposed to grant the necessary authority to set up a co-ordinated scheme of civil defence activities, for the duration of the war and six months thereafter. The Bill which must be considered by all on the general framework of the defence of the nation is a war-time expedient, and gives to the Government wide and far-reaching powers which will, however, only be used should the necessity arise. The necessity for the measure cannot be over-emphasised, when we are brought face to face with the realisation of the shocking tragedy which is being perpetrated in Europe and elsewhere. The British Empire

to-day finds itself in the position of being the sole fighting protector of the Democracies. Never before has a task of such magnitude confronted us. Nobody can prophesy where hostilities may spread, and we as a unit of a great Empire, even though we are a long way from the present centre of hostilities, may have to face more active participation as time goes on.

It is therefore apparent to everyone that we must be prepared, and whilst we are organising our Army, Naval and Air Forces; it is necessary also to organise our civil defence activities.

In this regard the Commonwealth Government and all State Governments have agreed upon the following:—

- (a) That the Commonwealth is charged with the responsibility for defence generally.
- (b) That the States will be responsible for the necessary non-military organisation of protective measures for the civil population.

It can be said that the powers referred to are already possessed by the Commonwealth authorities. However, separate Bills have been passed, in Queensland, Victoria and Tasmania, so that such States can be made the instrumentalities of the Commonwealth. In New South Wales a separate Government department has been created by Cabinet; and the organisation is controlled by a Minister through a Director of National Emergency Service. In South Australia control is vested by the Premier in a State Emergency Council. The action which is and has been taken is the result of a conference held at Canberra on the 31st March, 1939, when the Commonwealth and State Governments agreed to the undermentioned resolutions:—

(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.

(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 Commonwealth 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.

As a result of these resolutions, the State Government has gone ahead with plans for the organisation of the various activities under the centralised control of the Premier's Department. A great deal of voluntary organisation has already taken place, and with the help of local authorities, and the ever ready response of the citizens of this State, definite progress has been made. By the Bill it is proposed to place all these civil activities under the legalised control of a Civil Defence Council.

In regard to the activities referred to, the services of Professor Bayliss have been solicited, and upon his agreeing to act as Chief Warden, steps were taken to implement the resolutions I have just read. A considerable amount of volunteer effort has been carried out in the organisation of wardens throughout the metropolitan area and in certain large country towns. The municipalities and road boards which have rendered helpful co-operation, have nominated divisional and head wardens, and incurred minor expense in the valuable assistance which they have given. The medical fraternity have formed a medical co-ordination committee to control the medical and hospital phase of the plan, and allied with this is a medical sub-committee which is completing a scheme for casualty services at base hospitals, etc.

I believe the arrangements that have already been made are comprehensive, and have received the enlogistic comments of the authorities in the Eastern States. It is rather surprising to find that very many details have to be given attention in a matter of this kind and have to be so arranged in order that those associated with that side of the question may know at a moment's notice and without having to wait for instructions, just what methods have to be adopted and what steps are to be taken in case of emergency. I have on my desk here a chart which gives a general idea of the arrangements made as far as the metropolitan area in particular is concerned. If any member desires to examine the chart I shall be glad to make it available for him. Unfortunately it is one of those things which cannot be made public, but I feel sure that any member examining the chart will agree that the scheme that will eventually be adopted is a fine piece of work and reflects great credit on the medical fraternity of the State.

An essential service committee and an air raid shelters committee, comprising representatives of the Institute of Architects, Institute of Engineers, the Public Works Department, and the Perth City Council, has been formed. A system whereby the public may be warned in case of impending attack is in the hands of the Chief Mechanical Engineer. At the present time a scheme is being prepared in regard to auxiliary fire services. These are nearing finality. An honorary Director of Civil Defence Communications, who will co-ordinate all communications between control and report centres with wardens and other organisations has been appointed. Considerable attention has been given to the formation of squads to deal with handling and disposal of unexploded bombs, and in this regard (two experts in explosives attended the Commonwealth Instructional School in New South Wales, and their services will be utilised in regard to necessary training in this State. With the operation of all these schemes it becomes increasingly evident that legal authority is necessary to enable full development of all plans which entail the control of the enlistment and training of personnel, including wardens, first aid, rescue parties, fire and medical services, and decontamination squads, etc. The establishment of warning systems, the evacuation

from dangerous areas, the provision of sand-bag and air raid shelters, the requisitioning of vehicles, premises and other property, and the fixing of compensation necessary for their use, are some of the many items which would come within this category.

Other items include the demolition of damaged buildings, the closure of streets and the diversion of traffic, collection of information from householders and others, the preparation of registers and a host of other matters.

Hon. J. Nicholson: The compensation to be paid in a case of injury seems to be limited to air raid wardens.

The CHIEF SECRETARY: We can deal with those matters in Committee. The powers proposed in the Bill are admittedly very wide and no limit is set as to what may be done. Such powers, as I have already intimated, are already possessed by the Commonwealth. In case of hostile attack, however, the Government may, on its own initiative, or at the urgent request of the Commonwealth, have to take immediate and drastic action for the protection of the civilian population. Briefly, the Bill proposes to set up a civil defence council of an unlimited membership provided that it shall at least consist of five members, one of whom will represent the local authorities of the State. The powers, functions and duties of this body are set out in the Bill, and to do all the things necessary a uniform policy will be required to make organisation effective. The machinery to do this will be supplied by regulations, as all requirements cannot be foreseen and expressed in legislation.

Power is taken in the Bill for the Governor to make regulations providing for all or any purposes, and permit him to enter into arrangements with the Governor-General of the Commonwealth upon any matter necessary or convenient for the purpose of carrying out any Commonwealth Act relating to defence or national security or any order or regulations made thereunder. Subject to the regulations, local authorities will have power to provide for the protection of persons and property within their districts. This is to be a work or undertaking within the meaning of the Local Government Act, the expense to be paid out of the funds and reserves of the

local authority who may have power, if required by the Governor, to borrow money for the purpose, subject to the amount not exceeding 40 per cent. of the maximum amount a local authority is empowered to borrow under its Local Government Act. If the Minister is satisfied, the local authority may borrow without giving anyone an opportunity to call for a referendum on the question.

Provision is made for penalties for any offence against the Act, and the costs and expenses of administration thereof shall be paid out of moneys to be appropriated by Parliament. The expense in this regard should not involve a great amount, and, although the payment of allowances to council members will be fixed by regulation, there are many patriotic-minded citizens in the State who may be prepared to offer their services free of charge. It is necessary to have power to pay allowances as provided in the Bill.

In conclusion, I would reiterate that the Bill purposes to grant powers that are very wide and far-reaching; such powers to be utilised extensively by regulation. This is essential to ensure prompt action should an emergency exist. It must be borne in mind, however, that the authority of Parliament is preserved by its retention of the power to disallow regulations. If members have read the Bill, I think they will find it is really self-explanatory in almost every particular. They will agree that the power to make regulations covers almost everything that could be thought of. They will also recognise that if an emergency arises many circumstances will crop up that no one could possibly foresee, but which it will be necessary to deal with immediately. Whilst the power given in this Bill is far-reaching and wide, it is power that is essential. No doubt many members will desire to have a little more information concerning some of the clauses of the Bill. I have already indicated that its scope is so wide that one could not deal adequately, when introducing it, with all the points involved. If members require information concerning any particular phase of the Bill, and when speaking to the second reading will give me an indication of what the points are, if I have not already got sufficient information to satisfy them, I will endeavour to obtain it. I feel sure it is the fervent wish of every

member that we shall never have cause to put the regulations into effect, but if that time does come I am certain that we have the machinery within the pages of this measure. The work and organisation already accomplished by such a large number of people within the State will, I feel certain, prove of very great benefit to citizens generally. I move—

That the Bill be now read a second time.

HON. J. NICHOLSON (Metropolitan) [5.22]: Probably many members will think, as I do, that this measure might well have been presented to us very much earlier in the session.

The Chief Secretary: You might blame another place for that.

HON. J. NICHOLSON: I would not like to offend against the Standing Orders and reflect upon that august Chamber. In a Bill of this kind it would be almost impossible for the Government adequately and fully to set out all those things that it might be thought desirable to set out. The generalisation of the measure, however, is contained in Clause 7, which sets out a long list of regulations. If ever there was a Bill that necessitated government by regulation, it is this one.

HON. J. CORNELL: In the event of an invasion, the situation is bound to change from hour to hour.

HON. J. NICHOLSON: This is the only method whereby the powers that are essential can be put into effect immediately. It would be impossible to handle this very important matter other than by means of regulations. We have to depend upon the wisdom of the council and the Government in the regulations that may be framed. Clause 4 sets out the powers, functions and duties of the council, and the manner in which those powers shall be exercised is also dealt with. I noticed recently in the Press that the New South Wales Government has arranged for the carrying out of certain work connected with air raid shelters. In this State the responsibility for doing a great deal of work of that nature will be placed, I take it, upon the local authorities. I believe it has been arranged in New South Wales that local authorities shall, so far as possible, co-operate in this work, and see that provision for air raid shelters in their respective districts is made. Individuals who desire to have shelters on their

own premises will be required to provide them at their own cost. Shelters for certain purposes will, however, be provided by the New South Wales Government at various centres and points. If the Chief Secretary is in possession of any information regarding the steps to be taken in New South Wales and in other States, he may be able to supply it to members. I am sure it will help us in our consideration of this Bill. In Committee certain matters may require a little attention. Clause 13, for instance, absolves the Government, the council, local authorities, officers and persons carrying out their work and acting in good faith in the execution of the powers under the Act and any regulations made under it, in respect of any damage, loss or injury sustained. We have to take that into account. I also draw attention to the very wide powers that are given to the council, and to the provision for compensation to private persons who may suffer damage by reason of the exercise of those powers. It does not seem to be clearly expressed in the Bill that compensation will be paid to people whose property has been demolished for the common good. As I pointed out, certain bodies and persons will be relieved from liability for any damage done under the provisions of this Bill, but I think the measure should contain some express provision to make it clear that compensation will be paid to individuals who are made to suffer for the common good.

Hon. W. J. Mann: Should that not be dealt with in another Bill?

Hon. J. NICHOLSON: No. It should be embodied in the measure before the House. Perhaps Sir Hal Colebatch will correct me if I am wrong, but I have some recollection of reading a report that the Mother of Parliaments had considered and, I believe, passed a measure providing for the payment of compensation where certain work had to be undertaken and individuals were the sufferers.

Hon. L. B. Bolton: Would that not be a matter for the Commonwealth Government?

Hon. J. NICHOLSON: Not necessarily. It might be the concern of State Governments.

Hon. J. Cornell: You are referring to national insurance.

Hon. J. NICHOLSON: No, not at all. I am dealing with a question that confronted

the British Government after the commencement of the present war.

The Chief Secretary: That was regarding compensation to be paid after the war.

Hon. J. NICHOLSON: I am trying to take my mind back to the published report. If I can secure information on the point, I will make it available to the Minister.

Hon. J. Cornell: That is entirely a matter for the national Parliament.

Hon. J. NICHOLSON: That is questionable. However, I thought I would draw attention to that point. I support the Bill, as I am sure will every other member of this House.

On motion by Hon. H. L. Roche, debate adjourned.

BILL—OPTOMETRISTS.

Second Reading.

Debate resumed from the 31st October.

HON. J. NICHOLSON (Metropolitan) [5.32]: I was most interested when the Bill was presented, for it served to recall to my mind that Mr. Cornell and I were associated twenty years ago in an inquiry by a select committee appointed to consider the Opticians Bill. That measure dealt, practically speaking, with the subject matter of the Bill now under consideration. The objective was similar. Had that earlier legislation been passed, results somewhat similar to those intended by the present Bill would have been accomplished, and the public would have had the benefit of the protection now sought to be provided. The select committee of which I speak made various recommendations and tried to incorporate in the Opticians Bill certain provisions contained in the Queensland Act. The Opticians Bill was before this House in November, 1920, and some weeks were necessary to enable the select committee to secure the desired information, with the result that the committee could not report to the House until December. As the report was not before this Chamber until a few days before the close of the session, the Bill was not agreed to. The present measure is much more comprehensive than its predecessor, and I feel sure will serve an excellent purpose. I believe its provisions have been well thought out, but amendments in certain directions may be

desirable. I have two amendments on the notice paper, the acceptance of which I consider necessary in order to perfect the Bill. They are self-explanatory, and so I shall not take up any further time of the House. I support the second reading of the Bill.

HON. J. CORNELL (South) [5.37]: In supporting the second reading of the Bill I wish to welcome back an old friend after an absence of 20 years. To me it seems extraordinary that such legislation should have remained in abeyance for so long a period. Another notable feature is that the chief cause of the defeat of the Opticians Bill of 1920 centred in a division of opinion between the British Medical Association and a prominent member of the Opticians' Association. That member of the association chose to pit his medical knowledge against that of Dr. Saw, who was associated with the select committee, and that was the actual cause of the defeat of the legislation. In contradistinction to the events of 20 years ago, the British Medical Association has nothing whatever to do with the present Bill and will not even have a representative on the board. Thus an appreciable advance has been made. Apparently the medical men are prepared to leave optometrical matters entirely to the opticians themselves. I prefer to refer to these people as "opticians" rather than to allude to them under their new name with the latest pronunciation. Probably one explanation of the long delay in the presentation of this necessary and useful legislation rests with the opticians themselves in that they could not achieve the unanimity necessary to demonstrate to Parliament that the profession as a whole required a measure of this description. Similar legislation was passed in Queensland about 22 years ago and, in view of the multiplicity of matters dealt with in Parliament, it seems strange that the introduction of legislation of this type should have been so long delayed. I have pleasure in giving the Bill my blessing, as I did to the Opticians Bill in 1920.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Interpretation:

Hon. J. NICHOLSON: I move an amendment—

That the words "or spectacles fitting" be added to the definition of "Optometrist" and "Optician".

I have been informed by a reliable authority that two types of technicians are engaged in the work of spectacles making, and spectacles fitting, respectively. To clarify the position the amendment is necessary.

The **CHIEF SECRETARY:** I oppose the amendment. I am advised that the optometrists themselves do not look upon the amendment as acceptable.

Hon. J. Nicholson: I am surprised.

The **CHIEF SECRETARY:** What the optometrists term the centring or angling of spectacles is just as important as any other portion of the prescription furnished by an oculist. If the profession is to be put on a proper footing, it is essential to defeat the amendment. The optometrists claim that the work should be done by qualified men. The whole Bill has been framed with the object of ensuring that only qualified men shall be allowed to practise. The acceptance of the amendment would be a retrograde step in that it would enable unqualified men to deal with important work that should be undertaken by a person requiring the qualifications of an optometrist. Undoubtedly Mr. Nicholson's intentions are quite good, but the optometrists themselves advise against the amendment and we should pay attention to their views.

Hon. V. HAMERSLEY: If spectacles are badly fitted they will do the utmost harm, so that the person who understands the proper fitting of spectacles is quite as important as anyone engaged in the departments involved in the supply of lenses. The amendment will deprive people of protection.

The **CHIEF SECRETARY:** The fitting of spectacle frames is one of the matters in which optometrists are specially trained and if we agree to the amendment we will leave a loophole for people to practise who are not properly qualified or trained.

Hon. J. NICHOLSON: The Chief Secretary has overlooked an important fact. The Bill contains a definition of "optometrist" and "optician" and then states: "These terms do not include a person engaged only in the actual craft or occupa-

tion of lens-grinding or of spectacle-making." To that I ask that the words, "or spectacles fitting" be added. The optometrist, as the Chief Secretary has pointed out, must have a knowledge of fitting glasses and adjusting them in a proper way, but a man who is engaged merely in fitting, that is to say who simply does a certain integral part of the work an optometrist would be called upon to do, should not be classed as a duly qualified man.

The CHIEF SECRETARY: I am sorry the hon. member disagrees with the viewpoint of the optometrists themselves. Before an optometrist can become qualified he has to pass an examination in spectacles fitting.

Hon. J. Nicholson: That is only a minor part of his qualification.

The CHIEF SECRETARY: It is part of his qualification, but not a minor part. It is a very important part. The optometrists say the amendment is absolutely unacceptable and for that reason I ask the Committee to agree to the clause as it stands.

Amendment put and negatived.

Clause put and passed.

Clauses 4 to 15—agreed to.

Clause 16—Funds of the Board:

Hon. J. NICHOLSON: Subclause (3) provides that if at the expiration of any financial year of the board there are any surplus moneys in its funds, not immediately required, they shall be paid into the Consolidated Revenue of the State. Elsewhere it is stipulated that the financial year of the board shall end at the 30th June. On the other hand, membership fees are payable from the 1st to the 15th January. If surplus funds are paid over at the end of June, there will be a period between that time and the 15th January when the board will be without funds. I therefore move an amendment—

That in lines 3 and 4 of Subclause (3) the words "which are not immediately required for the purposes of the board" be struck out and the words "after making provision for and deducting from moneys in hand such amount as may be estimated by the board to be required to be paid in respect of payments with which the funds of the board are charged as aforesaid covering the period up to the 15th day of January following the end of each financial year" inserted in lieu.

The CHIEF SECRETARY: I have no objection.

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

Clauses 17 to 47, Title, agreed to.

Bill reported with an amendment.

BILL—REGISTRATION OF FIRMS ACT AMENDMENT.

In Committee.

Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clause 1—agreed to.

Clause 2—Prohibition against use of certain firm names and of certain words in firm names:

Hon. H. S. W. PARKER: Has the Minister received advice that this provision will not include limited liability companies?

The HONORARY MINISTER: The Solicitor General agrees that the provision does not apply to limited liability companies. He says—

I personally agree with Mr. Parker that the Registration of Firms Act, 1897, does not apply to limited liability companies registered under the Companies Act, and accordingly that the proposed new section will not affect such companies either retrospectively or in the future. The new Companies Bill, which the Government will probably be introducing in the immediate future contains a clause (Clause 31) which will contain identically the same prohibition as is contained in the proposed new section to be inserted in the Registration of Firms Act against the use of prohibited words in the names of companies formed and registered after the new Companies Bill becomes law.

I move an amendment—

That the following proviso be inserted after paragraph (a) of the proposed new Subsection (1):—

Provided that nothing in this paragraph shall prevent the continuance of the use by any firm or person or its or his successor in interest of any of the words (other than the word "Commonwealth" or the word "State") the use of which is prohibited by this paragraph, in any firm name under which it or he was registered under this Act prior to the commencement of this section.

The amendment is self-explanatory. Without it the measure would affect a number of firms that had been using these words for many years.

Hon. J. Nicholson: That is right; I called attention to it.

Amendment put and passed.

The HONORARY MINISTER: I move an amendment—

That the following paragraph be inserted after paragraph (a):—

(b) includes the word "saving" or "savings" or the words "savings bank" or "savings institution" or "savings department" or "savings section" as part of the designation or title, or as a description of the business, or of any department, section, or other part of the business of such firm or person;

Amendment put and passed.

Hon. J. NICHOLSON: I move an amendment—

That the following subsection be inserted:—

(5) Nothing in this section contained shall apply to any person whose Christian or surname may include any word or words prohibited from use as aforesaid, nor shall such person be prohibited from continuing to use such name or names provided such name or names are not used in combination with any other word or words, unless the consent of the Governor by Order-in-Council be first obtained.

Hon. G. Fraser: That would appear to be very dangerous.

Hon. J. NICHOLSON: No, it is necessary to meet the case mentioned by Mr. Bolton who spoke of a man having the surname of "State." There are people with the Christian or surname of "England," and such people would be debarred from using their own names. Adequate safeguard is provided.

The HONORARY MINISTER: The Solicitor-General advises that the proposed new section will not operate to prevent a person from carrying on business under his own name such as "Frederick King" or "James Royal."

Hon. H. S. W. Parker: Suppose it was "George Royal?"

Hon. W. J. MANN: There are persons in this State whose names end with "vich." The amendment goes a long way, but it will not provide sufficient safeguard against a man intent on doing the wrong thing. Such a man might change his name to "State."

Hon. J. Nicholson: He would not be allowed to do that.

Amendment put and passed.

Hon. J. NICHOLSON: I move an amendment—

That after the word "section" in line 4 of the proposed new Subsection (6) the words and parentheses "(the use of which has not been consented to as aforesaid)" be inserted.

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

Clause 3, Title—agreed to.

Bill reported with amendments.

House adjourned at 6.14 p.m.

Legislative Assembly.

Thursday, 7th November, 1940.

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

MOTION—WANT OF CONFIDENCE.

Farmers' Debts Relief.

HON. C. G. LATHAM (York) [4.33]: I move—

That in consequence of the refusal of the Government to introduce legislation giving an established authority power to postpone the debts of primary producers who are unable to pay the same by reason of adverse seasonal or price conditions, or to provide in the alternative other relief from such debts, the Government no longer retains the confidence of this House.

I do not propose to recite all the disabilities and disadvantages from which primary producers of this State are suffering. These are well enough known to members. Rather do I want to put up a substantial case to justify the motion I have moved, and so far as I can, I intend to recite the whole story. I will start with a period in September when a deputation representing the Country Party waited upon the Minister for Lands, and pointed out to him what the financial position of the farmers was over a large part of the State in consequence of the prevailing drought conditions. The Minister was informed of the difficulties that a number of farmers would face because they had no returns from their operations, or only scant returns, and it was contended that it