

*Assembly's Request for Conference.*

The PREMIER: I move—

That the Council be requested to grant a conference on the amendments insisted on by the Council and that the managers for the Assembly be Mr. Seward, Mr. Rodoreda and the mover.

Question put and passed and a message accordingly returned to the Council.

**ADJOURNMENT—SPECIAL.**

The PREMIER (Hon. F. J. S. Wise—Gascoyne): I move—

That the House at its rising adjourn till 11 a.m. tomorrow.

Question put and passed.

*House adjourned at 11.31 p.m.*

**Legislative Council.**

*Friday, 11th December, 1945.*

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The PRESIDENT took the Chair at 11 a.m., and read prayers.

**TRANS. RAILWAY,  
KALGOORLIE-FREMANTLE SECTION,  
SELECT COMMITTEE.**

*Report Presented.*

Hon. A. THOMSON brought up the report of the Select Committee.

Ordered: That the report be received and read.

*As to Minority Report.*

HON. G. FRASER (West) [11.27]: Mr. President, the report was printed late yesterday afternoon. I desire to submit a minority report, but have not yet had an opportunity to have it typed. I hope you will accept a minority report from me at a later stage of the sitting.

The PRESIDENT: I am sure the House will have no objection to Mr. Fraser presenting his minority report later.

Leave given.

HON. A. THOMSON (South-East) [11.29]: Before I move that the report, together with the evidence, be printed, I wish to place on record the sincere appreciation of the Select Committee of the services rendered at the committee's request, by Hon. W. J. Mann in finalising and drafting the report that has been submitted. I can assure members that a great deal of work was involved and that it was only with Mr. Mann's valuable assistance that we were able to put on record the views of the majority of the committee. I wish also to say that if time had permitted, we would have inspected portions of the routes that have been suggested, but that was impossible in view of the fact that we had to submit our report to the House. I am more than ever convinced that, in the interests of the State and its finances, a public works committee should be set up. From the evidence the Select Committee received there seems to be an amazing lack of co-ordination between the various State departments. That will be borne out when members come to read the evidence. I now move—

That the report and evidence be printed.

Question put and passed.

**BILL—MARKETING OF EGGS.***In Committee.*

Resumed from the previous day. Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clause 8—Election of elected members (partly considered):

Clause put and passed.

Clauses 9 to 11—agreed to.

Clause 12—Term of office:

The CHAIRMAN: Last night I pointed out the significance of this clause with reference to the appointment of the chairman of the board. There is no method of electing the chairman, and it is assumed that he will be elected by the Government.

The CHIEF SECRETARY: With a view to assisting Mr. Wood in securing a satisfactory Bill, this matter has been receiving attention. I understand he is prepared to move an amendment that will place the constitution of the board on practically the same basis as proposed in the Bill when introduced in another place. I suggest that in the meantime we carry on and when the Bill is recommitted the requisite amendments can be moved.

Clause put and passed.

Clauses 13 to 23—agreed to.

Clause 24—Restrictions on use of eggs produced by certain producers:

Hon. G. B. WOOD: I ask the Committee to vote against this clause which deals with hotelkeepers, etc. Many such people like to keep up to 50 fowls for their own use. This clause proposes to bring them all under the control of the board although they do not dispose of the eggs outside. It would seriously interfere with the liberty of hotelkeepers and others.

Hon. C. F. BAXTER: Restaurant-keepers and such people would also be affected by this clause. We would be going too far if we deprived them of the right to use for their own table the eggs their fowls produce.

The CHIEF SECRETARY: This clause is more important than members think. During the war the Commonwealth authorities viewed the position with such seriousness that they brought down the regulation which is the equivalent of this clause. It was found that many persons were avoiding their responsibilities by becoming interested in poultry farms in one way or another, and in some cases they were providing their own requirements. There was no means of checking their operations as to the number of eggs they used in their own business, and the numbers that they were able to dispose of. It was felt that the loophole was too great in the interests of the producers for it to be allowed to remain. This clause pro-

vides that genuine cases can secure a permit from the Minister. The board will have a full knowledge of the circumstances and will be prepared to consider any representations made by genuine people. I understand that 12 such permits have already been issued. If this scheme is to be successful, we must stop any loophole that might permit of unscrupulous persons gaining an advantage from the position. The clause is an essential part of the Bill.

Hon. H. TUCKEY: I have never known hotelkeepers to breed fowls for the purpose of selling the eggs, but I have known them to do so for their own convenience and for the convenience of their patrons. It would be going too far to deprive them of the right to keep a few fowls without having to seek a permit. I point out that there is nothing to say that the board will grant a permit in such cases.

Hon. C. R. CORNISH: I know of two or three hotelkeepers who have quite big poultry farms and sell their surplus eggs on the open market. They should certainly be brought under the control of the board.

Hon. L. CRAIG: Producers must recognise that if they want the industry controlled they must agree to complete control. They must go the whole hog. Many of them, however, seem to want to have their cake as well as to eat it. The purpose of controlling the market is to lift prices, but that control must be absolute if it is to be effective. The sooner we accept that principle the better. A loophole would occur at once if the clause were struck out.

Hon. H. TUCKEY: I am not suggesting that a hotelkeeper should be permitted to go in for a separate poultry farm. I was referring only to the man who keeps a few fowls. It would be hard upon him to deprive him of the right to do this.

Hon. G. B. WOOD: This clause has nothing to do with the hotelkeeper who runs a poultry farm, but it refers to eggs that are sold on the premises. I should like to know from the Minister what the words "wholesale or retail" mean in this connection.

The CHIEF SECRETARY: I move an amendment—

That in line 4 of Subclause (1) the word "except" be struck out and the word "whether" inserted in lieu.

I do not think the amendment requires explanation; it is obvious.

Hon. G. B. Wood: I agree.

Amendment put and passed.

The CHIEF SECRETARY: Continuing my previous remarks, unless the Committee agrees to this clause it will be possible for the proprietor of a hotel, a restaurant or a boardinghouse to obtain an interest in a poultry farm, even though the interest may be very small, and thus claim because he is interested in that farm that he is entitled to obtain eggs from it. In addition, it would allow the proprietor of the poultry farm to claim that the eggs produced on his farm were being produced for the purpose of that particular business. Even a large departmental store selling great quantities of eggs could do the same thing. Without this clause it would not be possible to keep a check on that position. Glaring cases have occurred in the Eastern States where, by means of a subterfuge of that kind, egg producers have been able to avoid the liability to contribute towards the administration and stabilisation of the industry. We do not want that to occur in Western Australia. The fact that 12 permits have been issued here is an indication of the necessity for the clause. It is also proof that no genuine person has anything to fear from the clause. If Mr. Wood wants a marketing scheme of this kind he should accept the advice tendered to him by Mr. Craig.

Hon. H. S. W. PARKER: This clause does not prohibit a hotelkeeper from having 1,000 head of poultry so long as he does not sell eggs. If it is the intention of the Minister to include such a person, then the clause should be tightened up.

The CHIEF SECRETARY: In the running of a large hotel great quantities of eggs are used. The proprietor may therefore own a small flock of fowls. If he submits in his taxation returns the value of those eggs as part of the cost of running his business, that would be considered as a sale from the poultry farm to the hotel business. If he claims a deduction of that kind, it must be treated as a sale; and if it is treated as a sale he should come under this Bill. If he does not claim such a deduction as a working expense for taxation purposes, the board would not be interested. If it were

not for this clause, it would be possible for those controlling poultry farms to take an unfair advantage.

Hon. H. S. W. PARKER: I entirely agree.

Hon. G. B. WOOD: Having heard the Minister's explanation of what has happened in the Eastern States—

The Chief Secretary: It has happened here.

Hon. G. B. WOOD: I withdraw my objection to the clause.

Clause, as amended, put and passed.

Clauses 25 to 31—agreed to.

Clause 32—Payment to producers:

Hon. G. B. WOOD: This clause deals with the levy, which is fixed at 10 per cent. I think that is too high. I move an amendment—

That in line 3 of Subclause (4) the word "ten" be struck out and the word "five" inserted in lieu.

All eggs under the control of the board are to be subject to a levy of 10 per cent. On 7,000,000 dozen eggs at 1s. 6d. a dozen, five per cent. would yield a sum of £26,250. I do not want to stick hard and fast to five per cent., but I think 10 per cent. is too much. If at the end of 12 months five per cent. is found to be either more than sufficient or insufficient, it could be varied.

The CHIEF SECRETARY: The Bill does not, as Mr. Woods says, provide that the board shall deduct 10 per cent. in respect of all eggs. It provides that the board may deduct an amount not exceeding 10 per cent.

Hon. G. B. Wood: The maximum becomes the minimum generally.

The CHIEF SECRETARY: If it does then Mr. Wood can blame only the producer-representatives on the board. It is to be assumed that they will be interested in keeping costs down to a minimum. The price of eggs may be reduced considerably so that more than five per cent. would be required. On the other hand, a lesser amount might be all that was needed. If five per cent. were not sufficient, does Mr. Wood suggest that the board should wait until an amending Bill could be brought before Parliament?

Hon. G. B. WOOD: The organised poultry producers asked me to bring down this amendment. It has come direct from them.

Hon. T. Moore: Did they think it was 10 per cent?

Hon. G. B. WOOD: Yes. In the Eastern States it has been proved that when boards have money to play with, they have a tendency to do so, with the result that enormous expenses are incurred. If five per cent. were not sufficient, the board would not have to wait more than six months before the amount could be amended.

The CHIEF SECRETARY: Apparently the organised producers have very little faith in the men they will elect to the board. This is another case where the Government must be very particular about the constitution of the board. Hundreds of thousands of pounds will be involved. There is at present an overdraft of £150,000 with the Commonwealth Bank because of the advances made by the board to the producers, which cannot be recouped until such time as the eggs, whether in shell, pulped or powdered, have been marketed and paid for and the money received here.

Hon. G. B. Wood: Has any estimate been made of the cost of running this show?

The CHIEF SECRETARY: I have no knowledge of the figure, but, no matter what the cost might be, the operations of the board are necessary in the interests of the organised producers of this State. We are prepared to give them representation on the board to ensure that the costs will be kept down to a minimum.

Hon. G. B. Wood: The organised producers will be only part of the board. The Minister has the principal control.

Amendment put and negatived.

Clause put and passed.

Clauses 33 to 40—agreed to.

New clause:

Hon. G. B. WOOD: I move—

That a new clause be added as follows:—  
“40. Upon the request in writing made not later than April thirtieth, one thousand nine hundred and forty-eight, of not less than twenty-five producers entitled under this Act to take part in the election of the members of the Board who are commercial producers of the Board shall by notice in the “Government Gazette” fix a day for the taking of a poll of producers on the question of whether this Act shall continue in operation after the thirty-first day of December, one thousand nine hundred and forty-eight, or not.

If on the taking of such poll it shall be found that a majority of the producers entitled to vote have voted in favour of such continuance the Minister shall present a Bill to Parliament for the purpose of continuing the operation of this Act for such further period of years as Parliament shall then determine.”

A similar provision is to be found in many other marketing Acts. This is to enable the producers, before the end of five years, to have the right to say whether they want the board to continue. The producers have asked me to put this up.

The CHAIRMAN: This is the most remarkable amendment I have had come before me. The Act is to be for five years after the date of its proclamation. This amendment should be added to Clause 40 and not be in the form of a separate clause. I understand that the Bill does not appropriate revenue, so that before the expiration of five years it is within the province of any member to introduce an amending Bill to continue it, if the Government does not do so. I am inclined to think that the amendment is hardly acceptable.

The CHIEF SECRETARY: I did not intend to take that objection, Mr. Chairman, but was prepared to argue that this amendment is quite unsuitable and cannot possibly be accepted because it would make it possible for the board to be in existence for not longer than two years. It will probably be April of next year before this matter is finalised so that at the end of two years the producers would be in a position to demand a poll. If the poll were successful it would mean the end of the board. I again point out the difficulties confronting the industry and the large amount of money involved, the necessity for long-term contracts between one Government and another and between the producers and interests overseas, etc. It is because of these factors that the Minister in another place agreed to a period of five years. It will really be necessary to have Clause 40 amended. It was an oversight to leave in the words “the thirty-first day of December, one thousand nine hundred and forty-eight, or for.” The Government desires to have a period of five years.

Hon. G. B. Wood: This does not interfere with that at all.

The CHIEF SECRETARY: Not at the moment. If the Bill is for five years and

the producers and the Government do not desire its continuance, it would just lapse. I feel sure, however, that the producers will desire it to be continued.

Hon. G. B. WOOD: The person who framed this clause for me has made a mistake which I have only just discovered. The word "forty-eight" should not be included. The idea was that a poll should be taken a few months before the expiration of five years. In view of the error I ask leave to withdraw the new clause.

New clause, by leave, withdrawn.

Title—agreed to.

Bill reported with amendments.

#### *Recommittal.*

On motion by the Chief Secretary, Bill recommitted for the further consideration of Clauses 7 and 40.

#### *In Committee.*

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

Clause 7—Constitution of board:

Hon. G. B. WOOD: I move an amendment—

That in line 1 of Subclause (2) the word "five" be struck out and the word "six" inserted in lieu.

My object is to make provision for a chairman.

The CHIEF SECRETARY: I raise no objection.

Amendment put and passed.

Hon. G. B. WOOD: I have an amendment to move in the first line of Subclause (3).

The CHAIRMAN: That will be made consequentially.

Hon. G. B. WOOD: I move an amendment—

That a new paragraph be added as follows:—“(d) One shall be a person, nominated by the Minister, who is not engaged in the business of producing or selling of eggs, and who shall be chairman of the board.”

The CHAIRMAN: The Committee should take note of where it is heading. Last night members knocked out what is now proposed to be put in. There is now a board of four and members have increased it to six.

The CHIEF SECRETARY: I am anxious to assist Mr. Wood to have a board constituted of six members on the lines originally proposed, but with the variations he has suggested.

The CHAIRMAN: But if what is suggested is agreed to, it will reduce the board to four.

Hon. G. B. WOOD: What I am proposing is the addition of a new paragraph to follow paragraph (c). That is what I indicated when I moved the amendment.

The CHAIRMAN: The hon. member did not give the Chair or the clerks much to go on.

Hon. G. B. WOOD: Last night we decided upon a board of five consisting of three representatives of the producers and two of the consumers, but no provision was made for a chairman. The amendment will provide for a chairman and increase the strength of the board to six.

The CHIEF SECRETARY: I have no objection to the amendment.

Hon. L. CRAIG: If the words “a person . . . who is not engaged in the business of producing or selling eggs” are retained, anybody could hold a maximum number of shares in a limited company trading in eggs and could not be deemed to be engaged in the business. I move—

That the amendment be amended by inserting after the word “engaged” the words “or financially interested.”

Under my proposal large shareholders of a company trading in eggs would be excluded from taking positions on the board.

The CHIEF SECRETARY: I raise no objection to Mr. Craig's amendment.

Amendment on amendment put and passed.

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

Clause 40—Duration of Act:

The CHIEF SECRETARY: I move an amendment—

That in lines 1 to 3 the words “until the thirty-first day of December one thousand nine hundred and forty-eight, or” be struck out.

Amendment put and passed.

The CHIEF SECRETARY: I move an amendment—

That in line 4 the words "whichever is the later date" be struck out.

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

Bill again reported with further amendments and the reports adopted.

### *Third Reading.*

Bill read a third time and returned to the Assembly with amendments.

## **BILL—SOUTH-WEST STATE POWER SCHEME.**

### *Assembly's Message.*

Message from the Assembly received and read notifying that it had agreed to the amendment made by the Council, subject to consequential amendments.

### *In Committee.*

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

Clause 3, (1)—Definition of "Undertaking" in paragraph (c), on page 4:—Add after the word "power" in line 4 the following words: "The term does not include money, credits, book debts, or securities held for moneys invested."

The CHAIRMAN: The Assembly agrees to the Council's amendment subject to the Council's making further consequential amendments to Clause 8 by inserting after the word "undertaking" in line 3 of paragraph (c) of Subclause (1) and in lines 4, 10 and 15 of Subclause (2) the words "or any part thereof."

The CHIEF SECRETARY: These are consequential amendments and I move—

That the amendment, as amended, be agreed to.

Question put and passed; the Assembly's consequential amendments to the Council's amendment agreed to.

Resolution reported, the report adopted and a message accordingly returned to the Assembly.

## **TRANS. RAILWAY, KALGOORLIE-FREMANTLE SECTION, SELECT COMMITTEE.**

### *Minority Report Presented.*

Hon. G. FRASER brought up the minority report of the Select Committee.

Ordered: That the report be received and read, and printed in conjunction with the majority report.

*Sitting suspended from 1 to 3.56 p.m.*

## **BILL—GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD).**

### *Conference Managers' Report.*

THE CHIEF SECRETARY: I have to report that the conference managers met in conference on the Bill and reached the following agreement:—

Amendment No. 1—Not insisted on by the conference.

Amendment No. 2—Insisted on by the conference.

I move—

That the report be adopted.

Question put and passed, and a message accordingly returned to the Assembly.

### *Assembly's Further Message.*

Message from the Assembly received and read notifying that it had agreed to the conference managers' report.

## **BILL—COMMONWEALTH POWERS.**

### *Conference Managers' Report.*

THE HONORARY MINISTER: I have to report that the conference managers met in conference on the Bill and reached the following agreement:—

Amendment No. 2—Not insisted on by the conference.

Amendment No. 4—The date to be fixed as 1947.

Question put and passed, and a message accordingly returned to the Assembly.

### *Assembly's Further Message.*

Message from the Assembly received and read notifying that it had agreed to the conference managers' report.

## **BILL—MILK.**

### *First Reading.*

Received from the Assembly and read a first time.

### *Second Reading.*

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.2] in moving the second reading said: I regret very much the late

hour at which the Bill has reached this Chamber. It is, however, one that is of great importance not only to the producers of milk in this State, but to the general public. In view of the large amount of work that has been put into the measure the Government feels that we should make every endeavour to have it passed this session. It appears to be a large Bill—it contains 74 clauses—but I point out that there are not really many amendments. This position arises from the fact that our advisers considered that, instead of bringing down a Bill to deal with the necessary amendments only, we should consolidate the legislation dealing with this important subject. For that reason we now have this Bill. My remarks, in introducing it will not be as lengthy as they might otherwise have been, but I do propose to deal with what I consider to be the most important or main aspects of the measure, and particularly the amendments.

The Bill seeks to alter the existing law relating to the production, purchase and treatment, sale and distribution of milk, and to repeal the Metropolitan Milk Act, 1932-1944, and the Dairy Cattle Compensation Act, 1926, so that control may be exercised over supplies throughout the State. The Metropolitan Milk Act, which was originally passed in 1932, had jurisdiction over the supply of milk to the metropolitan area only. Believing it to be desirable to ensure that special control be exercised for consumers outside that area, it is proposed to extend the jurisdiction of the legislation so that consumers in other parts of the State may have the benefits of a better milk supply, and so that those engaged in the production, treatment and distribution of milk may also have the advantages of legislative control.

The question of the milk supply has in recent years received considerable publicity from the Press and from private organisations and individuals. Some of us are aware of the views of particular organisations and individuals. The advantage of having an ideal milk supply in this State is quite obvious and need not be stressed. In the first instance, it is desirable that the cattle supplying the milk shall be free from tuberculosis, and that the conditions under which and by which the milk is produced, transported, treated and distributed, shall be of high standard. It is desirable also that per-

sons engaged in the industry receive a measure of protection and that prices be adequate, but that consumers' interests be protected. In ensuring a safe milk supply the economic aspect cannot be overlooked, nor can the economic be separated from the hygienic. It will be found that the Bill takes cognisance of all these widespread and divergent interests.

In view of the deplorable conditions then existing in the milk industry, the Metropolitan Milk Act was introduced in 1932 and the board established thereunder. That Act was subsequently amended in 1933, 1935, 1936, 1939 and 1944. All of those measures, whilst extending the life of the board and increasing its powers, did not provide permanency for the legislation. There have been many representations from those associated with the industry to have the Milk Board permanent. This it is proposed to do by the Bill. The conditions existing in the industry prior to the establishing of the board will be known to many members. In administering the Act, the board has been confronted with many difficulties. Whilst every endeavour has been made to surmount these difficulties, experience has shown that the Act is inadequate to ensure effectively the supply of clean and wholesome milk at all times. It is, therefore, proposed to increase the powers of the board so that it will be enabled to carry out all those measures and means deemed necessary to guarantee a satisfactory milk supply.

It is not proposed to provide for the compulsory pasteurisation of milk, but it is intended to give the board complete control to prescribe and enforce the conditions by which milk will be pasteurised. Consumers will be allowed to exercise their preference to obtain either raw or pasteurised milk, and doubtless in time, with the improvements in the process which the board will effect, the pasteurisation of milk under proper conditions will become more general.

The constitution of the board will, in principle, continue as it exists today; that is to say, there will be in addition to the chairman, two representatives of the dairymen elected by dairymen holding licenses from the board, and two representatives of the consumers appointed by the Governor. It is proposed, however, that they will retire in rotation so that there will be some

continuity in the personnel of the board. Many of the definitions and a great number of the sections at present contained in the Metropolitan Milk Act will be found in the Bill, and where existing sections have been amended or new clauses introduced, it has been done with the intention of increasing the powers of the board.

Under the existing Act the board is empowered to establish a Dairymen's Compensation Fund and a Milk Vendors' Compensation Fund. These were intended to provide the wherewithal to compensate persons de-licensed by the board. There have been no claims against either of these funds, which at the 30th June last stood as follows:—

Milk Vendors' Compensation Fund, £19,644 lls.

Dairymen's Compensation Fund, £14,051 lls. 10d.

It is proposed to transfer the whole of these moneys to the new board to be used for the compensation of owners for the losses sustained through elimination of diseased stock, and for compensation to persons who are refused a license or where a license has been revoked, and also where the delivery of milk has been restricted by the board. Whereas the present Act provides no basis for determining compensation, it will be found that the Bill includes precise terms and lays down the conditions under which compensation can be claimed and may be awarded. It is considered just and equitable that all dairymen and milk vendors should contribute towards the compensation fund, as each section will derive important benefits from the legislation. The dairymen will, amongst other things, obtain the advantage of having cattle which have been tested for tuberculosis, and the reactors removed from their herds. The milk vendors, assured of a safe milk, must also derive considerable benefits, as when confidence in the milk supply is assured sales must be increased.

The powers and functions of the board are clearly outlined in Clause 26. It will be found therein that it is proposed to enable the board to prescribe the conditions under which certain processes connected with the treatment of milk shall be carried out. This is a very necessary power for the board to have. It is also provided that persons

engaged in the carrying out of certain specified requirements in connection with the treatment of milk must hold the requisite certificate of competency from the Department of Agriculture. That is, I think, a great improvement on the present position. In this regard it is considered that up to the present time very great reliance has been placed on the human factor which in many cases is untrained, and consequently is inefficient in the work performed, with the result that milk supplies are not what they should be.

The use of separators in places where milk is treated is prohibited without the written consent of the board. This clause is introduced in the interests of consumers. The reputable milk distributor has nothing to fear from this clause, but it is intended to give the board power to prevent the use of separators where it considers it desirable to do so, in order that skim milk will not be available for improper purposes. It is also proposed to give the board power to prevent the supply to consumers of milk which is not believed to be fresh, clean, wholesome, or which has been adulterated. It has been found in actual practice that milk can be adulterated and yet not be below the requisite chemical standard provided under the food and drug by-laws, but it is considered that even if the milk is of satisfactory chemical content, but has been adulterated, its supply to consumers should be prohibited. The board has definite proof that milk has been adulterated; its officers have witnessed this process, and it is desired to ensure that the board will have the unquestioned right to prohibit such milk for human consumption. Whilst the existing Act has provided for measures and means for the supply of a fresh, clean and wholesome milk to consumers, it is now intended, in addition to those powers, to provide for the prevention of the supply of milk which is not fresh, clean and wholesome. There is a great difference between these terms.

In relation to transport, the board will be empowered to fix maximum rates in dairy areas in addition to fixing the maximum rates from dairy areas. A considerable quantity of milk is distributed from dairy farms to depots situated within dairy areas, and it is very necessary that the board shall have complete power over the fixation of the rates,



which have an effect on the price dairymen receive for their milk at the depots. It is proposed to empower the board to prescribe conditions under which any of the matters specified under Clause 26 may be carried out. That is to say, the board will be able to define the equipment to be used at dairies, in milk treatment plants and in the transport of milk, and the manner in which it is used.

The Bill provides for the issue of licenses to dairymen and milk vendors similar to the present licenses, but in connection with the treatment licenses the board will be empowered to prescribe the manner in which the holder of a license may treat the milk. The existing license provides for a great variety of functions which might be carried out by the holder. It is a general right and not a restricted one. It is considered that the important process of milk treatment should only be permitted to be carried out under those conditions which the board may permit. At present the holder of a treatment license may have a satisfactory brine cooler, and then instal an unsatisfactory pasteuriser or an imperfect bottling machine or some other unsatisfactory equipment. Under the present definition the board has been powerless to prevent such a state of affairs. This, then, will be overcome by the new license.

It will be found that the board is empowered to refuse a license to a dairyman unless he produces a certificate from the local health authority stating that his dairy complies with the requirements of such authority. That will mean that before a license is issued to a dairyman the premises shall at least comply with the local health by-laws, but the board may impose what further conditions it considers desirable. It is proposed to facilitate the procedure relating to any appeals against decisions of the board referring to the refusal of licenses. Under the Act as it stands at present, delays amounting to several weeks must take place before appeals can be heard by a magistrate.

The appellant has been enabled to carry on his business pending his appeal, despite the fact that the board has refused his license because of unsatisfactory conditions. It is therefore proposed to enable appeals to be made to the Minister whose

decision shall be final, but that pending the hearing of the appeal the person concerned shall refrain from doing those things in relation to milk for which the license was necessary. That means that a person whose license has been refused by the board must cease producing or selling milk as the case may be. This is a very necessary provision for such an important food as milk, when it is realised that a person can at present produce or sell milk pending his appeal from premises which the board considers so unsuitable that it could not then approve of a license. Should the Minister allow the appeal, provision is made for the compensation of the appellant for loss suffered through the suspension of his business pending the appeal. Claims for compensation will also be facilitated by providing for the amount to be determined mutually between the appellant and the board, but in the event of failure to reach mutual agreement the amount may be fixed by the Minister.

The testing of dairy cattle for tuberculosis and actinomycosis will be compulsory under the Bill. The method of testing and the details regarding the procedure for making herds clean and keeping them in this condition will be laid down by the Chief Inspector of Stock, who already has power to do these things under the Stock Diseases Act. At present all dairy cattle in the metropolitan area are inspected annually under the Dairy Cattle Compensation Act, and a fee of 3s. per head is paid by the owner, which is used partially to provide compensation when diseased animals are slaughtered. Under this Act the Treasury advances two-fifths of the value of any slaughtered animal as compensation. The compensation to be paid is 90 per cent. of the agreed value of the beast.

The expense of actually carrying out the testing of dairy cattle is to be borne by the board. This is considered reasonable, as half the cost of the compensation fund is being provided by the Government, and the advice of such veterinary officers—as they will be Government employees—would be available also to dairymen on the occasion of the visit for the inspection of their herds or when the officer is in their district near their farms. Furthermore, after the first year it is anticipated that the effect of the eradication of disease will be a greater production per cow owing to an improvement in the

general health of the herd. Where stock are slaughtered, the cost of slaughtering such stock is deducted from the sale value, which is paid into the compensation fund.

Provision is made in the Bill for the preparation by the board at any time of any scheme for submission to the Minister for the improvement, production, supply, delivery and distribution and quality of milk for consumers, and if the Minister approves, the board will be empowered to carry out the scheme. This proposal will permit in all future years of progressive schemes for improving not only the quality of the milk but its production and distribution. We do not know what requirements for the improvement of the supply might be considered necessary in future years, and a way is provided in the Bill by these proposals for any desirable reforms to be implemented.

As I pointed out earlier, this is a fairly lengthy Bill and it contains a great number of very minor matters to which I have made no reference. All are included in the legislation which is being consolidated by the introduction of this measure. I have dealt briefly but nevertheless as fully as possible with most of the amendments that are included.

Hon. J. Cornell: Of the Bill 60 per cent. deals with machinery provisions.

The CHIEF SECRETARY: Undoubtedly the greater part of the Bill consists of machinery clauses. The Government recognises the absolute necessity of taking whatever steps are available at present to ensure that there shall be an improvement in the milk supply as early as possible. It also recognises that there may be methods that, though desirable, cannot be put into operation immediately but which may be possible of application in the course of the next few years. The board will carry a very great responsibility. The measure is desired by all associated with the production and distribution of milk. Therefore I feel that although the Bill has been introduced at a very late stage of the session, this House will probably agree with my submission that, notwithstanding that fact, its importance is so great that we really cannot afford to lose the time that would be involved in deferring consideration until next session. From information supplied to me, the trade is looking forward to the Bill being passed and is

hoping that it will be put into operation at an early date. Consequently, I hope that this House will not stand in the way of that being accomplished. I move—

That the Bill be now read a second time.

HON. J. G. HISLOP (Metropolitan) [4.31]: No-one regrets more than I do that so little time is available to members of this House to discuss what is probably one of the most important measures to the health of the community that has been submitted to Parliament during the time I have been a member. I appeal to members to give deep consideration to every clause of the Bill because they vitally concern the health of the community. It would be a Black Friday for preventive medicine in Perth were we to pass the Bill as it stands.

I am not for one moment questioning the Bill from an economic basis; it may be quite sound in that respect, but it is absolutely unsound from the point of view of the health of the community. It is just simply flying in the face of Providence to neglect the opportunity that presents itself at this moment to provide for the citizens of Perth a clean, safe milk supply. This Bill, unfortunately, will not ensure that. On the other hand, it will to a very large extent perpetuate the method of control which has existed over the years and which, making considerable allowance for the fact that we have just passed through a war, has left us with a milk supply that is neither clean nor safe.

It is surprising to me that the Government has not paid more attention to the public demand for an improvement in the supply of milk from a health point of view. This Bill is one which I am quite convinced has been drawn up on an economic basis and one which I feel certain has neglected all the advice tendered from a scientific if not a medical point of view. We have presented to us a golden opportunity to make alterations to the milk supply. Probably the best way to attack the problem, in view of the fact that there has been no time to look through the amendments made in another place, would be to take a glance at the Bill and pick out various points that do not conform to the requirements of a clean, safe milk supply.

This Bill is mixing together the economic and health sides, and I do not know whether it is possible to do that. Yet an attempt is

being made to do it. Surely it is necessary that the definition of "milk" as it appears in the Bill should conform to the definition in the food and drugs regulations. However, it does not do so; it is a definition purely economic in character. I draw the attention of members to the fact that the definition of "milk" in the Bill is very different from the definition as it appears in the food and drug regulations. In those regulations "milk" is thus defined—

Milk is the lacteal secretion of the cow. It shall be clean and fresh, and shall be obtained by completely emptying the udder of the healthy cow, properly fed and kept, excluding that got during 15 days immediately before and ten days immediately following on parturition.

These factors must surely be present if we are to regard milk as something over which the board will have control from both the economic and the health sides. It is my intention to move an amendment to make the definition of "milk" fit in with the definition in the food and drugs regulations. The Bill, so far as I can see, does attempt to provide that the Health Act shall be paramount under certain conditions, but I still maintain that the definitions and clauses of the Bill should be made to fit in with those regulations.

Take the definition of "dairy area": I am sure I am on safe ground, so far as public opinion is concerned and probably also the opinion of members, when I say that the Bill should contain a provision stipulating that, within a short period of years, no milk shall be produced in the metropolitan area. It is impossible to produce clean milk in the metropolitan area. One has only to read some of the reports on dairies in this area to realise how impossible it is to permit such conditions to continue. I have seen some of these dairies and have reported to this House some of the conditions I have seen. Members have no doubt read the contributions I have made to the Press on the condition of some of our dairies. I do not think anyone possessed of scientific knowledge of milk would deny the statement that the metropolitan area is not the place to produce milk. Recently a report was made to the Fremantle Municipal Council, from which I will read a few extracts as follows—

It was found that most of the dairies required lime washing and some were dilapidated, drainage was required in most, floors needed

attention, sanitation was unsatisfactory, surroundings dirty, infestation with flies, cobwebs on milk room, were other features noticed.

This Bill is not going to alter that state of affairs to any great extent because all along the Health Act has provided for standards to be laid down for these dairies.

The Chief Secretary: Has not that report been questioned on the ground that it was grossly exaggerated?

Hon. J. G. HISLOP: If that is so, it coincides with what I myself have seen. If members would accompany me now, I could take them to dairies situated within a few miles of this House at which they would decline to drink the milk.

Hon. J. Cornell: What the eye does not see the heart does not grieve.

Hon. J. G. HISLOP: I suggest that if we are going to deal with a milk Bill, members should make themselves aware of the conditions that exist. If we neglect the health side of the milk supply, we shall be sadly lacking in our duty to the public health of the community. Let me mention a dairy which, to a large extent, is Government-controlled—the dairy at the Claremont Asylum. The man has to take the milk he collects from the cows in an open bucket, walk outside the dairy, climb a stairway alongside the building and then pour the milk into a contraption just under the roof, from which the milk runs down into the cooler. That is what is occurring in a Government-controlled dairy, and similar conditions are prevalent all over the place. There is one dairy where the Health Department had the utmost difficulty in enforcing its regulations. In that dairy I saw a cow that had just given birth to a calf standing in the bail alongside the other cows. Around the feet of the cattle poultry were wandering in and out, though this is banned under the health regulations, and when I went to the milk room there was a dog actually curled up around a milk can.

That is why I am fighting to ensure that the people of Perth do get a clean milk supply, and in order to provide it, this Bill must be drastically amended. In wondering what sort of amendment one can put into the Bill in order to ensure a clean milk supply, I have made considerable research into what has happened in other States, and I have been privileged to receive letters from the

Ministry of Food in Great Britain. However, I shall quote from one nearer home that affords some very interesting facts. This is a report dealing with an outbreak of typhoid in 1943 in Moorabbin—a city of Victoria—where the dairies are of a higher grade than our dairies. They are larger, and some of them supply as much milk per day as is received in the whole of our metropolitan area. Despite all the care exercised there, an outbreak of typhoid occurred. An investigation was made to find the cause of the outbreak and it is interesting to read the lessons that were learnt. Here is the first one:—

The lessons to be learnt are not many but clearly indicate (1) Production of milk at a profit and a supply of safe milk to a town should not be supervised by the same individual or set of individuals. Each is a separate industry and is liable to find its interests just or otherwise at variance with the others.

So those who made the investigation are of opinion that a board constituted as is ours of consumers and dairymen's representatives cannot always be just to the economic and health sides. Other lessons learnt were also interesting. No. 4 lesson was stated as follows:—

This is not a new lesson but one that is repeated at every outbreak. Milk must be clean, pure and unsophisticated and above all pasteurised.

Not one single lesson that was learned there has been adopted in this Bill. I have no grudge whatever against the composition of a board of this type if this board is charged with purely economic conditions; but I could not for one moment agree that it should control the production and distribution of milk from the health point of view. The board has found itself unable to do that in the past, and the fact that there are more words in this Bill does not mean anything, because the powers that did exist were in the hands of divided authorities—the Health Department, the Milk Board and the Agricultural Department—and they still are under this measure.

As one looks through the Bill, one finds many things to query. As I have said, quite a number of dairies in the metropolitan area are unfit to supply milk to the city. Who is going to be charged with the control of those dairies? We must either

give the whole control to a board of this sort—giving it control on the economic and health sides—or else we must give the control of the health side to the proper health authority. This Bill does it in a curious way. If we turn to Clause 26, we find that the board is to be charged with the inspection of dairies, milk stores, milk and places for the treatment of milk, and so on; but it is not charged with looking after the standards of milk. Standards will still remain under the Health Department. All this board will be able to do is to inspect. It will not require many regulations to cover inspections, because I gather that they will simply apply to whether one travels by tram or bus or on one's feet—

Hon. F. E. Gibson: It can refuse a license.

Hon. J. G. HISLOP: The board can refuse a license afterwards, but it cannot lay down standards. That must be done by the Health Department. The Bill provides only for inspection and not for laying down standards. Those standards are contained in the Health Act.

The Chief Secretary: You agree with that, do you not?

Hon. J. G. HISLOP: All I am pointing out is that here is divided authority. We have had divided authority before and it does not work. We must make up our minds whether we are going to give authority to this board or whether we are going to make the board an economic one, and then tighten up our Health Act. I personally am in favour of the latter course. I do not think that business interests, as evidenced in this board, can possibly cover the health aspect of the milk supplied. I suggest we should give very serious thought to the total revision of the whole Bill. I do not think the economic side should be mixed up with the health side and that one board should attend to both. I do not see how we are going to improve matters by including on the board a veterinary officer or a deputy of the Commissioner of Health, because they are not interested in the economics of milk supply, and those on the economic side might find themselves at variance with those associated with the health aspect. It is rather curious to read the Milk Board's report. Nowhere can one find any mention of the bacterial content of the milk, except a reference to the number

of tests that were made for bacterial count. No statement is made in the report to the City of Perth as to the bacterial standard of milk during the past year. Therefore, one becomes more convinced that the health side of this matter should be reserved to those who are trained in this respect.

I consider that the more members look at the matter, the more they will agree that we must either set up a totally independent organisation of trained people—businessmen, scientific experts and a medical officer—with no representatives of the consumers or dairymen, to run the whole organisation, or we must give the business interests their side and the health interests their side. I do not think we can do both. There is a curious arrangement set out in paragraph (I) of Clause 26. It provides that the board shall be charged with the task of fixing the minimum price per gallon to dairymen for milk supplied, according to bacterial tests. A bacterial test cannot be made under a period of hours, and bacterial tests will alter from week to week and even from day to day. The paragraph says that the minimum price per gallon shall be fixed—

Provided as regards—

(a) Milk, other than surplus milk, such price shall be fixed in accordance with—

- (i) Butterfat content and value; and
- (ii) Bacterial test.

Hon. F. E. Gibson: That is only one factor.

Hon. J. G. HISLOP: Yes. But if we have to know the bacterial content some days will be required to ascertain it. Direct count is, in my opinion, the worst form of examination of milk. World authorities on milk have advised us to discard it. I have made the statement quite openly that if any man today is charged with selling dirty milk and comes to me I will save him from conviction; because Toupley and Wilson, who are regarded as experts in bacterial matters, have pointed out that the bacterial count can vary as much as 1,000 per cent. in any one sample, depending on what one happens to get at the moment of examination. One piece may be clean; the other, dirty. But there are methods by which this could be done. If we turn to the English Act we find that it includes various tests upon which it insists in connection with the standard of milk. It refers to the reductase test as being

the most valuable to determine not only the standard of purity but also the keeping quality of milk. There is a growing time during which the bacteria do not multiply. Therefore the plate count may be low but yet the milk may be extremely dangerous because the bacteria are in a stage of growth prior to multiplication.

By the reductase test it is possible to find that out because that test is based on the amount of activity of the organisms as well as their number. The test depends to a large extent on the oxidation processes going on in the milk. It is an excellent test for keeping quality because it can be done on milk which has been kept for the length of time which it is expected milk should be kept in the ordinary home. In England there are regulations that the milk shall not be stored in any other way than it would be expected to be stored in a normal home and that it should be tested the following morning. There they have laid down the number of hours over which the reductase test will give evidence of the standard of purity and keeping quality of milk. In past years neither our Milk Board nor our Health Department has required the reductase test to be undertaken. Let us go a bit further into this question of testing milk and of the keeping qualities of milk. Everyone of us who takes pasteurised milk has known that in the past few years pasteurised milk has not been as clean as should be expected.

Hon. J. Cornell: That is so.

Hon. J. G. HISLOP: Everyone has seen that; the complaint is general. The reason to a large extent is probably shortage of labour. However, I doubt whether we should ever have allowed shortage of labour to render the milk of the community unsafe; and whether we should have allowed an extra charge to be made for pasteurisation and then allowed unsafe pasteurised milk to be distributed. If we are going to have pasteurised milk we must be certain that our dairies are clean; that our pasteurisation methods are sound; and that the milk is not handled after pasteurisation.

Hon. L. Craig: How are you going to achieve that?

Hon. J. G. HISLOP: By automatic bottling, which is quite simple and is done in all reasonably sized communities today. There are tests which can be applied to de-

termine whether milk has been soundly and completely pasteurised. The reductase test will do it. The English regulations provide that no milk can be exhibited for sale as having been heat-treated, sterilised or pasteurised unless it conforms to those regulations. We have never attempted to ensure that our pasteurised milk was properly pasteurised. We have allowed the public to pay more for pasteurisation and we could, by tightening up our regulations, see that pasteurisation is properly done. If there had been time, it was my intention to add a certain part to the schedule of the Bill.

I intended to add a new clause to the effect that no milk should be exhibited or sold or submitted for sale as having been heat-treated, sterilised or pasteurised unless it had been submitted to pasteurisation conforming to tests laid down in the second part of the schedule. But as the Bill has come to us at this late hour I have no opportunity even to lay down the tests in the schedule. Members can see from the length of the regulations and the details of the tests the time that would be occupied in placing them on the notice paper.

These are some of the alterations that I think essential to the Bill, and there are other aspects also of which I do not approve. I believe the health aspect of milk should be removed from political control. In that, I am not speaking in terms of party politics. I would not care if I myself were Minister for Health; I would still say it was not right for the control of milk to have a political background, or that there should be any suggestion that the Minister, whoever he might be or to whatever party he might belong, should have any influence in restoring a license to a dirty dairyman. If a dairyman breaks the regulations and endangers the public health, his license can be revoked by the board. On appeal, why should he not go before a magistrate? Why should he go to the Minister?

I have no great belief in the infallibility of Ministers, or of magistrates for that matter, but a magistrate is trained to take evidence and assess its value on both sides. The matter there is open to the public and does not suggest that there could be any political influence behind the re-issuing of a license. A magistrate should be the person who, in open court, gives that man the money out of the compensation fund for

any injury received at the hands of the board. I would also, at the end of the Bill, give the board the right to make its own regulations, and I would then do as is done in the Victorian Act, make those regulations referable to Parliament, as are all other regulations, and I would insert the excellent clause that is there inserted, that when such regulations are made they shall be made known to each member of the Parliament.

Before leaving this Bill, which I would have to amend drastically, to be honest with the people in the matter of health, I shall refer in more detail to the dangers of milk as a disease bearer. It will be found, in the first part of this Bill, that the word "disease" is defined. There it means either tuberculosis or actinomycosis. Other diseases may be proclaimed by the Government, but at present this Bill is limited to the two I have mentioned.

Hon. L. CRAIG: Actinomycosis has reference to dairy cattle.

Hon. J. G. HISLOP: The disease in dairy cattle is there defined in order to control its transmission to human beings, but there is one disease that at present is of greater importance to human beings in this city than is actinomycosis. I refer to streptococcal mastitis.

The Chief Secretary: What is that?

Hon. J. G. HISLOP: It is an infection of the udders by the ordinary streptococcus, which is the most virulent of all the pus forming organisms that attack the human being. I wish to deal with this disease as it affects man. I will go back a little and show what has had to be contended with each time any attempt was made at progress in sanitation. There has always been opposition to progress in health measures, and people have always said "How did we get on before this?" That question is commonly asked by the majority of people, because life seems to run on an even keel.

We live and die, and what does it matter? Members will remember the reference made to Cromwell, when he entered Parliament at 35 years of age which, as John Buchan said, was "long past a man's prime" at that time, and we have had reference here lately to the powers of men at 70 years of age. Expectation of life has increased tremendously with the introduction of health measures. Only last night the Honorary Minister told me

that there are difficulties in superannuation schemes all over the world, caused by people living on—too long perhaps, in some cases.

Hon. J. Cornell: They say some members of Parliament live too long.

Hon. J. G. HISLOP: We cannot assess the value of the introduction of any particular form of preventive medicine. When I first came to this State there were beds along the whole of one side of Ward 1 at the Perth Hospital, and of Ward 5 at the Children's Hospital, reserved for the treatment of typhus. Today that disease hardly exists in this State, yet there was opposition to the introduction of the sanitation that led to that result.

Now let me deal with the streptococcus. There is, in the community today, a virulent streptococcus at work. In my professional capacity I am seeing more and more cases of people of all ages suffering from an acute and rapidly progressing disease causing a contracture of both kidneys, together with rapidly rising blood pressure and early death. I see more of these cases each year. I cannot say that they are due to milk. I can only state that I know there is in the infected milk at the moment a virulent streptococcus at work. We know, as Mr. Craig pointed out, that the worst disease of cattle at the moment is streptococcal mastitis, and the disease is present in our milk supply. It can be eliminated by pasteurisation and, if we pasteurise the milk, we can at least say that this House and this Parliament have taken steps to ensure that it is not that streptococcus that is causing these deaths in the community.

Hon. L. Craig: Mastitis is prevalent in England and America, just as it is here.

Hon. J. G. HISLOP: It is common and is increasing in many places. I cannot say that milk is the source of the disease to which I have referred, but we can look back and see what the introduction of other forms of preventive medicine have done in the interests of the community. I can look back to when I sat in the superintendent's room in the Children's Hospital, asking the sister in Ward 6 if a baby under two years of age had died yet. That was in the days before the introduction of infant health centres and instruction for mothers. Every form of preventive medicine has brought results

and we can at least make certain that the streptococcus from our cattle does not infect human beings.

Members probably see milk just as milk, but I see it as a food. They do not—as I do—see a man asking my advice. I examine him and find that he has this streptococcal poisoning that has invaded his kidneys, and for which I can do nothing. I sit powerless before it. I say that members can contribute something towards the efforts that are being made, by ensuring that this infection is not transmitted by milk. It cannot come from beer, because most beer consumed today is pasteurised. The result is that it would be safer for this community to drink beer than to drink milk. Beer would take much longer to kill people than would drinking milk infected by streptococci.

I am not asking anything extravagant when I ask this House seriously to consider compulsory pasteurisation, which is being brought in all over the world. Mr. Martin, the Minister for Agriculture in Victoria, as he then was, introduced a Bill making provision for compulsory pasteurisation. It has not been put into practice there yet but that Government is determined to bring it in. England is bringing it in by a method which I think is the sanest of the lot. In a letter that I have from him, the Rt. Hon. J. J. Llewellyn, of the British Ministry of Food, points out that in England the authorities have considered a method under which the Government will take control of pasteurisation. They will take the milk in at the front door, pasteurise it and bottle it under constant supervision, and then hand it back to the milkman for distribution.

Hon. L. Craig: That is not being done yet.

Hon. J. G. HISLOP: It is, and eventually it will be done, in every community of 10,000 people or over, in England. That is the ideal at which they are aiming. The scheme is already working in certain parts of London and the intention is to extend it, as I have said.

The Chief Secretary: What attitude would our colleagues in this Chamber take on a proposition of that kind?

Hon. J. G. HISLOP: I think they will be on the side of the Government if it brings in such a measure.

Hon. F. E. Gibson: We will be on your side 100 per cent.

Hon. J. G. HISLOP: In the Victorian report on typhoid fever in the city of Moorabbin, at page 65, the recommendations read—

1. Experts shall supervise the production of milk, to educate and assist the farmer as is the present practice.

2. A public body, not the same as the first, shall control the treatment and delivery of the milk to the consumer. This is preferably the consumers themselves, through their representatives, as is now the case in respect to water and sewerage and to roads and drainage.

3. All milk shall comply with standards of purity, cleanliness, and quality, as is now required, and if so far satisfactory shall be pasteurised.

We should first of all pasteurise the milk, and when the dairies are in a clean state we can permit any dairy of a sufficiently high standard to supply raw milk. Until our dairies are in good order we must have compulsory pasteurisation of all milk except that which we reject as unsuitable. Dirty milk cannot be pasteurised, but by far the biggest percentage of milk that we get in our city today can be pasteurised. As the industry develops and as dairies are cleaned up and provided with modern equipment, we can give them the right to sell milk as Grade A, Grade B, accredited herd milk, or in whatever way the board decides to designate it.

I wish to refer briefly to the control of tuberculosis. It is creditable that this attempt is being made, but I do not consider it is economically sound in principle as laid down in the Bill. I doubt whether that method would be successful. I do not often take notice of a Press article written under a nom-de-plume, but I have here a letter which was sent to "The West Australian" and appeared in the issue of the 14th March, 1945. I have reason to believe that I know the writer; knowing him, I accept his printed word. What I wish to point out is that by pasteurisation we can control the tubercle in the milk when it reaches the consumer; but if we suddenly destroy all cattle with tuberculosis I doubt very much whether we will have a milk supply sufficient to meet the needs of the community. God knows, we do not drink enough milk now.

Hon. F. E. Gibson: What does the letter you mention suggest?

Hon. J. G. HISLOP: I shall read it—

The only reliable means to determine the presence or absence of tuberculosis in cattle is to submit each individual animal to a tuberculin

test. Dairy cattle in this State are not submitted to this test. The Minister does not make this fact clear. Cattle in the metropolitan area are certainly examined clinically but only once yearly by a stock inspector who is not a qualified veterinary surgeon. These examinations only detect cattle in the very advanced stages of the disease. The tuberculin test would reveal those other animals which perpetuate and spread the disease and at the same time possibly pass tubercle germs in their milk.

It was recently revealed that examinations showed 69 per cent. of metropolitan herds with tuberculosis infection. The last herd tuberculin testing was carried out on four herds in 1939-41 and revealed up to 75 per cent. cattle actually affected with tuberculosis. Payment in compensation for these animals so depleted the cattle compensation fund that no further tuberculin tests on herds have been performed in the metropolitan area.

The Minister can state whether what I have read is correct or not. If it is correct, the immediate introduction of this Bill may have effects far beyond what we anticipate, whereas we can immediately control the tubercle in the milk by pasteurisation. Those are the factors which I consider we should investigate. Another thing I do not like about the provision in the Bill for compensation for tuberculosis is that the work is to be done by the Chief Inspector of Stock. If one studies the provision, one will find that the methods are cumbersome and must involve delay. The Chief Inspector of Stock issues a certificate against an animal or a particular herd or a dairy. He must then notify the board, which in turn must notify the person, but it is incumbent on the Chief Inspector of Stock to keep books, so that the board will know what inspections have been carried out.

It would be very much better, I suggest, if the board were empowered to employ its own veterinary officers. Under this measure, it is proposed that large sums of money shall be expended; it will cost the Government at least £15,000 in the first year, and that expenditure may continue yearly for four or five years at least. It may completely exhaust the compensation fund if the figures given are anything like correct. Therefore I consider that all these examinations of cattle should be made by a qualified veterinary officer, not by a stock inspector. The Bill requires revision in that respect. We would be well advised to give the board power to employ its own veterinary staff.



Hon. L. Craig: But would it take a veterinary surgeon to decide whether a cow was suffering from tuberculosis?

Hon. J. G. HISLOP: Trained inspectors would be employed to act under the veterinary officers, but there must be a veterinary officer in charge.

Hon. F. E. Gibson: Look at Clause 61.

Hon. J. G. HISLOP: That deals with technical research. In my opinion, the board should have its own laboratory to make tests, which generally have to be made quickly. In fact, the board has asked for a laboratory. The board itself is in favour of pasteurisation and so should employ its own officers. In its report for 1945 the board states, at page 6—

The weight of scientific opinion inclines in favour of pasteurisation of milk but with this reservation, that the process of pasteurisation must be carried out efficiently and with no risk of recontamination.

Mr. Martin, of Melbourne, is of the belief that individuals should not be allowed to undertake pasteurisation because they are not under constant supervision. The only way effectively to control pasteurisation is to have an officer going constantly backwards and forwards between the pasteurisation plant and the dairies watching the whole operation. The board must be given greater authority if the community is to be assured of a safe and wholesome milk supply. Its members must be totally independent and have no relationship to the industry; or if it is necessary for the board to control the economic side, then the health side should be controlled by the Health Department or a properly constituted health organisation. I hope the House will assist me in this matter.

I have been a physician in Perth for 25 years and have not been unsuccessful. But I consider I have been unsuccessful in doing anything in the way of preventive medicine. I came to this House for the reason that I thought I could contribute something to the health of the community, something more than I could by sitting in my rooms. This is the first real opportunity that has been presented to me. I would suggest that some member move that the debate be adjourned, so that at the earliest opportunity, at the next sitting of the House, after members have had time to investigate the milk prob-

lem for themselves and to study the Bill carefully, I shall move that a Joint Select Committee of both Houses be appointed to inquire into the matter of providing Perth with a safe, clean milk supply. It will not endanger the economic aspect of the industry to leave the matter over for that period, but it would be unwise to hasten this Bill through Parliament and thus have a bad measure which would throw back the health of the community for years to come.

Hon. C. F. BAXTER (East). [5.26]: This is a most important Bill. I wish to make a personal explanation.

The PRESIDENT: Is the hon. member now making a personal explanation?

Hon. C. F. BAXTER: Yes.

The PRESIDENT: Does it deal with the Bill?

Hon. C. F. BAXTER: Yes.

The PRESIDENT: The hon. member may proceed.

#### *Personal Explanation.*

Hon. C. F. Baxter: I apologise for not having asked your permission to make this personal explanation, Mr. President. The Bill is a most important one, as it affects the health of the community. It also deals with the property of people engaged in the milk industry. Their cattle may be destroyed, as well as the milk. The measure contains 74 clauses and one can easily visualise how long it would take to study it in order to do it justice. Dr. Hislop has given us a warning, and he must be regarded as an authority.

The President: Is this a personal explanation?

Hon. C. F. Baxter: Yes.

The President: It sounds like a second-reading speech.

Hon. C. F. Baxter: Dr. Hislop is an authority and he has advanced cogent reasons why this Bill should be adjourned until such time as members have had an opportunity to consider the amendments that he and other members propose.

#### *Debate Resumed.*

Hon. C. F. BAXTER: I move—

That the debate be adjourned.

The PRESIDENT: Until what time?

Hon. C. F. BAXTER: Until the next sitting of the House. I understand there is a likelihood of this session being continued next year.

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

|              |    |    |    |    |
|--------------|----|----|----|----|
| Ayes         | .. | .. | .. | 14 |
| Noes         | .. | .. | .. | 8  |
|              |    |    |    | —  |
| Majority for | .. | .. | .. | 6  |
|              |    |    |    | —  |

#### AYES.

|                        |                      |
|------------------------|----------------------|
| Hon. C. F. Baxter      | Hon. A. L. Leton     |
| Hon. Sir Hal Colebatch | Hon. W. J. Mann.     |
| Hon. J. Corneli.       | Hon. H. S. W. Parker |
| Hon. L. Oralg.         | Hon. A. Thomson      |
| Hon. E. H. H. Hall     | Hon. H. Tuckey       |
| Hon. V. Hamersley      | Hon. F. R. Welsh     |
| Hon. J. O. Hislop      | Hon. C. R. Cornish   |
|                        | (Teller.)            |

#### NOES.

|                   |                    |
|-------------------|--------------------|
| Hon. J. M. Drew   | Hon. E. M. Heenan  |
| Hon. G. Fraser    | Hon. W. H. Kitson. |
| Hon. F. E. Gibson | Hon. G. W. Miles   |
| Hon. E. H. Gray   | Hon. T. Moore.     |
|                   | (Teller.)          |

Motion thus passed.

Debate adjourned.

*Sitting suspended from 5.34 to 7.30 p.m.*

## BILL—APPROPRIATION.

### First Reading.

Received from the Assembly and read a first time.

### Second Reading.

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West) [7.33] in moving the second reading said: This is the annual Bill to appropriate the amounts required for the services of the year as detailed in the Estimates of Expenditure from the Consolidated Revenue Fund and the General Loan Fund which have been passed by the Legislative Assembly. Two Supply Bills have been passed this session granting, in all, £3,800,000 from the Consolidated Revenue Fund, £400,000 from the General Loan Fund, and £300,000 from the Public Account for Advance to Treasurer, and Clause 2 of this Bill grants further supplies as set out in Schedule "A". The total amount required from the Consolidated Revenue Fund for the year is £13,705,994. Of this sum, £4,648,309 is permanently appropriated by Special Acts, and Clause 3 of the present Bill appropriates the balance, £9,057,685, as summarised in Schedule "B".

The estimated expenditure from the General Loan Fund is £1,606,675, and from the Public Account for Advance to Treasurer £1,000,000, and these amounts are also appropriated by Clause 3 for the purposes set out in Schedules "C" and "D". Clause 3 further confirms the appropriation of expenditure from "Advance to Treasurer, 1944-45", the details of which are set out in Schedules "E" and "F".

The revenue collections for 1944-45 totalled £13,953,830, being £368,959 more than the amount estimated. Apart from income tax, which is a fixed amount paid by the Commonwealth under the States Grants (Income Tax Reimbursement) Act, the returns from all forms of taxation were greater than anticipated, the actual increases being land tax, £8,134; totalisator duty, £56,374; stamp duty, £30,829; probate duty, £65,477; entertainment tax—these were arrears collected during the year—£150, and licenses, £7,924. Expenditure for 1944-45 amounted to £13,949,340, being £366,142 above the estimate of £13,583,198. Under "Departmental" the principal increases were, Treasury £51,027, Public Works £20,236, Mines £12,360, and Forests £30,465.

Dealing with the Estimates for the current year, it is not expected that the State's revenue will continue to grow as it has done over the past 10 years or so, and collections for this year will probably fall short of those for 1944-45. At the same time we have to face increasing costs, and after a careful study of all factors likely to affect the State's finances during this year the Government has budgeted for a deficit of £207,090. Revenue has been put down at £13,498,904, or £454,926 less than last year, and expenditure is estimated at £13,705,994, a decrease of £243,346.

For the purposes of comparison, allowance must be made for the fact that in last year's figures the sum of £318,000 was included in both revenue and expenditure. This sum represented the balance of the insurance money received on account of the loss of the vessel "Koolama". About half the amount was placed in a suspense account to meet commitments on the loan out of which the ship was purchased and the balance was used to pay off Treasury bills. On the recommendation of the Grants Commission the grant to be paid by the Commonwealth

under Section 92 of the Constitution will this year amount to £950,000, an increase of £46,000 on the sum received last year. The estimated expenditure for 1945-46 compared with the actual expenditure for 1944-45 under the three main subdivisions is as follows:—

Special Acts—increase of £13,603.

Governmental—decrease of £324,189.

Public Utilities—increase of £67,240.

In explaining the decrease in the estimated governmental expenditure for this year, allowance must be made for the inclusion in last year's figures of the sum of £318,000 in connection with the disposal of the "Koolama" insurance money, to which I previously made reference, and in addition there is no provision this year for drought relief, whereas £40,000 was set aside for that purpose last year. War-caused expenditure is estimated at £122,600, a decrease of £52,280 as compared with 1944-45. Against these reductions there will be an increased grant to the Reforestation Fund of £15,000, and provision of £60,000 for use in connection with the Government Agency section of the Rural and Industries Bank. Clause 4 of the Bill is to approve of expenditure from the Reforestation Fund, as set out in the scheme of expenditure which has been laid on the Table of House and which requires the approval of Parliament. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

#### *In Committee, etc.*

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

Bill read a third time and *passed*.

### **BILL—MARKETING OF EGGS.**

#### *Assembly's Message.*

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

*Sitting suspended from 7.47 to 8.49 p.m.*

### **BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.**

#### *Assembly's Message.*

Message from the Assembly received and read notifying that it had agreed to amend-

ments Nos. 11 to 13, 20, 26 and 27 made by the Council, had disagreed to Nos. 1 to 10, 14 to 19 and 21 to 25, and directing the attention of the Council to a clerical error in the Bill as passed by the Legislative Assembly and presented to the Legislative Council whereby in Clause 25, page 11, line 6, after the word "of" the words "wood and partly of" were omitted.

#### *In Committee.*

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

No. 1. Clause 3:—Delete.

No. 2. Clause 4:—Delete.

No. 3. Clause 5:—Delete.

No. 4. Clause 6:—Delete.

No. 5. Clause 7:—Delete.

No. 6. Clause 9:—Delete.

No. 7. Clause 10:—Delete.

No. 8. Clause 11:—Delete.

No. 9. Clause 12:—Delete.

No. 10. Clause 13:—Delete.

The CHAIRMAN: The Assembly's reason for disagreeing to amendments Nos. 1 to 10 is:—

Plural voting is undemocratic.

The HONORARY MINISTER: I move—

That amendments Nos. 1 to 10, inclusive be not insisted on.

Question put and negatived; the Council's amendments insisted on.

No. 14. Clause 21, proposed new section 219A:—Insert the words "or purchase" after the word "purpose" in line 31.

No. 15. Clause 21, proposed new section 219A:—Insert the words "sold under contract of sale or be" after the word "be" in line 31.

No. 16. Clause 21, proposed new section 219A:—Insert the word "leased" after the word "such" in line 33.

The CHAIRMAN: The Assembly's reason for disagreeing to amendments Nos. 1 to 16 is:—

Municipal councils should not be permitted to deal in land and houses to the extent of buying and selling houses already erected.

The HONORARY MINISTER: I move—

That amendments Nos. 14 to 16, inclusive be not insisted on.

Question put and negatived; the Council's amendments insisted on.

No. 17. Clause 21, proposed new section 219A:—Delete from the proviso the words "no freehold estate in any such land shall be granted to any employee and that" in lines 37 and 38.

No. 18. Clause 21, proposed new section 219A:—Insert in the proviso, after the word "land" in line 40, the words "or the purchase of any such house."

No. 19. Clause 21, proposed new section 219A:—Add to the proviso at the end thereof the words "or out of the ordinary revenue of the council."

The CHAIRMAN: The Assembly's reason for disagreeing to amendments Nos. 17 and 18 is—

Leasing only would retain the houses for the use of councils' employees.

The Assembly's reason for disagreeing to amendment No. 19 is—

It is considered that houses should be built only out of loan funds.

The HONORARY MINISTER: I move—

That amendments Nos. 17 to 19, inclusive, be not insisted on.

Question put and negatived; the Council's amendments insisted on.

No. 21. Clause 32:—Delete.

No. 22. Clause 34, (c):—Delete subparagraph (vi), on page 14.

No. 23. Clause 36:—Delete.

No. 24. Clause 37:—Delete.

No. 25. Clause 38:—Delete.

The CHAIRMAN: The Assembly's reason for disagreeing to amendments Nos. 21, 23, 24 and 25, is—

Plural voting is undemocratic.

The Assembly's reason for disagreeing to amendment No. 22 is—

Municipal councils should have this discretionary right.

The HONORARY MINISTER: I move—

That amendments No. 21 to 25, inclusive, be not insisted on.

Question put and negatived; the Council's amendments insisted on.

The CHAIRMAN: With regard to the message from the Legislative Assembly directing the Council's attention to a clerical error in the Bill as passed by the Assembly and presented to the Council whereby in line 6 of Clause 25, on page 11, after the words "partly of," the words "wood and partly of" were omitted, does the Honorary Minister

give the Committee an assurance that the inclusion of the words referred to will not materially affect the Bill and the principles of it?

The HONORARY MINISTER: Yes. It was a mistake in another place.

The CHAIRMAN: On another occasion when a similar incident occurred it was directed that the Clerk of Parliaments, when preparing the Bill for assent, should include the words omitted. That will be done on this occasion.

Resolutions reported, the report adopted and a message accordingly returned to the Assembly.

*Sitting suspended from 9.10 to 9.42 p.m.*

## **BILL—CITY OF PERTH SANITATION.**

### *Assembly's Message.*

Message from the Assembly received and read notifying that it had agreed to the amendment made by the Council.

## **BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.**

### *Assembly's Request for Conference.*

Message from the Assembly received and read requesting a conference on the amendments insisted on by the Council, and notifying that at such conference the Assembly would be represented by three managers.

The HONORARY MINISTER: I move—

That the Assembly's request for a conference be agreed to, that the managers for the Council be Hon. Sir. Hal Colebatch, Hon. F. E. Gibson and the mover, and that the conference be held in the Chief Secretary's room forthwith.

Question put and passed, and a message accordingly returned to the Assembly.

*Sitting suspended from 9.45 to 10.30 p.m.*

## **BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.**

### *Conference Manager's Report.*

The HONORARY MINISTER: I have to report that the conference managers met in conference on the Bill and reached the following agreement:—

Amendments Nos. 1 to 10, inclusive, 21, 22, 23, 24 and 25, were insisted on by the conference.

Amendments Nos. 14 to 19, inclusive, were not insisted on by the conference.

I move—

That the report be adopted.

Question put and passed, and a message accordingly returned to the Assembly.

#### *Assembly's Further Message.*

Message from the Assembly received and read notifying that it had agreed to the conference managers' report.

#### COMPLIMENTARY REMARKS.

**THE CHIEF SECRETARY (10.34):** Once again we have reached the close of the Parliamentary year, this time in circumstances much happier than those under which we have laboured since 1939. The greatest holocaust the world has ever seen has come to an end, and the complete and final victory of the Allies is something for which we should be truly grateful. During this session we have had an indication of the problems inevitable in the aftermath of war. A grave responsibility will rest on all Parliaments in the immediate future, in grappling with these problems. Already we have been called upon to adjudicate upon legislation dealing with the conversion of manpower and industry to civilian pursuits, and the years immediately before us will bring similar grave decisions.

It is with these thoughts in mind, Mr. President, that I desire to extend to you on behalf of myself and members, our very best wishes and the compliments of the season. I desire, too, to express our gratitude for the courtesy and wisdom that you have displayed in the exercise of your responsible duties. Our grateful thanks are also due to the Chairman of Committees, Mr. Cornell; to his deputies, Mr. Hamersley, Mr. Seddon and Mr. Fraser, for the efficiency and tact with which they have conducted our discussions in Committee.

To the Clerk of the Council, Mr. Leake, and the Clerk Assistant, Mr. Sparks, we are again indebted for the capable manner in which they have attended to their duties, and for the assistance which they have extended to members. Our thanks are due, too, to the other officers of Parliament who also have carried out their functions in a willing and painstaking manner.

A very considerable degree of gratitude is due to the Chief Hansard Reporter, Mr. Reid, and to his staff. Not only have they

performed their duties in an exemplary manner, but they have at all times been willing to assist members to the limit of their ability. Parliament is indeed fortunate in the quality and devotion to duty of its "Hansard" staff.

In conclusion, Mr. President, I must extend my personal thanks to yourself and to all members for the consideration and assistance that have been granted me. The friendships that I have made in my association with this Chamber are a source of great happiness to me. I take great pleasure, Mr. President, in wishing you and all members and others of Parliament the compliments of the season and the best wishes for the future.

**Hon. V. HAMERSLEY (East):** I wish to extend to you, Sir, to Ministers and members my best wishes for prosperity and happiness during the Christmas season and in the New Year. I thank the Chief Secretary for his kindly remarks about the health of the Chairman of Committees, Mr. Cornell, whom we are all pleased to see with us again, and for his kindly references to the work that fell upon me as one of the temporary Chairmen of Committees. I thank members for the kindness extended to me, and must express my great appreciation of the way in which the Chief Secretary has handled his measures, put his arguments and won many victories. We all appreciate the happy way in which he carried through the work of the session.

I join with him in expressing appreciation of the work of the Clerks and officers including the "Hansard" reporters. The happy family spirit that prevails in this House helps us greatly to work so smoothly. You, Mr. President, have always maintained the dignity of the House and kept the spirit alive. Some members in the coming recess will have to face the music and see whether they can win out with their electors. I sincerely hope they will not fall by the wayside, but will return to the House once more.

**Hon. Sir HAL COLEBATCH (Metropolitan):** I should like to endorse all that the Minister has said regarding yourself, Sir, the Chairman of Committees, the Deputy Chairmen of Committees, officers of the House and the "Han-

sard" staff. I should like to add an expression of appreciation that every member of the House entertains for the manner in which the business is conducted by the Chief Secretary and the Honorary Minister. We all recognise that their task is most arduous, and whatever differences may arise amongst us from time to time, we all have the warmest admiration for the way in which they conduct the business of the House.

**HON. J. CORNELL** (South): I join in the remarks that the Chief Secretary has made concerning yourself, Mr. President, the Clerks, officers and "Hansard." They have been kindness personified and at all times have been not only helpful but also obliging. I thank the Chief Secretary for his remarks about me and what he termed my remarkable recovery. I was in good hands, and that had much to do with it. I am told there was a period when it seemed as though a new Chairman of Committees would be needed, but I am here, so to speak, to rise again. I thank the temporary Chairmen of Committees for carrying on my work during my absence. I join in commendation of the manner in which the business has been conducted by the Chief Secretary and his genial companion or back-stop, the Honorary Minister. I wish to utter a word of warning to the Chief Secretary, namely, that it is possible to overdo one's work. He is not the man he was a year ago—

Hon. F. E. Gibson: Much better.

Hon. J. CORNELL:—and this can be attributed only to his ardour to carry out his work as it ought to be done. However, there is a limit to what a man can do, and my advice to him is not to stretch that limit too much, but to take a spell as soon as possible. During my long association with parliamentary life, I know of no man who has endeavoured to serve the country and Parliament as the Chief Secretary has done. I thank you, Sir, for your kindness to me as Chairman of Committees and as a colleague. I also thank those members who expressed anxiety about me during my recent experience. They were very kind and had only the one hope, that I would again be back in the House.

**THE PRESIDENT:** I greatly appreciate the remarks that have been made concerning

me. I am one of the ten members of this Chamber who, early in the coming year, retire through effluxion of time. Therefore, as there is always some uncertainty about elections, it depends on circumstances, not entirely within my control, whether it may or may not be the last occasion that I will have an opportunity of addressing the House. I must, consequently, specially thank honourable members for the unfailing consideration they have ever extended to me during the very lengthy period—extending over nearly 20 years—that I have had the honour of being elected and re-elected to preside over their deliberations as President. When first elected to that high office in 1926, in expressing my appreciation, I promised to do my utmost to uphold the best traditions of Parliament; to endeavour to ensure that business would be conducted with proper decorum, and to try to act not unworthily of those who, in the past, preceded me in this office.

The Legislative Council is the oldest institution in the State. It was responsible for bringing the Legislative Assembly into existence. All the legislation on the statute-book of the State had to pass through the necessary stages in this Chamber, and the first to preside over its deliberations was Sir James Stirling, the founder of the colony that has become the present State of Western Australia. He was succeeded in the Chair by a long line of men whose names and public services are well known to those acquainted with our State's annals.

Until 1870 the various holders of the office of Governor presided, but in that year the Council became a wholly elective body, the Governor ceased to be a member and the occupant of the Chair was chosen as at present. Since then this Chair has had seven occupants—Sir Luke Leake, Sir James Lee Steere, Sir Thomas Cockburn-Campbell, Sir George Shenton, Sir Henry Briggs, Sir Walter Kingsmill and Sir Edward Witte-noom. To follow such men was no easy task; and if I have succeeded in any small degree in my efforts to carry on along their lines, it is largely due to the assistance given me by all the members without exception.

I also acknowledge with thanks the help of the Chairman of Committees, Mr. Cornell; and the Deputy-Chairmen of Commit-

tees, Mr. Seddon, Mr. Fraser and Mr. Hamersley. In addition I have been fortunate in having the services, as Clerk of Parliament, of Mr. Leake; and as Clerk-Assistant, of Mr. Sparks, whose duties, more especially towards the close of the session are most exacting and call for infinite care to avoid mistakes.

To the gentlemen of "Hansard," and the gentlemen of the Press I wish to record gratefully the obligations of the Council and of myself, and to all associated with the Chamber who have helped with our work. Happily, the dark cloud of war that has, for years, hung over us has disappeared. Though sad gaps have been left in our lives, the sacrifices of those who fought and suffered and died were not made in vain for, by the grace of God, the Empire has passed victoriously through what has been the most perilous period in its history. In this spirit I re-echo to all the wishes expressed for a happy Christmas and a bright and prosperous New Year.

#### ADJOURNMENT—SPECIAL.

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West): I move—

That the House at its rising adjourn to a date to be fixed.

Question put and passed.

*House adjourned at 10.55 p.m.*

## Legislative Assembly.

*Friday, 14th December, 1945.*

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The SPEAKER took the Chair at 11 a.m. and read prayers.

### QUESTIONS.

#### RAILWAYS.

(a) *As to Fox Theory for Eliminating Sparks.*

Mr. SEWARD asked the Minister for Railways:

1, Has any progress been made in affording Mr. Fox facilities for proving his theory that by making certain alterations to railway engines, he can eliminate sparks when using Collie coal?

2, If so, what is the result?

3, Have any railway engines been equipped with the necessary apparatus, and if so how many?