

- (2) to any descendant of any person referred to in the next preceding paragraph if the domicile of the descendant is in the State.

We have been told that this arises from a request made by the Government of India, but I feel that the Act itself deals with Asiatics. Whilst the question of domicile comes into it, as far as the State is concerned, it is possible that numerous persons of Asiatic origin, at present in the northern part of Australia, may infiltrate into this State so that in future we shall find them domiciled here, notwithstanding that the Act provides that their domicile shall be in this State.

Hon. A. Thomson: They would be natural-born.

Hon. E. M. DAVIES: I do not know. Possibly some of them have been natural-born in the northern part of Australia. I cannot subscribe to the Bill at the present juncture. After hearing it explained, I may change my opinion. It occurs to me that some years ago a friend of mine had a small business in Bunbury—his daughters looked after it—and a Japanese frequented it. When he was told by the proprietor that he did not want him there, or his custom, he said, "I am not a Japanese, but an Australian." Apparently he was born in Australia. At the same time I am not prepared, if it can be avoided, to allow this class of people to be employed in and around these businesses in Western Australia. We have many of our own people who desire that class of work. I am not happy about the Bill, but I have not yet made up my mind how I shall vote. Unless it can be explained to me that the position is other than what I read in the Bill, I shall express my disapproval by my vote when it is taken.

On motion by Hon. L. A. Logan, debate adjourned.

House adjourned at 8.47 p.m.

Legislative Assembly.

Wednesday, 15th September, 1948.

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

ADDRESS-IN-REPLY.

Presentation.

Mr. SPEAKER: I desire to announce that, accompanied by the member for Wagin and the member for Canning, I attended upon His Excellency the Governor and presented the Address-in-reply to His Excellency's opening Speech. His Excellency was pleased to reply in the following terms:—

Mr. Speaker and Members of the Legislative Assembly: I thank you for your expressions of loyalty to His Most Gracious Majesty the King and for your Address-in-reply to the Speech with which I opened Parliament.

QUESTIONS.

EDUCATION.

As to Resignation of Teachers.

Mr. GRAYDEN asked the Minister for Education:

(1) How many teachers resigned from the Education Department during the years 1946 and 1947, and the six months ended June, 1948?

(2) How many of these teachers resigned in the periods mentioned while still serving under the Teachers' College bond?

(3) What are the total amounts in the periods mentioned of assessed damages to be paid by these teachers as a result of not completing their bonds?

(4) How many teachers who, as a result of marriage or for other reasons, broke their bonds in the periods mentioned and are therefore required to pay damages, even though they are still retained on supply by the Education Department?

The PREMIER replied:

(1) 1946, 108; 1947, 117; 1948, 36.

(2) 1946, 19; 1947, 21; 1948, 19.

(3) 1946, £877 18s. 11d.; 1947, £1,197 12s. 6d.; 1948, £1,404 18s. 2d.

(4) Ten.

SERVICEMEN'S LAND SETTLEMENT.

As to Allotment of "The Carrolls" Property.

Mr. WILD asked the Minister for Lands:

(1) Has a property known as "The Carrolls," Bolgart, been allotted by the War Service Land Settlement Board?

(2) If "Yes" is the answer to question No. (1), to whom was it allotted, and on what date?

(3) If "No" is the answer to question No. (1), on what date is it expected to be included in a brochure for application by ex-Servicemen?

The MINISTER replied:

(1) "The Carrolls," Bolgart, has been subdivided into two farms—one farm has been allotted on a caretaker basis, subject to certain conditions; the second farm has not been allotted.

(2) R. V. Travers, on the 28th May, 1948, on a caretaker basis.

(3) The second farm will be advertised in approximately two weeks' time.

GALVANISED PIPING.

As to Shortage and Control of Supplies.

Mr. HOAR asked the Honorary Minister for Supply and Shipping:

(1) Is she aware that the acute shortage of $\frac{1}{2}$ in. and $\frac{3}{4}$ in. galvanised piping is having a serious effect on dairy farmers in this State?

(2) That this commodity is essential for the proper maintenance of dairies and milking sheds?

(3) That piping for dairies at present only has a No. 3 priority, and that it is well nigh impossible to obtain any under this priority?

(4) Is this material controlled by the Commonwealth; if not, by whom is it controlled?

(5) If it is so controlled, what percentage does this State get from the common pool?

(6) If she is not satisfied with the general position as regards piping, what steps is she taking to correct it so as to ensure that our dairy farms are adequately serviced?

The HONORARY MINISTER replied:

(1) Yes.

(2) Yes.

(3) Yes.

(4) By the State Housing Commission, when it arrives in the State.

(5) Eight and one-half per cent.

(6) I am not satisfied with the piping position, but all possible steps have been taken to obtain the material, but so far, all arrangements have been stultified by the labour conditions on the waterfront in the Eastern States.

POLIOMYELITIS.

As to Investigation of Osborne Park Outbreak.

Mr. GRAYDEN asked the Minister for Health:

(1) Does the Government intend to investigate the group outbreak of poliomyelitis at Osborne Park, with a view to discovering any factor which may be of value to research into the origin of this disease, in accordance with the recent suggestion of Dr. Hislop?

(2) Will the Government appoint a qualified medical practitioner to investigate this outbreak, under the supervision of the Public Health Department?

(3) Will the Government make a sum of money, say, £500, available for this purpose?

The MINISTER replied:

(1) The Government has carefully investigated every case of poliomyelitis occurring in Western Australia, including those at Osborne Park, with a view to discovering any factor which may be of value to research into the origin of this disease.

(2) The investigation has been done under the personal supervision and direction of Dr. Kingsbury, who has been specially trained for such work.

(3) All necessary funds are being made available for such work.

HOUSING.

As to Rental and War Service Homes.

Mr. GRAYDEN asked the Minister for Housing:

(1) Is he aware that there are many families at present living in Commonwealth-State rental homes who are eligible for War Service homes and who are desirous of purchasing their present dwellings?

(2) Has any provision been made for such families to purchase their present rental homes on a War Service basis, instead of having new houses built through the War Service Homes?

(3) If the answer to No. (2) is "No," will he consider negotiating with the Commonwealth Government with a view to making it possible for families at present living in Commonwealth-State rental homes and who are eligible for War Service homes, to purchase their present dwellings on a War Service basis?

The MINISTER replied:

(1) Yes.

(2) The Commonwealth-State rental homes will be available for purchase, and details are now being finalised by the Commonwealth. An early decision is expected.

(3) Answered by No. (2).

RAILWAYS.

As to Conditions at Midland Junction Workshops.

Mr. GRAYDEN asked the Minister for Railways:

For the benefit of those who are not aware of the position, will he explain the reason for the delay in implementing steps to remedy the shocking conditions in the Midland Junction Workshops, as disclosed by the recent Railway Royal Commission report?

The MINISTER replied:

There has been no delay in implementing those of the Royal Commission's recommendations for improvement of conditions at Midland Junction which are immediately practicable. Steps have already been taken in the matter of cleaning up, painting, supply of lockers, bituminising roadways in shops, provision of bond stores, and salvaging material. Professional staff has been augmented and tenders for new machinery have been received and are under consideration. Planning of the altered layout is in hand.

Plans for the new canteen have been forwarded to the Minister for Housing for issue of necessary permit.

FISHERIES ACT.

As to Prosecution for Offences.

Mr. KELLY asked the Minister for Fisheries:

(1) How many prosecutions have been made by the Fisheries Department since the 30th June, 1948, for taking of undersized bream from the Swan River—

(a) by net fisherman;

(b) by hand-line anglers?

(2) Is he aware that some hand-line fishermen are daily taking a large number of undersized bream from a number of places in the Swan River, and in some cases these small fish are being offered for sale?

The MINISTER replied:

(1) (a) and (b) No net fishermen or hand-line anglers have been prosecuted for taking of undersized bream since 30/6/48, but cases against two Perth dealers for being unlawfully in possession of undersized bream will be heard in the Perth Police

Court on 13th October, 1948. In addition, two dealers have been cautioned for first offences of a minor nature.

(2) No.

GOLDMINING.

As to Assistance for Phoenix and Tindals Mines.

Mr. KELLY asked the Minister representing the Minister for Mines:

(1) As the Commonwealth Government has refused to assist Phoenix Gold Mines Ltd., Coolgardie, to continue development, resulting in a reduction in its scale of operation, and as Tindals Mine has been repeatedly denied assistance to re-commence operations, has the State Government examined the possibility of making finance available in either or both cases?

(2) With what result?

(3) If direct financial aid is difficult, and as both these mines are of vast importance to Coolgardie, will the Government give consideration to alternative means of assistance?

The MINISTER FOR HOUSING replied:

(1) Yes.

(2) In the case of Phoenix, the major ore bodies have lost their values at depth so as to become unpayable. It is considered that there is little likelihood of development opening up immediate ore bodies to increase the ore reserves. In the case of Tindals, an application from the owner for assistance is being investigated.

(3) Any suggested alternative means of assistance should be placed before the Government for consideration.

CANNING BRIDGE.

As to Condition of Bitumen Surfacing.

Mr. KELLY asked the Minister for Works:

(1) Is he aware that the bitumen surfacing of the Canning Bridge is badly cracked, and is daily showing signs of added deterioration?

(2) That if this state of disrepair is allowed to continue repeated rain soaking will warp the timbers and cause an ever-recurring problem?

(3) Will he advise the House when he anticipates effecting repairs?

The MINISTER replied:

(1) No.

(2) Answered by No. (1).

(3) As soon as considered necessary.

ROADS.

As to Great Eastern-highway, Coolgardie-Southern Cross Section.

Mr. KELLY asked the Minister for Works:

(1) How many men are employed on the Great Eastern-highway between Coolgardie and Southern Cross?

(2) What equipment is in use?

(3) At the present rate of progress, when is it anticipated that the tar surfacing between Coolgardie and Southern Cross will be completed?

The MINISTER replied:

(1) 39.

(2) One Wehr grader; one Malcolm Moore grader; one Fordson roller; one multi-wheel roller; one D2 tractor; one Fordson Major loader; one drawn roller; one rotary broom; two ploughs; three scoops; 11 hired motor trucks; one hired Rushton Bucyrus excavator, and, until recently, a No. 12 Road Patrol grader (now under repair).

(3) 1950. Not possible to determine actual date.

SOUTH FREMANTLE POWER HOUSE.

As to Capacity and Cycle Equipment.

Mr. WILD asked the Minister for Works:

(1) What is the total horsepower already ordered for the South Fremantle Power House?

(2) On what date approximately, is it hoped to have the horsepower referred to in question No. (1) installed?

(3) Is the South Fremantle Power House to be 40 cycle?

(4) If "Yes" is the answer to question No. (3), will compensation be paid to the existing holders of 50 cycle equipment when the change-over to 40 cycle takes place?

The MINISTER replied:

(1) 100,000 K.W. capacity turbo-alternators.

(2) First units of 25,000 K.W. capacity early 1950; complete station, 1954.

(3) No, it will generate at 50 cycle.

(4) Answered by No. (3).

TRACTORS.

As to Imports from U.S.A.

Mr. GRAYDEN asked the Minister for Lands:

(1) Is he aware that tractor distributors in Perth, who are in direct contact with manufacturers in the United States of America, state that if dollars were available they could obtain more tractors?

(2) In view of the reply to a question answered in the Legislative Assembly on the 14th September, 1948, to the effect that "it is not shortage of dollars but shortage of tractors that is the trouble, and until tractors are available in larger numbers, it will not be possible for Australia to obtain any increase in supplies," will he investigate the statements of Perth distributors, with a view to making representations to the Commonwealth Government in order that the maximum number of tractors will be obtained?

The MINISTER replied:

(1) Yes.

(2) The matter will be taken up with the Commonwealth Government and if any action by the State Government is likely to result in any increase in tractors being made available in this State it will certainly be taken.

BILL—BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL ACT AMENDMENT (CONTINUANCE).

Read a third time and transmitted to the Council.

PAPERS—WATER SUPPLIES.

As to Port Hedland Scheme.

MR. HEGNEY (Pilbara) [4.42]: I move—

That all papers dealing with the Port Hedland water supply be laid on the Table of the House.

It is many years—about 20—since the proposal to inaugurate a water supply at Port Hedland was first made. From discus-

sions I had with residents of the district, when I first had the honour to represent that far-flung electorate, it was apparent that certain interests were not in favour of the construction of the scheme. But, as time went on, that prejudice was broken down, and in the meanwhile the Government supplied water to the residents of Port Hedland, by having it brought from such places as Poondina and Shaw River in railway tanks. The Public Works Department does the distribution to the people in Port Hedland. During the war period, the Air Force was instrumental in providing a supply from the 12-Mile for Servicemen. The aerodrome in the Hedland district is approximately seven miles from the township, and the supply from the 12-Mile was adequate for the purposes for which the Air Force required it.

I know that over a long period a number of surveys have been made by Public Works engineers. The supply at the 12-Mile has been tested, and so also has that at what is known as the Turner River site, approximately 20 miles from Port Hedland. The local scheme, apart from the supply provided by the railways and the Public Works Department, is purely and simply one of salt water. There are wells about one to 1½ miles from the township, and the supply is under the jurisdiction of the local water board. Residents pay 6s. 6d. a month for the water which is so salty that they are unable to use it for ordinary domestic purposes, and certainly it is of no use for washing. So we can imagine the plight of those people. They are anxious to know just what is the latest position, and I am interested, of course, to review the whole subject from the inception of the proposal many years ago.

I appreciate that the requisite pipes are difficult to obtain, but I think the time has arrived when the people should know the approximate date when the scheme will be implemented. There is one point about which I desire to correct the Minister. At least one Minister has made use of this assumption—I know it has not been used intentionally as a reason for not going on with the scheme—that £50,000 is a large sum of money to spend on a water scheme for 300 people. That is an unintentional misrepresentation of the position. While the population of Port Hedland may be only 300, there are many people passing between there and Marble Bar all the time.

The Minister for Works: That has been taken into account.

MR. HEGNEY: The mining community, the pastoral community and people travelling by sea, air and road find their way to Port Hedland, so, at a conservative estimate, I would say there would be easily 3,000 people who would avail themselves of this scheme each year. I trust there will be no opposition to the motion.

On motion by the Minister for Works, debate adjourned.

BILL—BUSH FIRES ACT AMENDMENT.

Second Reading.

MR. PERKINS (York) [4.48] in moving the second reading said: I have no doubt that most members are conversant with the Bush Fires Act and the provisions contained therein for the organising of fire-fighting personnel and apparatus in our rural areas. Members who want to examine the Act will find it in the re-printed statutes. It will be necessary to read through its provisions to understand clearly what I am trying to provide in this measure.

The necessity for the Bill has arisen because of the present anomalous and unjust position and it has been found impossible to resolve it by other voluntary means. I have no doubt that quite a number of members have seen the apparatus provided in some of our rural areas, and are also probably conversant with the organisation of bush fire brigades. At the Royal Show last year, certain of these units were brought down from the country districts and other apparatus was provided by the Forests Department for the occasion. If members saw that display they will have a fair idea as to the lines along which fire fighting is developing in our rural areas. Two units which were brought down to the Royal Show last year were provided from the Kojonup and Bruce Rock areas. The demonstrations quite impressed the people who saw them.

As well as the particular districts which were represented at the Show last year, there are many others in the State where a considerable amount of money has been spent on fire fighting equipment. There has always been some sort of organisation in our country districts to guard against fire. If a fire

breaks out there is always a good roll-up from the people immediately concerned as well as any others who think they can help in such an emergency. However, it has been found, now that our country districts are becoming more and more developed, that the danger of fire is increasing and there is a need for mechanical equipment to help out the efforts of the people who are working with more primitive types of equipment. In some areas it has been necessary to levy a rate of as much as one farthing in the pound, in addition to the general rate, to finance the provision of the equipment to which I have referred.

This equipment is largely to protect the immediate interests of the people concerned, but there are other people, of course, besides actual property holders, who stand to sustain considerable loss if a fire gets out of control. It has been found that where country bush fire brigades have been established, all sorts of people in the towns, such as those working in garages, oil companies, businesses and so forth, all lend their services to staff voluntary brigades. This is in addition to the actual cash contributions which come from the local authorities and from other people who are prepared to help financially. This state of affairs has been going on for some considerable time, and both the people who provide the cash and the people who give their services will no doubt continue to render that assistance in order to combat the fire menace.

More and more people have been realising that, in addition to providing service for the protection of property, fire fighting is largely benefiting the underwriters, because it is greatly reducing the risk in the insurance of crops, etc. Before dealing with that aspect, I think members will agree that it is desirable, that we as a Parliament should do everything possible to encourage measures to reduce the loss due to fire in country areas. Losses by fire are usually total losses and in a period when the world needs the maximum production of food-stuffs, which we are able to provide, it would be wrong not to take whatever measures were possible to prevent losses of crops, etc., by fire. This aspect is very important and any measure dealing with the subject should be considered from the angle of encouraging activities to reduce fire risk.

It has been shown that where there is an absence of mechanical equipment and a consequent increase in fire risk, there is a tendency, if a serious outbreak occurs, for the damage to extend to areas that would not have been affected if efficient mechanical equipment were available. For instance, a fire occurred at Mt. Bakewell, which is outside of York, last year. The fire spread for a considerable distance and at one stage there were three or four hundred men fighting it at one time. After a period of strenuous fire fighting volunteers tend to become exhausted and, were it not for the fact that other brigades can be called upon, I would hesitate to predict how far a fire of that nature would spread. That brings home to us the necessity for mechanical equipment to be provided for many of our brigades in country areas which are being established at the present time. If this equipment were provided it would prevent, in many instances, minor outbreaks developing into major outbreaks, and thus affecting other districts as well as the district in which the original outbreak occurred.

I consider it absolutely necessary that some steps should be taken to right the present position. Several years ago one local authority—I think it was the Yilgarn Road Board—put forward a proposal that the underwriters should subsidise country bush fire brigades. Most of the local authorities were circularised and the proposal was given serious consideration throughout country districts. Most members of Parliament received correspondence on the matter from the local authorities in their own electorates, and country members carefully considered the matter, but it became evident that anomalies would arise if that method of finance was adopted.

Mr. May: Who supplies the equipment?

Mr. PERKINS: The equipment is provided in the local areas by the people concerned. Under the Bush Fires Act there is provision for the local authorities to establish bush fire brigades and to appoint fire control officers. There is also an alternative method whereby fire brigade associations may be formed independent of the local authority. If members will look at the Bush Fires Act they will note that there is full provision for the local organisation to be established. The Yilgarn proposal was that local organisations should be sub-

sidised by direct contribution from the Underwriters' Association. If the major proportion of the finance for bush fire brigades were provided by the underwriters, not only would there be difficulty in deciding what amount each underwriter should contribute in each area, or to a common pool with a central authority financing the brigades, but it would also mean that a person who did not insure would receive protection at the expense of those who covered their risk with an insurance company. So that does not seem to be a satisfactory way of tackling the problem.

The Bill seeks to deal with the matter from the other angle, namely, by providing for a discount on premiums where efficient bush fire brigades are constituted. It would have been very much simpler had the underwriters agreed to a voluntary scheme. I have had a great deal of correspondence with the Underwriters' Association extending over two or three years. Certain of the members seemed to be quite willing to adopt such a course, but others could see no virtue in the proposal and it has been impossible to get anywhere with the underwriters as a body. Recent correspondence that has passed between the underwriters and certain local authorities has convinced me that the underwriters do not intend to do anything on a voluntary basis. We cannot permit existing conditions to continue longer, and I felt it necessary to introduce the Bill to give Parliament an opportunity to clean up what I regard as a most anomalous position.

Provision is made in the Bill for an addendum to Section 35 of the Act. Actually it is a new section and could have been introduced separately, but the draftsman advised that it would be desirable to insert it as an amendment to the Bush Fires Act in order that all these matters could be kept together in the one statute. The first problem to be overcome was to decide what would be an efficient or proper bush fire brigade to subsidise. Obviously, with such a wide variety of conditions existing in this State and because of the varying fire risks in one area as compared with another, as well as other variations of which members are aware and which I need not detail, a fair amount of elasticity will be required to determine what constitutes an efficient fire brigade in any particular area. I consider it essential to

have such elasticity; otherwise there would be quite a lot of useless expenditure, and possibly a good deal of friction would be occasioned in administering the measure.

Provision is made for the Minister in charge of the Act to declare any area an approved area, that is, one where an efficient bush fire brigade is constituted. In order that the Minister may inform himself of the conditions in that area and enable him to determine whether he should declare it an approved area, provision is made for an officer of the Forests Department to make an inspection. In the initial stages an inspection will have to be made by somebody, and I take it that periodical inspections, perhaps at intervals of some years, will be required to ensure that a proper standard of efficiency is being maintained. I can think of no-one better than an officer of the Forests Department to make the inspections. The Fire Brigades Board deals with a very different sort of problem and, in any event, I doubt whether that body would be the one to make the necessary arrangements. The Forests Department, on the other hand, is dealing with a similar problem in its areas and, from what I have seen of its officers, I believe that a suitable man could be selected by the Minister to make the inspections.

I propose that the Minister be empowered to recoup the cost of the inspections from the local areas if that course is deemed desirable, but this has been made permissive. Personally I think the expense could well be met from the general revenue of the State. That is a matter upon which other members may wish to express their views. However, it can be left to the Government to make that decision. In any event, it will not entail a great amount of money and I do not think there would be much heartburning if the local authorities met the cost. Certainly that would be a big improvement upon existing conditions under which local people are called upon to meet all the cost of providing protection within their areas.

Further clauses provide that, where the Minister approves of an area, it shall be an offence for any underwriter to charge more than 75 per cent. of the fire premium for crop insurance normally charged in this State. So far as I am aware, the fire premiums do not vary from district to dis-

trict. Premiums for hail insurance do vary, but the premiums charged for the fire risk are the same, irrespective of where the crop is grown.

Mr. Needham: Is there any difference in the premium in areas close to a railway?

Mr. PERKINS: No, there is no differentiation whatever between areas close to or distant from a railway. My desire is that there shall be a discount of 25 per cent. in any bush fire brigade area declared by the Minister to be an approved area. This 25 per cent. can be only an estimate of the proper allowance for the protection afforded by the brigade. After careful consideration, however, I believe that it is a fair percentage to specify, though other members may have different ideas. I trust that members will make a careful investigation of the conditions existing in their own districts. I understand that arrangements are being made again this year for certain country bush fire brigade units to attend the Royal Show to be held next month, and I shall be only too pleased to arrange for a special demonstration for any members who may desire to see the capabilities of the equipment. I feel certain that the provision of bush fire brigades must afford considerable protection in any areas in which they are established. I am equally certain that the underwriters' risk must be considerably reduced in such an area as compared with a district where no protection is provided.

I have been told that the underwriters consider they are making no undue profit on crop fire insurance at present—that the business is just paying its way. I have no means of proving whether that statement is correct or otherwise but, irrespective of its accuracy, the essential point we have to decide is whether there is a difference in the risk in an area where there is no bush fire brigade compared with an area where an efficient brigade is constituted. If insurance companies are not able to make both ends meet, it seems to me that they should be charging higher premiums than they are at present. However, I am very doubtful about that. If a system of bush fire brigades were constituted, the reduction of risk should enable the companies to reduce rather than increase premiums. I repeat that the essential point is whether there is a differ-

ence in the risk between districts that have bush fire brigades and those that have not.

If members examine the equipment and consider the position in various areas, I feel sure they can come to no conclusion other than that there is full justification for a discount on premiums where an efficient bush fire brigade is constituted. It has been suggested to me that there is also need for the farmers to take rather more care with certain equipment than they do at present, in order to lessen the risk of fire. It is said that a great many fires in our country areas are caused through the faulty mechanical condition of tractors, and we also know that a great many start because of the faulty equipment of the Railway Department. I did not, however, want to introduce any complications in this particular measure. The immediate desire I had was to deal with this question of the premiums in districts where bush fire brigades are constituted.

The Minister for Lands: Do you think tractors should be fitted with spark-arresters?

Mr. PERKINS: If any members feels there is a need for regulations to deal with spark-arresters on tractors, he will find that the general construction of the Bill is sufficiently wide to enable him to move an amendment along those lines. I think there is an obligation on farmers to keep their tractors and trucks in such order that they do not constitute a risk to their own crops and those of their neighbours. Obviously, if faulty equipment is used, it reacts against the farming community as a whole; because ultimately it must affect the level of premiums on crop fire insurance generally. I think I have explained the purport of the Bill sufficiently. If there are aspects I have not dealt with fully I hope members will mention them and give me an opportunity for further explanation.

The whole idea of the measure is to provide a proper basis of finance for our bush fire brigades; and I think that, by providing for that, we will encourage all our rural districts to establish proper fire-fighting apparatus. Surely that is the objective at which we should be aiming. Losses by fire benefit nobody. We should not rely on an individual meeting the risk of loss by just taking out a crop fire insurance policy. We should rather get at the root cause, and try to prevent these disastrous fires. I feel

sure that if we can provide this proper basis of finance for our country bush fire brigades, we will eventually materially reduce the danger of disastrous fires such as we have witnessed in the past, and even more serious fires that I feel sure will occur unless we take proper measures to build up sufficient fire-fighting equipment in our country districts. I move—

That the Bill be now read a second time.

On the motion by the Minister for Lands, debate adjourned.

MOTION—ELECTRICITY ACT.

To Disallow Supply Authorities' Fees Regulation.

Debate resumed from the 8th September on the following motion by Mr. Cornell:—

That new Regulation No. 278 made under the Electricity Act, 1945, published in the "Government Gazette" of the 25th March, 1948, and laid upon the Table of the House on the 27th July, 1948, be and is hereby disallowed.

THE MINISTER FOR WORKS (Hon.

V. Doney—Williams-Narrogin) [5.20]: During the debate on a motion to disallow this same regulation last year, there was an underlying insistence that the responsibility for framing and passing through this House the electricity regulations rested upon the Government. That is not so. I notice that precisely the same idea was in the mind of the member for Avon when he was speaking on the same matter a few nights ago. I want to make it plain that, except for the radio workers' and the cinematograph operators' regulations and a few extra ones, the major number were a carry-over from the war days, when they were controlled—and this applies to the other States as well—by an officer in Canberra, Mr. Dumas being, as it were, the agent in this State for the controller.

I want to attempt to dispel that idea; and I hope that, if there is any further debate on the matter, members will understand that not only this side of the House but the other side as well shares in the responsibility for launching these regulations. I hold the view that the hon. member is not entitled to succeed with his motion to disallow Regulation 278, largely because the information supplied to him, and in due course passed by him to the House, is not in keeping with the recog-

nised facts. Last year the member for Murchison raised certain queries and objections to quite a number of the regulations, including this one. I met all his objections with respect to this regulation—that is all the major ones at least and I think, to be exact, all that he raised to Regulation 278.

For instance, I agreed to throw out—and ultimately did so—the £1,000 which represented the annual maximum contribution by the City of Perth and also the £5 minimum contribution as affecting the smaller supply authorities all over the State. That meant that out of 111 supply authorities in Western Australia, 57—rather more than half—were no longer required to pay the 1s. per consumer which hitherto had been collectable. But the remaining 54 are required to pay on the same basis as was originally in Regulation 278. In order to indicate the type of centre affected by the change, I will read some of the places involved. They are typical of the whole of what might be described as the minor towns of the State. Here they are—Balingup, Brookton, Corrigin, Dumbleyung and Goomalling. That will give members an idea of the towns no longer to be mulct in the 1s. per consumer. Therefore, those centres that paid £6 per annum or something less than that according to the population, will now be debited with no more than 5s. per annum. That will apply to the 111 centres in the State, 5s. per annum representing what we might term a registration fee. I now find that my friend the member for Avon objects to the 5s. partly for the reason—I daresay he has other reasons as well—that it runs a chance of being passed on to the consumers.

I would point out to the member for Avon, and to other members, that if the 5s. is passed on it will amount to no more than ½d. per consumer per annum. So it cannot be said to be a matter of very great consequence whether it is passed on or not, and I imagine it will take a pretty smart man to pass it on with any exactitude. I might mention that I said to the member for Murchison—and I make the same offer to the member for Avon and anyone else interested—that if he cared to accept, I would make an arrangement with a senior officer of the Electricity Commission to discuss with him any of the regulations in question. In one or two instances advan-

tage was taken of that offer and, generally, with beneficial results.

I can recall the member for Avon complaining that the supply centres that would benefit by the exemption from 1s. per consumer charge numbered only 57. I do not think that the word "only" is quite the one to apply to a situation like that, because 57 is somewhat more than half of the total number of supply authorities affected, and the hon. member has surely no grounds for complaint on that score. Without being quite sure, I think he said that the fact that in the larger centres the consumers were required to pay that 1s. was ample justification for his asking just exactly what the Commission was prepared to do by way of return for that 1s.

The Commission would not be required to give a great deal for the 1s., but as a matter of fact it does. The Commission gives a great deal in return; and if a centre happened to be in a particularly needy condition it would no doubt give a great deal more. The Commission, through its expert staff, is constantly—and certainly very willingly—giving answers to a host of technical questions that come to it from all parts of the State. I know of no case where that help has not been appreciated, unless by chance there should be an exception in the town of Merredin. I assert there must be a misunderstanding in that town; and, for the benefit of my friend, I might say that I have had the matter looked up and can find no justification for the information imparted by him to the House the other night as to the attitude which Merredin has been adopting. While touching on that, I had better read portion of a report handed to me in connection with this matter. It reads—

On 16/5/44 the Merredin Road Board advised the Secretary of the Electricity Advisory Committee of its desire to proceed with the conversion of the existing direct current lighting and power plant to alternating current, and from that date on negotiations proceeded. It has to be recognised that in those days the Electricity Advisory Committee was operating under an Act with serious limitations, and with little staff. The period was also subject to all the disturbances of war conditions and, superimposed on these, was the existence of the Controller of Electricity, situated in Canberra, from whom approvals had to be obtained for the release of any unit of generating equipment.

The hon. member asserted that there was a considerable quarrel between the officers of the Electricity Commission and the supply authority, the Merredin Road Board. This would be back in the time when the present Acting Leader of the Opposition was in control of the Public Works Department, so he may remember something about it. The report proceeds—

It is remarkable that the Merredin Road Board under the conditions then existing, was able to establish a new power station. The Merredin file of 144 folios indicates that, since the receipt of the first request, the committee gave a great deal of attention to Merredin's needs.

I call the attention of members to the fact that the file consists of 144 pages, which would imply that there was a great deal of correspondence, to which would be attached a great deal of work. The member for Avon alleges some ill-feeling on the part of the Merredin Road Board towards the Commission. The report continues—

On 16/1/45 the Board wrote to the Advisory Committee thanking it for meeting and discussing the matter with the Board's representatives and for the advice and assistance rendered. On 17/4/45 the Chairman of the Board wrote to the Minister for Electricity, "The letter of the 13th instant conveying the views of the State Electricity Advisory Committee on the proposed change-over at Merredin from 220 D.C. to the Australian standard 50 cycle A.C. is much appreciated."

On 30/4/45 the Chairman of the Board wrote to the Minister for Electricity, "Your assistance is deeply appreciated by my Board."

That would go in some measure to lessen the value of the information imparted by the hon. member. I do not for one moment imply that he gave the House wrong information, as I know—and he would be willing to admit—that the information was given to him by the Merredin Road Board. The report then states—

The file indicates that, throughout the proceedings, the Electricity Advisory Committee gave a great deal of time to the Merredin Road Board's requests and that the plant actually installed was in accordance with the Committee's approval and recommendation to the Controller of Electricity.

The Electricity Commission, which has since been established, was set up to promote the use of electricity and take steps to secure the ultimate co-ordination of all State or other electrical and other power undertakings in the State and to secure the adoption of such standards of plant and equipment and of system frequency and pressure for the generation,

transmission, distribution and supply of electricity or other power and generally the safe, economical and effective supply of electricity throughout the State.

The rest of the report is not relevant to the debate. Before quoting from the report, I was about to describe to the hon. member some of the work done by the Commission in return for the fees received. The Commission has a complete and up-to-date inventory of all plant and equipment in each of the 111 supply centres. That means that in the event of any supplier requiring additions or changes of plant or equipment the Commission is in a position to furnish it with little delay from the plant and equipment pool that is now being built up.

Mr. Cornell: How did the Commission come by that inventory?

The MINISTER FOR WORKS: The hon. member will realise that it is hard to take an inventory, except on the spot.

Mr. Cornell: It was supplied by the local suppliers of electricity.

The MINISTER FOR WORKS: Does the hon. member suggest that they would not give correct information?

Mr. Cornell: No doubt the Electricity Commission had little to do with it.

The MINISTER FOR WORKS: I presume we are kind enough to take the word of the members of the Merredin Road Board, all of whom I know to be friends of the hon. member. Surely that was the proper thing to do. The Commission would hardly have a dispute on that very rickety basis. I come now to a matter referred to last year. The Commission by its regulations debarred cheap electrical junk—that is as to the smaller appliances—from being dumped in Western Australia from the other States. I understand that a few years ago the Eastern States were flooded by this cheap junk, but there came a time when the people would have nothing more to do with it and it could not be sold. An attempt was then made to flood this State with that stuff. The attempt would have been successful had it not been for the regulations. I have here a cutting from "Smith's Weekly" that has reference to this matter. It mentions the alarming growth in the number of unskilled men doing sub-standard and even dangerous repairs of electrical

appliances. The lengthy article finishes up by saying—

The only State in which the public is offered any protection from these experts so-called is Western Australia where any person engaging in the repairing of electrical appliances must be registered.

I believe some objections are being raised to the registration of those who repair electrical appliances, but we would be foolish to agree to any move to do away with that regulation. I do not think the collective good sense of the House will allow that to be done, whatever may be in the minds of a few members.

Mr. Smith: Some of those that already hold licenses should be cut out.

The MINISTER FOR WORKS: That might be so. I know the member for Avon is deeply perturbed over the difference of opinion that exists between the Merredin Road Board and the Commission. I will show him the file with reference to the matter under debate, if he wishes to see it. Should he care to come down and discuss these matters with senior officials of the Electricity Commission, I will be glad there to render him every assistance. I think I made it plain last year to the member for Murchison that the Commission believes that by the advice it is able to give, particularly to rural suppliers, and the maximum amount of uniformity of supply that it has achieved through the adoption of modern methods, it can reduce the cost of current to country consumers.

Contrary to the belief of some members, these regulations are not intended to harass consumers at all. I ask the House to reflect on the fact that it came to a decision in this matter last year. If it reaches a different conclusion now it will be running contrary to the decision arrived at in 1947.

Mr. May: No-one is infallible.

The MINISTER FOR WORKS: I have never said anything to the contrary. I take it that the objection to the regulation is that it favours the charge of five shillings to all supply centres, and the hon. member wishes that charge to be removed not merely from the 57 centres to which I have referred, but the other 54 also. I do not think there is much substance in that objection but, as the income of the Commission from that source is not substantial, if

the House supports the objection I will not be averse to the hon. member having his way.

On motion by Mr. Kelly, debate adjourned.

PAPERS—POLICE SERGEANT R. KENDALL.

As to Transfer and Appeals.

Debate resumed from the 8th September on the following motion by Mr. Yates:—

That all papers in connection with the three appeals lodged by Sgt. R. Kendall, of the Police Department, and all papers in connection with the inquiry held on Sgt. Kendall's transfer from the C.I.B. to the Uniformed Branch by Mr. H. D. Moseley, be laid on the Table of the House.

THE MINISTER FOR HOUSING (Hon. R. R. McDonald—West Perth) [5.45]: I recognise that the member for Canning, in moving his motion, acted from a sense of duty he feels he owes in connection with certain representations made to him mainly by Sergeant Kendall, but also by some other officers of the Western Australian Police Force. In the course of his remarks, the hon. member read a number of statements furnished by Sergeant Kendall and other members of the Force, and made some observations as to the matters respecting which he thought there might be grounds for dissatisfaction in the administration of the Force by the Commissioner of Police, Mr. Doyle, and in the administration of their departments by two senior officers, Inspectors Lewis and Blight.

I think it is my duty as Acting Minister for Police, to give the House some idea of the position as it appears departmentally, and to some extent as it appeared to me last year during the time I held the portfolio of Police. That portfolio I relinquished at the beginning of this year, when it was taken over by the present Minister. The Police Force is rather different from the general departments of the Public Service. It is, as members are well aware, a specialised department. While it is not a military body in the ordinary sense, it has some resemblance to a military organisation. There is the Commissioner of Police in charge and the members who compose the Force have ranks which correspond to some extent with military ranks. There are commissioned and non-commissioned officers

representing the heads of the different grades and corresponding to the officers of rank in the Military Forces, and finally there are the constables, who represent the privates. I think it is necessary to bear that fact in mind, because there are, no doubt, reasons why the police forces throughout British countries are organised on a somewhat different basis from all other departments of the Public Service.

In the case of a police force, it is necessary on occasions for its members to act promptly in accordance with instructions or orders from superior officers, which is not a case where junior or subordinate officers could wait and argue the point in connection with orders or instructions given by their superiors. A police force, too, is one in which the members of it exercise unique power. It is a force in which there are opportunities for malpractices in the sense of taking money. It is a force in which there needs to be a high sense of probity and responsibility on the part of the Commissioner and his officers, and there needs to be recognition right throughout the whole Force that there must be discipline on every occasion and probity in the discharge of their duties that will enable it to have the confidence of the general public.

I am glad to say that I think our Police Force does live up to those standards, and we have reason to have confidence, in the probity of the officers, in their discipline and their competence in the performance of their important duties. Under the Police Act of 1892, in relation to what I have stated, generally the position is set out, in Section 5 that—

The Commissioner of Police shall be charged and vested with the general control and management of the police force of the said Colony.

That is, the Commissioner of Police is charged by statute with the general control and management of the Force under his command. There are sections in the Act in which approvals for certain promotions, suspensions or dismissals are obtained from the Minister holding the portfolio of Police. But, in general, the intention of the Act is that the administration of the Force shall be vested in the Commissioner. In connection with a Force of some 700 men spread over the whole State, where transfers must take place at, comparatively speaking, fairly frequent

periods, it is understandable that that matter should be mainly the responsibility of the Commissioner. I want to say a few words about the position of the Minister as I apprehended it during the period I happened to hold that office.

The Minister has not a great deal of authority—I will deal with the matter of appeals that members of the Force have, at a later stage of my remarks—but he has certain powers of approval or disapproval, which are set out in the Act, and my apprehension of the position of Minister is that the administration and general control of the Force is intended by the Act to be the responsibility of the Commissioner, and any Minister who was constantly interfering and trying to direct transfers or promotions would place him in a position of difficulty and in one which would be unfair to him in his relations with the men under his control. At the same time, there is always vested in the Minister a general duty of oversight to ensure that the administration of the Force is proceeding along lines that are equitable and efficient and, when the occasion arises, then the Minister should take cognisance of circumstances that, in his opinion, make it his duty to intervene.

The complaint submitted by the member for Canning, or, shall I say more justly, the complaint he brought forward on behalf of Sergeant Kendall and other officers, related to three senior members of the Western Australian Police Force—the Commissioner of Police in the first instance and Inspectors Lewis and Blight. In the case of the Commissioner of Police, Mr. Doyle, I think I should say he has been in the Police Force of this State since 1914, a period of some 34 years. He was for 25 years in the Criminal Investigation Branch and for over six years was in charge of that section. It can be seen from that that he should be possessed of a very intimate and competent knowledge of what should be the work and duties of that particular branch of the Police Force. In January, 1945, on the retirement of the late Mr. Hunter, Mr. Doyle was appointed Acting Commissioner of Police, and in January, 1946, his appointment as Commissioner was confirmed. I think that at this stage I might also say a word about promotions,

because that is a feature of the matter that has been raised in the House.

Under the Police Act and regulations, there is a committee known as the Selection Committee, composed of the Chief Inspector of Police and three senior inspectors. That is to say, all the members of that committee are commissioned officers. When promotions are to be made and officers are to be lifted in status, owing to vacancies being caused or arising, from one grade to another, then the Selection Committee makes a recommendation as to the members of the Force that, in its opinion, should be so raised in grade or promoted. Particulars regarding the vacancies enabling promotions to be made or higher grades to be filled are advertised in "The Police Gazette," and at the same time there is published a notification in that journal of the selections for those positions, which have been recommended by the Selection Committee. Any member of the Force who was not so recommended and who thinks his claims have been overlooked, is entitled to appeal to a body known as the Promotions Board, which is established under the police regulations. The chairman of that body is the Commissioner of Police, and it also consists of all the inspectors stationed at centres from Geraldton southwards.

From recollection, I should say that the Promotions Board consists of the Commissioner of Police and about 16 or 18 inspectors. That is to say, it comprises the senior men in the police service. The Promotions Board takes into account the recommendations of the Selection Committee, and any appeals or objections that may have been made by members of the service who feel that they have been passed over. The board makes a recommendation to the Commissioner as to how these promotions should be made or vacancies should be filled. Normally, promotions or vacancies or rises in rank would be made by the Commissioner in accordance with the recommendations of the Promotions Board. In fact, as far as I know, invariably—or almost invariably—that would be the case.

Any member of the Force who has been passed over or feels that he has not received the consideration due to him, even though he may have appealed or presented his case before the Promotions Board, can then exercise a further right of appeal under

the Public Service Appeal Board Act. His appeal is then heard by a magistrate sitting with a representative of the police union and a representative of the Commissioner of Police. So these regulations and provisions exist for the purpose of seeing that, when there are promotions and rises in rank, members of the Force have two opportunities of appealing or putting forward their claims; the first to the departmental board known as the Promotions Appeal Board, consisting of the Commissioner of Police and his inspectors, and the second to an outside tribunal, which is the general promotions appeal board of the whole of the public service of the State, presided over by a magistrate assisted by representatives of the parties I have just named.

I proceed now, Mr. Speaker, to deal with the case of Sergeant Kendall more specifically. Sergeant Kendall has had a good many years' service in the Police Force of our State and has served for a number of years—I think 15—in the Criminal Investigation Branch. The member for Canning will correct me should I inadvertently make any mistake in quoting dates, but I think that about 1946, or it may have been 1945, Sergeant Kendall was acting temporarily as officer in charge of records in the C.I.B., and he acted in that temporary capacity for something like six months. At the end of that time the position of officer in charge of records, C.I.B., after being advertised in the usual way, was filled by the appointment of Constable Croker. Constable Croker happened to be, at the time, the president of the police union, although he is not president now. His term of office expired some time ago.

I understand that Constable Croker had had many years' experience on the clerical side of police work and he was appointed to this position in the C.I.B. which Sergeant Kendall had been temporarily filling, and I believe that Constable Croker has proved efficient—or perhaps I should say what I have been told—very efficient in the position to which he was appointed and in which he had had a measure of prior experience. Sergeant Kendall appealed against the promotion of Sergeant Croker and his appeal came before the Public Service Appeal Board presided over by a magistrate. The appeal was dismissed. In other words, the board in its judgment, after hearing the

evidence of all the parties, decided that the promotion of Sergeant Croker should be allowed and that the claims of Sergeant Kendall to have received that position would not be upheld.

Hon. A. R. G. Hawke: Could the Minister tell the House whether the dismissal of the appeal was unanimous?

The MINISTER FOR HOUSING: I would not like to say that, Mr. Speaker. I may be able to ascertain that from the papers when they are laid upon the Table of the House. Sergeant Kendall continued in the C.I.B. and at the beginning of April last year he was transferred from that branch to the plain clothes service. It is this transfer from the C.I.B. to the plain clothes service of the department which is the main complaint of Sergeant Kendall.

Hon. E. Nulsen: Was that an elevation?

The MINISTER FOR HOUSING: No, it was not an elevation; it involved a certain loss of pay, and I will deal with that in a few moments.

Mr. May: Up to what rank did Sergeant Croker go?

The MINISTER FOR HOUSING: I think he went up to a first class sergeant. At any rate, he went up to the rank of sergeant and became third senior officer in the C.I.B. I think that is the position. He was in charge of the clerical side of the C.I.B. As I have said, Sergeant Kendall continued in the C.I.B. for some months at all events after the promotion of Constable Croker, and then on the recommendation of Inspectors Lewis and Blight, who were the two senior officers of the C.I.B., Sergeant Kendall was transferred by the Commissioner to the uniformed police.

Mr. Yates: Was it not a fact that Inspector Blight was junior to Sergeant Kendall but his brevet rank made him senior?

The MINISTER FOR HOUSING: That might be so. I am not too sure of the comparative seniority of these officers; but when Sergeant Kendall was transferred from the C.I.B. to the uniformed police, Inspector Blight was occupying a position senior to that of Sergeant Kendall. I think he and Inspector Lewis were the two senior men in the C.I.B. at that time. Now, Mr. Speaker, just let us look at the position

for a moment. The statement of Sergeant Kendall read in this House by the member for Canning shows that up to the time when Constable Croker was appointed to this post in the C.I.B. the position was apparently happy as far as Sergeant Kendall was concerned. Up to that time, as far as my knowledge goes, he had no complaints at all against the Commissioner. In fact, he says in his statement that Mr. Doyle had shown him quite a fair amount of favour. He says that at one time Inspector Doyle, as he then was, congratulated him. He says that on some other occasion Inspector Doyle gave to the Press an account of the outstanding number of housebreaking offences that had been cleaned up by the arrest of the offenders by Sergeant Kendall. He says that on another occasion Mr. Doyle referred a matter to him, Sergeant Kendall, for his opinion.

So that, as far as the relations between Mr. Doyle and Sergeant Kendall existed up to the time of the appointment of Constable Croker, they appear to have been relations in which there was no complaint by Sergeant Kendall. On the other hand, he apparently had reason to conceive that as far as he was concerned he was possessed of the full confidence and approval of the Commissioner in respect of the work that he, Sergeant Kendall, was doing. I want to look at this objectively and analyse what the real position is. When Constable Croker obtained the position that Sergeant Kendall had applied for, a change came over the scene.

Sergeant Kendall was a man who had an ambition, which he disclosed in his statement. He said, "My sole ambition when joining the force was to graduate to the C.I.B. as a detective, making such my career." It is regrettable, from his point of view, that in 1946, or thereabouts, when he thought there was an opportunity for further advancement to this position of third man in the C.I.B., he was disappointed when the position was awarded to Constable Croker; and, of course, his disappointment was intensified, no doubt, when he appealed to the Promotions Appeal Board and that board upheld the appointment of Constable Croker and refused to uphold the claims of Sergeant Kendall.

Mr. May: It must have been a pretty big lift from constable up to inspector.

The MINISTER FOR HOUSING: It may have been, Mr. Speaker. In these matters big lifts sometimes take place. Big lifts sometimes take place in military affairs. Big lifts take place in commercial and manufacturing institutions. I am not going to express an opinion on that point, but it may be that the Commissioner, when he came in, rightly or wrongly, thought that there was need for improved efficiency of the Force, and he may have decided to take in some new men, some young men, some men who he thought would be highly efficient, and put them in these more senior positions. I am not going to speculate about that, but it is not uncommon in any organisation to find that younger and efficient men sometimes receive promotion at a fairly rapid rate. However, the situation underwent a change from the time when Sergeant Kendall's expectations were disappointed by the nomination of Constable Croker. He continued his duties in the C.I.B. and then an adverse report was made against him by Inspectors Lewis and Blight, who said his work was unsatisfactory, and gave specific instances bearing that out, of certain matters which he handled.

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR HOUSING: The position of Constable Croker is this, that he holds brevet rank during the time he occupies the position to which he was appointed in 1946. If there were any change he would, I understand, revert to his normal substantive rank. I believe it has been the practice for many years that a man may be appointed to discharge an office for which, for the time being, he does not hold the necessary substantive rank, but while carrying out the duties he is given brevet rank.

Mr. Smith: What does "brevet" mean?

The MINISTER FOR HOUSING: It means that although his substantive rank is lower, he is given a kind of acting or temporary rank in recognition of the services, over and above those associated with his substantive or permanent rank, that he is performing for the time being.

Mr. Styants: He does not get the higher pay.

The MINISTER FOR HOUSING: I think he gets additional pay while acting in

the brevet capacity. That has been applied to other constables while discharging duties more onerous or more specialised than those usually associated with their normal rank. The Acting Leader of the Opposition asked me about the first appeal to the Promotions Appeal Board by Sergeant Kendall, in relation to the appointment of Constable Croker. I understand that the Promotions Appeal Board decision was unanimous at that time. I was traversing the history of Sergeant Kendall's case by saying that after he applied for, but did not receive, the appointment that was granted to Constable Croker, he continued for some months in the C.I.B.

At the beginning of last year his work there was the subject of an adverse report by the two senior officers of the C.I.B., Inspector Lewis and Inspector Blight. It has been claimed by Sergeant Kendall that it was said, I think by Inspector Lewis, that he had been directed by the Commissioner to put in an adverse report regarding Sergeant Kendall's work in the C.I.B. during this period. I understand this matter of an adverse report being directed or inspired by the Commissioner has been the subject-matter of one of the inquiries into Sergeant Kendall's case, and that Inspectors Lewis and Blight have denied that they were instructed by the Commissioner to make an adverse report on Sergeant Kendall's work in the C.I.B. Following the report of Sergeant Kendall's superior officers in the C.I.B., about his work on the three investigations which were cited as evidence of his unsatisfactory work, the Commissioner transferred him to the plainclothes service.

The consequence of that transfer was that Sergeant Kendall lost a special allowance of 3s. a day which is paid to the detective members of the C.I.B. Apart from that he suffered, I understand, no loss of status. He still remained a third-class sergeant, and he still drew his full salary as such. At the present time it is £579 a year. After Sergeant Kendall transferred from the C.I.B. to the plainclothes service, three other sergeants, officers or members of the Force received promotion to which Sergeant Kendall objected. In each case he appealed to the Public Service Appeal Board against the promotion, and his appeals were rejected by that board.

Later, last year, in consequence of the matter being brought before my notice—in

relation specifically to Sergeant Kendall's transfer to the plainclothes division—I arranged, for my own personal and confidential information, for an inquiry to be held by Mr. Moseley, the senior police magistrate, who had not previously been concerned in any of the appeal board cases. I decided on that inquiry in order to determine whether or not reasonable grounds existed for the transfer of Sergeant Kendall to the plainclothes division of the Force. That inquiry was held shortly before Christmas of last year, and evidence was received from Sergeant Kendall and his witnesses, and from the Commissioner and his witnesses. The three cases which had been cited, of unsatisfactory investigations, were examined by Mr. Moseley who then presented a written report to me in which he said that reasonable grounds had existed for the transfer of Sergeant Kendall from the C.I.B. to the plainclothes service.

Mr. Kelly: Have you any idea what those grounds were?

The MINISTER FOR HOUSING: In the report, which I propose to table for the information of members, the magistrate does not go into the details of the individual cases. He inspected the files of the cases concerned, to which he refers briefly, and heard evidence, and from his experience and the evidence he came to the conclusion, apparently, that the investigations of Sergeant Kendall were not up to the standard necessary in the C.I.B., and, for other reasons he mentions, he believed there was good ground for his transfer from the C.I.B.

Mr. May: Did he mention the reasons?

The MINISTER FOR HOUSING: Yes. I might deal with them now. Among them are these—and they are quite natural and understandable—Sergeant Kendall had ambition to make his career in the C.I.B., and he suffered his first disappointment when he failed, due to the appointment of Constable Croker, to secure advancement. That, no doubt, was a very keen disappointment to him.

Mr. Hoar: It must have been a big shock.

The MINISTER FOR HOUSING: It was followed, as we learn from Sergeant Kendall's statement, by a meeting of members of the C.I.B. who expressed discontent in some directions. No doubt it would be readily

understood that Sergeant Kendall would be one of the most active members in any dissatisfaction or protests by officers of the C.I.B., or certain of them. At this meeting, so Sergeant Kendall's statement says, members of the C.I.B. were complaining mostly of brusque treatment of them by Inspectors Lewis and Blight. The members of the C.I.B. showed some signs of resigning from the Criminal Investigation Branch. However, to their credit, wiser counsels prevailed and they did not do so. But it seems clear that after his disappointment, due to the promotion of Constable Croker, Sergeant Kendall's work, in the opinion of Mr. Moseley, suffered in quality. It suffered to such an extent, apparently, that his superior officers sent in this adverse report to the Commissioner. Sergeant Kendall was in a dissatisfied frame of mind, and Mr. Moseley arrived at the conclusion that it would be in the interests of the sergeant, as well as the efficiency of the service, for him to be transferred from the C.I.B. to the uniformed service. He was accordingly posted to the central station in Perth.

I pause to say that I realise it would be a disappointment to Sergeant Kendall's ambitions, firstly, that he should fail to get the appointment which Constable Croker received, and secondly, that he should be transferred to the uniform service. He showed his resentment because, according to the statement of Inspector Lewis read by the member for Canning, he threatened Inspector Lewis, called him a bastard and said he would get him. So he felt the disappointment of his ambitions very keenly, and perhaps naturally.

Sergeant Kendall's case can, I think, be reduced to or put into these terms, that up to the appointment of Constable Croker, Sergeant Kendall had no complaints about the Commissioner. In fact he cited a number of cases where the Commissioner had apparently shown him a large degree of confidence and approval. He failed to get an appointment which he sought and later was transferred to the uniform branch of the service. He did suffer a slight loss of the special allowance as a detective of 3s. a day, but apart from that he still retained his salary, which at the present time is £597 per year as a third class sergeant, and he retained the same rank as he held previously—that of third class sergeant.

In connection with these various matters Sergeant Kendall appealed four times to the Public Service Appeal Board presided over by a magistrate, with a representative of the union and of the Commissioner in attendance. On those four appeals against Constable Croker, and against three other officers of the Force, the same magistrate did not sit each time. One magistrate presided on one occasion and one magistrate on the other three occasions. In each case Sergeant Kendall was represented by counsel, and in each case the Promotions Appeal Board upheld the promotion to which Sergeant Kendall objected, and declined to uphold his claim that he should have got the post about which he complained. Further, in connection with his transfer, he had the special concession, not allowed for in regulations by which, in order that the matter might be disposed of, it was hoped at the end of last year, an inquiry was made by the senior Police Magistrate, Mr. Moseley. This inquiry was held into Sergeant Kendall's transfer from the C.I.B. and the magistrate found that in his opinion the transfer was justified.

That is the net position. Sergeant Kendall failed to get an appointment and was transferred to another branch of the service without loss of rank; he has had four appeals to the Promotions Appeal Board, and his case has been inquired into, one such inquiry being made by Mr. Moseley, P.M. I want to pass from that to deal with some of the other matters which have been brought forward by Sergeant Kendall in support of his case in this House. Statements by some three officers of the Force have been read in support of Sergeant Kendall's claim that he had not been treated with due regard to justice in connection with the matters I have mentioned. The first statement was that of Sergeant Penrose and he said—

Things went smoothly until John Doyle took over the Commissionership.

I am reluctant to deal at length with these matters, but I think that it is due to members of the House, to know as much about this as I can tell them. Sergeant Penrose said in the statement that things went smoothly—I presume as far as he and everybody else was concerned—until John Doyle took over the Commissionership. He then gave certain instances which he cited as indicating some fault in administration

by the Commissioner. Sergeant Penrose said—

I had previously expressed a wish to have a grill door installed. This is perhaps a trivial matter.

I think it is. He went on to state that apparently the Commissioner heard about his wish and sent a man to have some sort of installation fixed up for him, but the Commissioner apparently did not wish to have a grill door, but wanted to have some alternative. I mention that because it is hard to understand what bearing it has on the matter. Sergeant Penrose wished to have some sort of improvement in his quarters. The Commissioner heard of it and sent a man to do the job. It was not done exactly as Sergeant Penrose wished, but in some other way, and that is held to be some administrative defect on the part of the Commissioner.

Mr. Styants: I think it was to the Commissioner's behaviour afterwards that Sergeant Penrose objected—where the Commissioner abused him in the presence of the workmen.

The MINISTER FOR HOUSING: Sergeant Penrose raises that as part of his complaint. He further stated that he was in need of at least one extra man to assist him and that he applied for Police Constable Stevens, but Mr. Doyle refused him this man and sent him Police Constable Reilly. Again I am not sure that this is a matter of any great moment, because I expect the Commissioner is reasonably entitled to determine what men to send to different departments, and is not bound to accept or act on the wishes of the people who may be in charge of the various subsidiary departments. Then Sergeant Penrose comes to the crux of his complaint, namely, that a conference of finger print experts was about to be held in the Eastern States and he was not sent but Constable Baird was sent in his place. Sergeant Penrose said in his statement—

I had previously attended two of these conferences.

Inspector Read told him the Commissioner had decided to send Constable Baird. Sergeant Penrose then wrote out his resignation immediately and left the Force in 1945, having been forced to give up a job. I think it is material for members to know that there is another side to this story as

appears from the files. When this conference was about to be held, the Commissioner referred the matter to Inspector Read, and Inspector Read wrote this minute to the Commissioner—

Acting Commissioner of Police.

Detective Sergeant Penrose has already been a representative at the two previous conferences of the Finger Print Section at Sydney. I am of the opinion that P.C.C. Baird should be sent on this occasion as he has a full working knowledge of the finger print branch in this State. I think it would be to the betterment of the department in this State if he were given an opportunity of gaining further knowledge at such a conference. (Sgd.) S. H. Read, Inspector.

That minute is dated the 26th July, 1945, and is endorsed—

Approved. J. Doyle, Actg. Commissioner of Police.

In consequence of the nomination of Constable Baird, Sergeant Penrose put in his resignation. Sergeant Penrose said that until Mr. Doyle came on the scene all went happily and that he had been compelled to give up his job. But the fact as appears on the file is that on the 24th May, 1944, when Mr. Hunter was Commissioner, Sergeant Penrose submitted his resignation through the then inspector in charge of the C.I.B., Inspector Read. His allegation on that occasion was that Inspector Read was pinpricking him and he accordingly put in his resignation. The then Commissioner, Mr. Hunter, did not accept the resignation. So, I venture to think, that this matter of sending Constable Baird as an understudy to a finger print conference so that he might have some experience of such a conference—bearing in mind that Sergeant Penrose had previously attended two such conferences—did not indicate any lack of administrative fairness on the part of the Commissioner. In view of the prior resignation in Commissioner Hunter's time, I think that we are entitled to consider that Sergeant Penrose had not been so keen on his position with the police, prior to the time that Commissioner Doyle took charge.

I now pass on to the statement of Detective Constable Grossman who used the words which appeared so frequently in these statements, that is of "pinpricking tactics." My information is that Detective Grossman did not work under the Commissioner directly, and in fact the Commissioner only once per-

sonally saw him, and as far as he can recollect, it was in the presence of the secretary of the union about some matter which I do not think is in any way relevant to this discussion. All that Detective Grossman has to say is hearsay about other people's cases, as to which he has no direct knowledge at all. What he did insert of his own accord was something which I regret should appear in this House because we have had a long tradition against that sort of thing, and that was an insinuation against the Commissioner personally, in respect of his private life.

I now turn to the third supporting statement made by Detective Winning. His statement, as read to this House, was dated the 17th May of last year. Detective Winning's is perhaps rather a special case in the Force. He said in his statement that he is of a nervous type. His complaint mostly is that, in interviews with Mr. Doyle, he was spoken to harshly, and he tells of three occasions when he had such interviews and when, to use his own term, he was emotionally upset. I thoroughly agree that there should be reasonable courtesies between members of the Force, but after all the Police Force is not a girls' school. I do not know what the recollections of the member for Leederville are, but I can say that sergeant-majors and commanding officers have said things to me that I should not like to tell members about. But I was not emotionally upset.

Hon. A. H. Panton: I was always a good boy.

The MINISTER FOR HOUSING: I dare say, though perhaps the hon. member did the talking. Detective Winning went on to say that the last episode when he was spoken to harshly, speaking in May of last year, "has almost got me down. No matter how I beat Doyle on paper, I will be the loser in the end and he will ultimately win." The burden of that statement of May, 1947, was that owing to the prejudice of the Commissioner towards him, his outlook as regards promotion in the Force was pretty hopeless. When the member for Canning spoke last week, I feel quite sure that he did not know that subsequent to the statement of May of last year, Detective Winning was promoted by the Commissioner.

I have before me some extracts from Detective Winning's file showing that he was a probationary detective as far back as 1938 when Mr. Doyle was an inspector, and amongst the extracts is a series of commendations of Detective Winning by Mr. Doyle and recommendations that his work be brought under the notice of the Commissioner. Finally, I find that on the 8th June of this year, the Commissioner submitted a report to the present Minister for Police recommending Detective Winning for promotion to third-class Detective Sergeant to date back some nine months to the 9th April, 1947; in other words, to date back to a period before the statement by Detective Winning read to the House by the member for Canning.

So, without enlarging on that but just giving the bare facts, it is rather difficult to believe that the Commissioner had an inveterate determination to prevent Detective Winning from a career in the C.I.B., seeing that some months before this matter was mentioned in the House, the Commissioner had recommended his promotion from detective to third-class Sergeant to date back for some nine months.

I remember last year in connection with a case which had been mentioned to me, a motion being moved in another place for the tabling of the file of a certain officer. That officer had been disciplined by the Commissioner because a sum of money—not a large one—in the custody of the police had been stolen, the Commissioner thought, through want of care, and this officer and some others had been instructed to make good the money. This officer conceived the idea that the Commissioner, to use a colloquialism, had him set. When I saw the notice of motion, I recollected that not long before there had come before me a recommendation from the Commissioner for the promotion of this man and the promotion had gone through. When I brought those facts to the attention of the member concerned, of course he did not move his motion.

So there are the cases—the case of Sergeant Kendall; the case of ex-Sergeant Penrose and his complaint about not having been sent to the Finger Print Conference because his subordinate was sent for experience and his complaint about resigning at that time, though he had offered to resign

in Commissioner Hunter's time in 1944; the case of Detective Grossman; and the case of Detective Winning who had been recommended for promotion by the Commissioner.

Various things have been mentioned without specific dates, and I am not sure whether they occurred in the time of the present Commissioner or in the time of his predecessor, Mr. Hunter. Sergeant Kendall drew attention to certain members of the Force who had been promoted, though they had some black marks against them. He mentioned five. I have not had time to investigate the cases of all those five men, but Sergeant Kendall cited their cases and suggested that while his record was so pure, certain of his colleagues who could not exhibit such a blameless record had received promotion. As I said, I have not had time to investigate all those cases, but I happen to know about the cases of two of them.

One is referred to as having been fined in the Police Court for assault, and Sergeant Kendall apparently considers that that man should be debarred from further promotion. The man fined for assault told the court that he had assaulted a book-maker who had tried to bribe him. Although that officer did wrong in assaulting anybody, if I were Commissioner, I do not know that I would hold that for ever against him.

Another man was cited as having received promotion, although he had been sued for debt. I am quite sure the member for Perth would agree with me that failure to pay union dues is rather a serious matter, but the debt for which this man, with some other members of the police union, was sued arose from failure on his part through inadvertence to pay union dues. The union gave him a blue paper, upon which no doubt he paid up and expressed his regret. I personally do not consider that that of itself should be a bar to future promotion. The three other cases cited by Sergeant Kendall to show how men far less deserving than he had been advanced, notwithstanding their black marks, I have not had time to investigate, but I have mentioned the two of which I happened to have some information.

Dealing with one or two undoubtedly minor matters, it has been alleged that in Commissioner Doyle's time there have been many resignations from the Force. That

was stated in my time as Minister, and, on making inquiries, I found that during the war the Police Force in this State, as in other States, had been man-powered and members were not allowed to leave the Force. In every Police Force and department, there are normally a number of resignations every year, but during the war the resignations banked up. When the war ceased and manpower regulations no longer applied, a number of resignations were submitted, but I had no reason to believe, whether right or wrong, that the resignations in the circumstances were excessive in number or that there were more resignations from our Force relative to the Police Forces in other States.

It has been suggested that there is something wrong with brevet rank. This is an acting or temporary rank given to a member of the Force who is required for the time being to discharge some duty or responsibility beyond that which he would normally be called upon to do as incidental to his permanent rank. To give him a status and some recognition, he is granted brevet or acting rank to a higher position. This has been going on in our Police Force for many years. Some three or four months ago it was the subject of discussion between the present Minister for Police, the Commissioner and the union, and I believe one or two new regulations were made to define more exactly what brevet rank stood for.

But brevet rank was supported by the union as well as by the Commissioner, and the present Minister saw no reason why it should not be allowed to remain as it had been operating in the past, apparently with the full approbation of the controlling officers and the members of the Force. One reason, I understand, why it is supported by members of the Force is that the holder of brevet rank is only acting and does not get an advance in seniority compared with other members, who may be out in the bush or in distant areas and who have not an opportunity of discharging similar duties. The holder of brevet rank, when the time comes for some promotion or increase in rank, gives no advantage over other members who might have an equal or better claim to such promotion or increase in grade.

Even I have received a mention in this statement by Sergeant Kendall. When it was suggested to me that his transfer from

the C.I.B. was, in his opinion, unfair, I expressed the view to the union that when a member of the Force, being also a member of the union, felt that he had been unfairly treated by the Commissioner, his best course was to make representations through his union. That would be the only channel through which he would secure any redress he was entitled to. I said also that if a member made representations through his union and failed to obtain redress to which he thought he was justly entitled, there might be a case for referring the matter to the Minister, if the union did not take up his case where it should do so, he might have occasion to ask the Minister to look into the matter.

I did that in this case. In order that I might satisfy my mind, I directed the inquiry, to which I referred, to be made at the end of last year by the police magistrate, Mr. Moseley. It has been said by Sergeant Kendall that the union is unduly influenced, shall I say, by the Commissioner. I think that is unlikely. It is true that at the time he was appointed to the C.I.B., Constable Croker was president of the union. But I know no reason why a man who is president of a union should forfeit any opportunity of promotion to which he would normally be entitled; and I think it would have been very wrong on the part of the Commissioner if, because a man happened to be the president or an office-bearer of this union, he deprived him of advancement because he might be accused of pandering to the union.

Hon. A. H. Panton: It should be a good reference to be president of a union.

The MINISTER FOR HOUSING: I should think it would be. I think it means that he is a man who has the confidence of his fellow-workers and is able to work with them. But Mr. Croker ceased some time ago to be president of the union. There is now another president, and Sergeant Kendall himself has become a member of the council of the union, the council consisting, I believe, of nine members. So Sergeant Kendall has full access to the governing powers of his union. But the Government and the Minister have at no time received any request from the union for any inquiry and have received no allegations from the union that there is unrest in the

Police Force or a spirit of dissatisfaction, or that the administration is not efficient or fair.

It was said that the secretary of the union, Mr. Halliday, interviewed the member for Canning, on one occasion at all events, at Parliament House. I do not intend to traverse that. I do not think it has any real relevance to the matter we are discussing. But I would suggest that if the secretary of the union heard that a member of Parliament was interesting himself in the case of one of his members, it would be most natural and proper for him to get in touch with that member of Parliament and be prepared to confer with him as to anything that should be done in connection with the matter. So I pass that incident by because I do not think there is any real significance to be attached to it. I also pass by the reference to the Commissioner's family life. The only references I have had point to a commendable family life on the part of the Commissioner, and I do not propose to mention that subject beyond the few words I have just uttered.

MR. SPEAKER: I think it is outside the motion, too.

THE MINISTER FOR HOUSING: It was referred to in the speech of the member for Canning. In a department of nearly 700 men there are bound to be disappointments and a certain amount of dissatisfaction. It is not to be expected that the Police Department should be immune from the general experience of all departments. There are bound to be some people who are disappointed or aggrieved because they have not received a post they wished to obtain, or because they have been transferred against their desires. But that is something which is common to most departments under the best administration, and it is something that might be said of almost every department. It can be said to be a cause of complaint against almost any head of a department. I think I should say that during my time as Minister, and since, I have always heard the Commissioner referred to as a man in whose probity the people of the State have the utmost confidence. I also believe that under him our Police Force is one which is a credit to our State from the point of view of character and efficiency.

This is a somewhat old matter. As the member for Canning said, it is some 18 months or two years since these events happened. But I propose to acquiesce in his request and table the papers to which he referred, including the report of Mr. Mosely. I want to say a word or two about that report, because I feel, and my successor as Minister for Police feels, some responsibility about a report of that kind—not on account of the nature or the contents of the report, but because, if a Minister calls for a personal confidential report for his guidance from an employee of the Government, the question arises, should that report be made a matter of general knowledge?

I recollect talking about that last year to the Prime Minister, Mr. Chifley, who declined to release a report made to him by one of his senior officers. He said to me and to the Premier, "If I release these reports, or if any other Minister does so—reports made to us for our own guidance by one of our officers—then before long officers will be reluctant to be frank in their reports because they will feel that if such reports are made public property they will be drawn into controversies that might be involved." So, as a matter of principle applying to all Governments, it is questionable whether, when a Minister obtains from one of his officers a confidential report for his guidance he should not regard that as something which should be retained in a confidential capacity.

But in this case I feel that in order that there may be no misunderstandings, and without prejudice to the principle I have mentioned, I should prefer to table the report, so that all members may have an opportunity to read it, and that is the wish of the present Minister for Police as conveyed by him to me. I therefore accede to the hon. member's request, and undertake to secure the papers to which he referred and lay them on the Table.

HON. A. R. G. HAWKE (Northam) [8.28]: I can quite understand the reluctance of the Minister to lay on the Table of Parliament certain papers or documents that might come into his possession from time to time in connection with the administration of the activities under his control or under the control of one of his colleagues. I think it safe to say that there

would have been no motion for the tabling of these papers but for the fact that the member for Canning was refused opportunity to study the papers at the Minister's office in a completely confidential way.

The Minister for Housing: Sergeant Kendall was advised of the result of the report as it concerned him.

Hon. A. R. G. HAWKE: I understood from the speech of the member for Canning last Wednesday that he sought to obtain an opportunity to peruse the papers in a confidential way, but was refused. It seems to me he should have been given the opportunity he sought at the time, because he would then have been in a much better position to decide whether any further action on his part was justified and would have known whether he was entitled, in the interests of justice to Sergeant Kendall or any other police officer, to bring the matter before this House and, by doing that, to bring it before the Press and the public. Unfortunately, the speech made by the member for Canning seems to have expanded the question far beyond what is contained in the motion now before the House. That motion asks for the tabling of certain papers and files in connection with appeals made by Sergeant Kendall when he was refused promotion to which he thought he was entitled, and also in connection with the action of the Commissioner of Police in transferring Sergeant Kendall from the plainclothes branch of the C.I.B. to the uniformed section of the Police Force.

If speeches on this debate had kept strictly to the terms of the motion, the offer of the Minister to lay all the relevant papers on the Table would, I think, have brought the matter to a conclusion, at least for the time being and until members had had opportunity of studying the files to ascertain whether any further action on the part of any member would be justified. In his speech last Wednesday the member for Canning, quoting from documents supplied to him by officers of the Police Force—including Sergeant Kendall—made allegations and charges of a most serious character against the administration of the Police Force in this State, and immediately the subject became ever so much wider than is set out in the terms of the motion.

For instance, I should think it is one of the gravest breaches of discipline in the Police Force that any police officer should sign a document—extremely condemnatory of the Commissioner—well knowing when he signed it and supplied it to a member of Parliament that it would be read in this House and would immediately become the property of the newspapers and of the public of the State. I am somewhat at a loss to know what the position in the Police Force is going to be—as between the Commissioner and the officers who signed these documents and made them available to the member for Canning—if something of an adequate nature is not done to ensure an independent and complete investigation of the allegations and charges contained in the documents. If no such investigation is to be held, are these officers to continue in the Police Force as if nothing had happened?

Is it to be understood that any police officer is entitled at any time, without any fear of corrective or discipline being applied to him, to sign documents condemning the Commissioner and making extremely serious allegations and charges against him, and then hand those documents on to any member of this or the other House to be read in Parliament and published in each and every newspaper in the State? I think every member can easily visualise what an impossible situation would develop in a Police Force, especially with regard to its administration, if a practice of that sort were to be passed over. It was suggested by the Minister, during his speech, that only four police officers were concerned in the signing of these documents and the making of the charges and allegations.

The Minister for Housing: I meant to suggest that there are four concerned here, though there are others who are dissatisfied.

Hon. A. R. G. HAWKE: If there are others who are dissatisfied, that would seem to indicate that the tabling of these papers in the terms of the motion will not be by any means sufficient to meet the situation. The Minister told the House that Sergeant Kendall was a member of the council of management of the Police Union. I presume he could become a member of that council only by winning a ballot in which all members of the Police Union would participate. If that be so, it would appear that Sergeant

Kendall—in his attitude in making allegations and charges against the administration of the Police Force—has the support of a fairly large number of the rank and file of the Police Force in this State, because I should imagine he would base his claim for election to the council of management of the union on the fact that he is extremely dissatisfied with the way in which the Police Force is being administered.

Members must also give serious consideration to the fact that a number of officers in the Police Force—perhaps only four in number at present—are prepared to commit such a grave breach of discipline as to sign documents of the type read to the House by the member for Canning last Wednesday. If I were a police officer and were to sign such a document I would expect, as soon as the document was published in any newspaper, to receive notice from the Commissioner of my immediate suspension or dismissal from the Force. Evidently Sergeant Kendall and the others who signed these documents were prepared to place themselves in a position where they could fairly be immediately suspended from duty by the Commissioner or receive notice of dismissal by him from the Force. I do not for a moment suggest that any one of the officers responsible for the signing of these documents is justified in the allegations or charges made against the Commissioner.

I do not think any member of this House is in a position to know how much justification, if any, Sergeant Kendall and the other officers had for making their charges. The fact with which we are concerned is that they did make them and committed them to paper and made the signed documents available to a member of Parliament, well knowing that he was going to read the documents in this House and thereby automatically make them available for publication in the newspapers. The Minister sought to reduce the importance of the action of one of those officers—I think it was Detective Sergeant Winning—by pointing out that that officer's document, as read to the House by the member for Canning, was signed 15 or 16 months ago.

Is it to be concluded from that that Detective Sergeant Winning is not today substantially of the same opinion as he was when he signed the document? Is it to be thought that he has not in some way had contact with the member for Canning in connection with

this matter in recent weeks, with regard to the document that he signed more than a year ago and made available to the member for Canning at some time since that date? Members would be foolish to think that the member for Canning would use in this House last Wednesday a document signed 15 or 16 months ago, unless in recent weeks the permission of the officer who had signed the document was obtained for it to be read in this House. I am fully conscious of the tremendous importance of the Police Force to the community. So long as everything in the Police Force is working smoothly, efficiently and harmoniously, the community receives adequate protection from those who might injure it or break the law.

If the discipline of the Force is permitted to be undermined—I submit it would be if this sort of thing were allowed to go unchecked and without investigation—the efficiency and the effectiveness of the Force will suffer substantially and because of that the community will receive less protection than formerly and less than it requires. Potential lawbreakers and those inclined to injure the community will, if they consider police protection is not adequate, efficient and effective, be much more prone to indulge in their nefarious activities and to injure the community, individually and as a whole. I am therefore much less concerned now with the individual case of Sergeant Kendall than I was when the member for Canning first gave notice of his intention to move for the tabling of these papers.

The whole matter has now taken a far wider and more important sweep than the alleged injustice inflicted by the Commissioner upon one police officer, or even upon half-a-dozen. The wider issue that has developed is that as to whether the allegations and charges made are sufficiently serious to warrant an exhaustive and independent investigation into the administration of the Police Force of Western Australia. I should think, too, that the Commissioner of Police would desire something of that kind to take place because the allegations and charges made against him in the documents read in this House by the member for Canning and subsequently published in the Press, are such as to place the Commissioner in a most unenviable light in the eyes of the public who may be prepared to believe the worst about him, even though there might not be

any real evidence or proof in support of the allegations and charges.

I should think that the Commissioner would be anxious that reasonably urgent steps should be taken to fathom the allegations and charges to the utmost extent possible. If the present position is allowed to continue, then there will be every encouragement in the future to each police officer who is dissatisfied, even though his dissatisfaction is without any justification, to go to a member of Parliament, put up all sorts of allegations and charges about the administration of the Police Force, for particulars of them to be read in Parliament, as they have been on this occasion, and for the details to be published in the Press to be read by all the people within the State. I think the situation should be taken in hand at a very early date. That is essential in the interests of those officers who nurse grievances and injustices, whether they be well-based or not. I regard it as necessary in the interests of re-establishing complete discipline within the Police Force and in order that we may establish once and for all a position in which the Commissioner of Police, Mr. Doyle, is justified in the eyes of the public and in which those men who feel they have grievances may have an opportunity to have the whole thing straightened out one way or another.

Every member of the House is probably aware that there has been an insidious attempt made for many months now to undermine the standing of the Commissioner of Police in this State. I do not desire to go into details in connection with this matter because it is well understood by members generally and by many members of the public that, by various means, propaganda has been circulated throughout the State against the Commissioner of Police. Thus it seems to me that, in addition to the tabling of the papers desired, it is essential for the Government to give close and earnest attention to the much bigger issue that has developed out of the debate, for the purpose of deciding whether, in view of all the circumstances associated with the administration of the Police Force and the charges and allegations made in that connection in this House and outside as well, a very searching inquiry should be made for the purpose of clearing the air and giving the public an opportunity to know, as the result of an expert investigation, just what is the real

situation in respect of the administration and control of the Police Force in Western Australia.

MR. GRAHAM (East Perth) [8.50]: I consider the member for Northam has appropriately summarised the position. We cannot be satisfied with the gesture of the Minister, namely, that the papers relating to the case of a single officer of the Police Department should be tabled. Serious allegations have been made against the Commissioner of Police. I differ from my Leader in one respect. I agree that the fullest investigation should be made for the sake of all the parties concerned, and particularly of the Commissioner of Police, who should be given an opportunity to explain and remove any suggestion of partiality or unfairness in his administration. Secondly, those officers who feel they have legitimate grievances should have an opportunity to prove them. I think it will be agreed that this matter has gone far beyond any process such as an appeal board. Thirdly, there is the point of view of the public. I believe the people have always placed confidence in the Police Force and its administration in this State. Everything possible should be done in order to preserve that state of affairs.

It would be deplorable from my point of view if the papers relating to Sergeant Kendall's case were laid upon the Table of the House. I do not think personal files should be made available for the scrutiny of the public generally, and I say, as one who was a member of the State Public Service for 16 years, that I do not think it will assist in any way whatever; but unfortunately the member for Canning, in view of representations made to him and following the refusal of the Minister for Police to accede to a quite legitimate request to make certain papers available for his personal perusal, had no course open to him other than to solicit the support of the House.

Now, after the damage has been done, when a vote of this House has not been taken, merely as a consequence of the revelations made by the hon. member, the Minister has consented to table the papers. This means that they will be available to the Press and, in turn, the public generally will have an opportunity of learning possibly all sorts of personal details and

comments regarding a man's character, conduct and so forth, which possibly may be exceedingly embarrassing to senior officers who, from time to time in the course of their duties, have been called upon to submit honest and conscientious reports. This, of course, will solve nothing.

I agree that if a full and searching inquiry into the administration of the Police Department were made, there would still be the possibility of certain facts and details being revealed to the public that might better be left unpublished, but there is a discretion reposed in a Royal Commissioner or a person undertaking an inquiry. It is possible for him to peruse papers without making them available to the public gaze. I know that the Press in this State has a sense of responsibility to the extent that, if it is requested not to give publicity to a certain feature, the request, in my experience, has always been observed to the letter. Therefore, the more unsavoury matters—if I may use that term—which might be revealed during an inquiry could be suppressed so far as general publicity is concerned.

I consider the present Commissioner of Police, Mr. Doyle, a man to be admired. I am not in a position to express myself regarding his administration or his capacity to handle the staff, but I should be surprised to find it established that Mr. Doyle would lend himself to any questionable practice. I have had a consultation with the president and secretary of the police union. I gather that they feel some concern at the reflection cast upon certain of their members and upon the executive or council of the union itself. My knowledge of those who constitute the council of the union—I do not claim to know many of its members—and of the secretary particularly would lead me unhesitatingly to the belief that they and he, to say the least, would not become the tool of the Commissioner or of anyone else.

The record of the Police Department of Western Australia is probably not excelled by that of a Police Force in any part of the world. The fact is that important persons are involved and that therefore the public must feel gravely concerned in the face of statements that have been made, not hastily, but after due consideration. A number of them were lengthy documents carefully prepared, with the names of the persons making them appended, which indi-

cates that those individuals at any rate felt the position to be so serious that they were prepared to jeopardise what might possibly have been their life's career.

It must be borne in mind that the motion has relationship to the case of only one member of the Police Force. We know that other statements were made and documents signed which reflect seriously upon the administration of the Police Department. Accordingly, I feel that the Government, in fairness to those who have been accused, to those who feel aggrieved and to the public, cannot refuse a full and complete inquiry into the administration of the department. I propose to move an amendment to the motion and at this stage I might indicate my intention. It is to strike out all words after the word "That" with a view to inserting the following words:—

In view of the statements submitted to the House by the member for Canning regarding certain aspects of the administration of the Police Department, this House is of the opinion that a full and complete inquiry should be held immediately, preferably by a judge, into the administration of that department.

I have stated in general terms "preferably by a judge." It might be desirable to go beyond the borders of Western Australia to select such a man, because of the seriousness of the situation. I have included the word "immediately" in my amendment, as I consider it is dangerous for any delay to take place. While I am aware that the Government is anxious to deal with certain legislation of an urgent character possibly this evening, I feel that, even though it might mean a later sitting tonight than would otherwise have been the case, it is essential that a decision be made and finality reached tonight. I would, therefore, ask the Government to permit the debate to proceed to finality this evening, and then, if it be the desire of the House, to take steps along the lines I have indicated. The Government could then act upon such decision immediately.

I feel there is little that can be achieved by a discussion here of the merits of one side or the other, bearing in mind particularly that the member for Canning has dealt with matters relating to the case of only one member of the Force. I consider the member for Canning should be given the opportunity of informing the House of the

facts and circumstances which led him to take the action he did and reluctantly ventilate a question of the seriousness and magnitude of the one now before the House. To provide members with an opportunity to speak to my amendment, and in the hope that the Government will allow the debate to continue, I move an amendment—

That all words after the word "That" in line one be struck out with a view to inserting other words.

MR. NEEDHAM (Perth—on amendment) [9.7]: I second the amendment. I have no hesitation whatever in doing so. I listened attentively to the speech of the member for Canning. As a result of his speech, certain allegations were made against the administration of the Police Department. While listening to the Minister for Housing speaking to the motion tonight, I was hoping that he would conclude by saying that the Government had determined upon a complete investigation into the allegations made by the member for Canning. I was exceedingly disappointed that he did not do so, but merely said that he would table the papers. I believe, with the member for East Perth, that the matter should not be allowed to remain there, particularly as the Press has published an extensive report of the speech of the member for Canning. There has since been a vast amount of comment on that speech and there certainly has been a sort of weakening of public confidence in the Force.

The Commissioner of Police himself is, I might say, under a stigma which should be removed at the earliest possible moment. Unfortunately, during the course of the remarks made by the member for Canning last Wednesday, reference was made not only to the administration of the Commissioner of Police but also to his private character. I can say with truth that I have had a longer personal acquaintance with the present Commissioner of Police than has any other member of this Parliament. I have always found him a man of the strictest integrity of character. I can speak of his private life with a knowledge that no other member possesses; but I cannot speak with any confidence of his administration of the Police Force except to say that, knowing the private character of the man, I agree with the member for East

Perth that he would not stoop to any action that would injure any of his fellow-men. I have also every regard for the Police Force itself; and again I can re-echo the statement of the member for East Perth. Its reputation stands high not only throughout the Commonwealth but further afield. With regard to the police union, since its establishment it has rendered signal service to the Force and helped considerably in its administration.

I hope that the amendment will be agreed to and that the proposed investigation will take place. I hope also that, if the investigation is held, it will not be limited to the allegations in the speech of the member for Canning. My reason for saying that is that the Commissioner has been subjected in the last 16 months to a most serious vilification of character per medium of a paper published in Sydney and distributed throughout this State. That paper has continuously assailed the Commissioner's public administration and his private character. So strong have been the statements in that paper—I think its writers, instead of occasionally looking up at God's clean sky have their eyes always down on the filth of the sewer—that they have been the subject of correspondence between two organisations in this State and the Minister for Police and the Premier. The Premier and the Minister for Police have in their possession that correspondence in connection with the charges levelled against the Commissioner of Police in the paper to which I have referred.

I am quite satisfied in my own mind that the allegations contained in the speech of the member for Canning are the culmination of the series of attacks by that paper against the Commissioner of Police. For that reason, and for other reasons I could adduce if I did not want to avoid occupying much time in this matter—for time is fleeting and the public are waiting for the result of this debate—I will content myself with the remarks I have made, emphasising the point, which I hope the Minister for Police will note, that if the amendment is agreed to and the investigation is held there should be a full inquiry into the charges levelled by that paper against the Commissioner of Police.

On motion by the Premier, debate adjourned.

BILL—PRICES CONTROL.*Council's Message.*

Message from the Council received and read notifying that it did not insist on its amendment No. 4 to which the Assembly had disagreed.

PAPERS—COLLIE COAL.*As to Black Diamond Leases.*

Debate resumed from the 8th September on the following motion by Hon. A. R. G. Hawke:—

That all papers dealing with the acquisition of the coal leases—known as Black Diamond—by the Electricity Commission and the subsequent handing back of these leases to the Amalgamated Collieries Company, be laid upon the Table of the House.

THE MINISTER FOR HOUSING (Hon. R. R. McDonald—West Perth) [9.15]: I shall be glad to accede to the request of the Acting Leader of the Opposition to lay these papers on the Table of the House. I do not propose to detain members by saying much on the matter of the Black Diamond leases. It has been suggested that when members have had an opportunity to peruse the file they may desire to discuss the matter of a State coalmine as against the Government's desire to have these leases worked by a private company. In that event there will be an opportunity for me to say something on the various considerations that are involved in connection with these leases. I should be very happy to do so, because there is a story to be told about coal which I think might well be told.

I desire, with the indulgence of the House, to make one or two references to this matter, very briefly; because the Acting Leader of the Opposition, in moving for the tabling of these papers, made some reference to matters of principle and other factors associated with the working of the leases. The reason for the intention of the Government to return these leases to the company, with certain reservations and stipulations, is not very hard to find. It is in principle, simply this: that the Government's policy, right or wrong, is that where the work of the community can be done by the people themselves and they are ready and able to do it they should be al-

lowed to do so, and the Government will look after its own business.

There are other factors involved in this case into which I do not propose to go in detail tonight. There were considerations of the first importance, such as necessary equipment for these leases, and the time within which production from these leases could be obtained. Those are matters on which I may look forward to an opportunity of speaking on another occasion. What is being done for the time being with these leases in regard to cost can be said in substance to be exactly what the Electricity Commission would have done if it had undertaken the same class of work, with this addition: that the company, being in business on the field, has equipment, installations, staff and other advantages which the Commission would not possess. Today the company is working partly with its own equipment and partly with equipment it is hiring. As regards the hired equipment, it is paying for the use thereof what the Commission would have paid if it had undertaken the same work. So on the financial side, without going into detail, there cannot in my view be any judgment as to costs which would not favour the economy of the system which is now being adopted.

I will also deal, on a later occasion possibly, with the comparison which the Acting Leader of the Opposition made in the course of his speech, when he quite legitimately raised very important aspects of this matter as they appeared from his point of view. The comparisons he made were with the Leigh Creek deposits in South Australia and the Yallourn deposits in Victoria. The Leigh Creek deposits of low grade coal were of such a nature that no private people could possibly undertake their development.

Mr. Smith: They had to be socialised.

THE MINISTER FOR HOUSING: They had, not as an economic proposition but from sheer necessity owing to South Australia's position, to be exploited as a financial liability of the whole of the people. Today, because South Australia is so desperately placed for coal, she is receiving under Government auspices coal from Leigh Creek on which the people are meeting a substantial loss on every ton consumed. But in the case of South Australia, where no private concern could afford to under-

take the development of the coalfield, the Government has weighed the loss against its State economy, and, on the balance, found that the field was justified. In the same way, the Yallourn deposits represent a proposition which is peculiar to the situation of the State of Victoria, and is not comparable with that in our State where existing installations have, for years, been engaged in the development of certain parts of our coal resources.

Mr. Smith: They have been a long while at Morwell in Victoria, where the Government is taking over.

The MINISTER FOR HOUSING: That is a subject on which a great deal could be said, possibly, on both sides. At this stage I do not propose to be led into a debate on it, especially when I have as an antagonist the member for Brown Hill-Ivanhoe so I will lay on the Table of the House the papers for which the Acting Leader of the Opposition has called by his motion. But, as they are in current use, I have explained to him that the department concerned would be inconvenienced if he would consent, as I understand he will, for them to remain on the Table for a certain specified time. That will allow the matters concerning the leases which are in course of arrangement and completion, to be proceeded with without undue delay. I desire, therefore, in order that they may be returned in a reasonable time to amend the motion by the addition of certain words. I move an amendment—

That at the end of the motion the following words be added, "for ten days from the date of tabling."

I hope that time will suit the convenience of the Acting Leader of the Opposition. If it does not I will be prepared to consent to some other time, but I understand that will be sufficient for his purposes.

Amendment put and passed.

Question put and passed; the motion, as amended, agreed to.

BILL—LAND SALES CONTROL

Message.

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

Second Reading.

Debate resumed from the previous day.

HON. A. H. PANTON (Leederville) [9.35]: This is another Bill introduced as the result of the defeat of the referendum in May last. Before dealing with it I want to enter some slight protest at the rush methods of introducing this class of legislation. Shortly after the referendum, the Government had a fair idea of what was expected of it in regard to price-fixing and land sales, yet, the Federal regulations lapse on Monday next, and last night, after tea, the Minister for Lands glibly introduced a complicated and intricate piece of legislation and kept us here until a quarter past three this morning. But, he expects me to be ready to discuss the Bill tonight.

The Minister for Railways: We did not do that.

Hon. A. H. PANTON: Of course the Government did. It was pigheadedness on the part of the Minister that kept us here. We were here, anyway, and that is the main thing. It is not fair that I should be expected to get some notes out on a most intricate Bill after such a late sitting, and after having had to deal this morning with half a dozen women who want houses. The Premier has instituted an innovation which I do not think should be continued—that is of coming in at any given moment and asking for Standing Orders to be suspended so that a Bill may be introduced because, he says, "We want this and there is only a certain time."

The Premier: There are special circumstances.

Hon. A. H. PANTON: Special circumstances are likely to become ordinary if we call on them too often.

The Premier: I make a promise that that will not be so.

Hon. A. H. PANTON: I have never known the Premier to break his promise yet—in fact he has never made me one—so I hope he sticks to it. I trust the Government will endeavour to give us an opportunity to discuss this Bill. This, to me, is a most extraordinary one, and, after reading the speech of the Minister for Lands, it becomes more extraordinary still.

The Minister for Lands: Was the speech—

Hon. A. H. PANTON: The less I say about the speech, the better. In fact, I do not have to say much about it because

the Minister handed me his notes. The purpose of the Bill is to give effect to a continuance of the control of land sales, which have up to date been governed by Federal regulations, but they cease on Monday next. The Minister stated that, during the war period, people were leaving the metropolitan area for the safer country towns. That may have been so, although I do not know how many left. But numbers of people came from the country into the metropolitan area—particularly women. Most of the miners were taken from the Goldfields for war service work—about 8,000 or 9,000 men were taken, leaving 4,500—and the women came to the metropolitan area in large numbers.

The Minister went on to say that consequent on this exodus from the metropolitan area, values of land and houses dropped far below normal, with the result that in 1942, price levels were lower here than in any other State. He mentioned 1942 because that is the year on which the regulations are based. I have grave doubts about land values being so much lower in the metropolitan area than in the other States at that particular time. My opinion is that land values in Western Australia, generally, have always been—at least for many years—much below those of the larger cities of the Eastern States.

The Minister for Lands: Yes, but at that period you were Minister for Civil Defence, and you know something about the movement of population.

Hon. A. H. PANTON: I do not know what that has to do with land values. Land values in this State have always been lower than in the Eastern States, to say nothing of the position in 1942. The huge population seeking homes and land in the East naturally makes it so. I suggest that the present rise in land values was brought about largely by the house-hungry people of this State—just as in other parts of Australia—seeking homes, and the fact that the Housing Commission has been resuming or buying up huge tracts of land, which necessarily makes land dearer.

The Minister made a special feature of the black marketing that had taken place in this State. On reading his figures and listening to the debate that has just taken place with regard to police control, I

am wondering what our wonderful Police Force has been doing to allow the enormous black market mentioned by the Minister for Lands to exist. In my opinion the figures he gave are not only interesting but astounding. He said that the land sales controls quite naturally were most effective during 1943, but that figures for subsequent years showed an increasing content above the 1942 price level. To illustrate the ineffectiveness of the regulations to restrict property sales, he quoted figures for real estate land transfers in Western Australia, since 1939, as supplied by the Real Estate Institute of W.A. I am not quite certain whether those figures dealt with the whole of Australia or with Western Australia only.

The Minister for Lands: With Western Australia only.

Hon. A. H. PANTON: Then they are more astounding than ever. According to the Minister for Lands property sales in 1939 totalled £4,131,699. For 1943, the most effective control period, the total was £2,502,880. For 1944, the controls still being respected, the total was £3,117,305. For 1945, when the war ended—the controls being ignored—the total jumped to £4,123,163. For 1946—the controls ceasing to be effective—the total jumped again to £6,590,742. In 1947, the controls being completely ineffective, the total jumped to £9,570,888.

Mr. Hegney: Are those the figures for this State?

Hon. A. H. PANTON: That is what the Minister said. He stated that for 1948 the figures were incomplete, but that the 1947 trend was continuing. He said "When the black market can reach such proportions as it has in connection with land sales, it is obvious that the controls in their present form have lost public confidence and some relaxation is desirable and necessary." That was the Minister's statement on black marketing.

Mr. May: And those figures would not include black market prices.

Hon. A. H. PANTON: The figures astonish me. Admittedly I do not know much about land sales.

Mr. Smith: Are those the yearly figures, or are they added one year upon another?

The Minister for Lands: They are the figures for the whole of Australia.

Hon. A. H. PANTON: The Minister said definitely that they related to real estate land transfers in Western Australia, since 1939, as supplied by the Real Estate Institute of Western Australia. If there has been a slight error of that description, we must forgive the Minister. Now that we know the figures are for the whole of Australia, that brings us to another point. Did the black marketing mentioned by the Minister take place in the Eastern States, or were we getting our share of it in Western Australia?

The Minister for Lands: We had our full share. Ninety per cent. of the sales were made on the black market.

Hon. J. T. Tonkin: How can the Minister suggest that? I think it is a stupid guess.

The Minister for Lands: You can have your own opinion. We can all have our opinions in this Chamber.

Mr. SPEAKER: Order!

Hon. A. H. PANTON: The Minister went on to state, "The black market has become so rampant in the sale of town, suburban, and country town land that it is proposed to release these properties from control." Apparently the Minister thought the easiest and most effective way of dealing with the black market that was so rampant under the controls was to release land sales from controls and let the black market operators all have a go.

The Premier: I think the hon. member will agree that it is difficult to control prices where only two parties are concerned.

Hon. A. H. PANTON: I am surprised to hear the Premier say that.

The Premier: It is so.

Hon. A. H. PANTON: Last May there appeared in the Press a handsome photograph of the Premier over an advertisement which stated "We can control our own prices in this State."

The Premier: And here is a Bill attempting to do that. Let us have some practical control.

Hon. A. H. PANTON: The Bill does not make much attempt to control anything. It would simply release the controls. If that is an effective way of controlling anything, I have learnt something tonight.

The Premier: I think you will find they are doing the same thing in all the other States.

Hon. A. H. PANTON: Are we back to the Eastern States now?

The Premier: They realise how ineffective the control is.

Hon. A. H. PANTON: I am sorry the member for Nedlands is not present because when I once suggested that we should follow the lead of the Eastern States in something he said, "What have we to do with the Eastern States? Why not run our own show?" The Bill apparently has been brought down for purposes of control but I have difficulty in finding out what it is to control. We have been informed by the Minister that it is proposed to lift all the controls over the sale of town, suburban and country town blocks.

The Minister for Lands: Vacant blocks.

Hon. A. H. PANTON: The Minister did not say anything about that. I took his remarks from his own notes, and from the report appearing in "Hansard." I hope the Minister will tell the House—if he thinks it worth while replying—just what is to be controlled. He has even exempted boardinghouses, though I do not know who would wish to buy one under those conditions. The present Commonwealth price level was based on the year 1942, and the Minister said that the Leader of the Opposition was able to increase that by 15 per cent., which gives us the 1942 values plus 15 per cent. The Minister said that people flocked to the country and values became depressed in the metropolitan and suburban areas, and that the year 1942, as a basis, was severe on real estate in Perth, even with the 15 per cent. increase. That may be so, as I am not in a position to dispute it, but the remarkable thing about the Bill is that the Minister proposes that all properties still under control—and I have yet to find out what they are—will be subject to an increase in the permissible selling price by regulation, but the basis will be the 1942 year, plus 15 per cent.

The Minister for Lands: That is right.

Hon. A. H. PANTON: It seems rather paradoxical to me. First the Minister told us last night that it was a bad year for the real estate business in Western Australia even when the price is plus 15 per cent, yet he intends to perpetuate the same price in this Bill. Did the Minister think it was unfair to the real estate agents of this country and so intend to put the price up a little higher? As I stated, it will be interesting to see the outcome of this legislation—if

it ever becomes legislation—because there are a lot of things which I think the Legislative Council will look upon very severely.

Hon. J. T. Tonkin: They will agree to this one.

Hon. A. H. PANTON: I do not think so. It will be very interesting when the metropolitan, suburban and country town lots are released from control to see just how much blackmarketing takes place.

The Premier: There will not be any if the prices are not controlled.

Hon. A. H. PANTON: It will still be very interesting. I would like to know who will be responsible for seeing that there will not be any blackmarketing in this State, but perhaps I should leave that until later because there are a few extracts from the Bill which I want to look at. I hope the Minister will be somewhat specific in his reply as to the properties that are to be controlled when the Bill becomes an Act. The Minister also told us that the Government is at present the greatest buyer of rural lands. He is optimistic enough to believe that there will not be a great increase in price in regard to these lands although the Government is the biggest purchaser of them. He stated he is hoping that it will not be very great, as they are cash transactions and are more attractive to those selling.

I presume that the land of which the Minister speaks is that to be used for the purpose of soldier settlement. He is expecting a rise in the price. If that is the case, why is he purchasing at all now instead of introducing a resumption Bill and having another try with the Legislative Council? He might then get the land cheaper. I am sorry the member for Mt. Marshall is not in his seat because he will know the returned soldier will be forced to pay the increased price, and if he fails to pay it, as with a lot of other land settlement, the people will be forced to pay the increased price for the few.

The Minister is optimistic enough to believe that the rise in price will be of short duration. He also believes that the amount of money changing hands for property should remain the same. That is rather an extraordinary statement for the Minister to make. If he has any belief at all in this State he must consider that it will progress, both by land settlement and in-

dustrial development, and because of both of those items I consider that the price of land, if not controlled in some way, will increase because, the greater the competition for factory sites and rural lands, the greater the value of the land, and naturally there will be an increase in price.

The Premier: Do you not think the Bill will tend to bring a lot more building sites on to the market than previously?

Hon. A. H. PANTON: The Premier should know that better than I.

The Premier: I think it will.

Hon. A. H. PANTON: The Housing Commission is very busy at the moment trying to buy land, and I think it is having some difficulty.

The Premier: The Housing Commission is not looking for business sites.

Hon. A. H. PANTON: No, it is looking for residential sites. The Premier thinks that the removal of control will naturally place more land on the market. Is it a good idea to entice a lot of land on to the market at exorbitant prices?

The Premier: The prices will not be exorbitant.

Hon. A. H. PANTON: The Premier being a big landowner may have a different idea of land prices than I have. If a man wishes to purchase a block of land for his home, he does not want to pay a higher price than he can afford. Once the control is removed from metropolitan, suburban and country town vacant lots, there will be scores of people who have been paying rates on vacant lots and waiting for the decontrol to put up the price. The unfortunate man who is hungry for a house will be prepared to pay anything to get a block and, if possible, a permit to build a house. The Minister also said that the increased price of land will mean lawful dealing instead of 90 per cent. blackmarketing. I would like to know where the Minister gets his figure of 90 per cent. It is rather interesting. He emphasised that the alleged blackmarketing will be overcome by the simple procedure of lifting control over land sales. In my opinion, this will not be the case, because the competition for land will be just as keen as it has been in the past, and just as much blackmarketing will take place.

The Bill itself is somewhat complicated and intricate to the layman. First, it provides for the definition of regulations. I do not intend to quote clause for clause but with this definition we are in as safe a position as we were when the price-fixing legislation was introduced. The Bill states—

In this Act, unless the context or subject-matter otherwise indicates or requires—

“Commonwealth Regulations” means the regulations having the title of the National Security (Economic Organisation) Regulations, as in force immediately before the commencement of this Act under the Defence (Transitional Provisions) Act, 1946-47, of the Parliament of the Commonwealth.

I am open to be convinced that I am wrong in regard to this definition, but I think it means exactly what the Attorney General told us when introducing the Prices Control Bill. We are taking over the Commonwealth regulations, lock, stock and barrel, although I have not seen the regulations. When the Attorney General introduced his Bill, he was good enough to lend a copy of his regulations to the Leader of the Opposition, but so far we have not seen a copy of the regulations under this Bill. They appear to be regulations which have been operated by the Commonwealth and we are now taking them over lock, stock and barrel; yet we know nothing about them. If ever there was an attempt to do it, this is legislation by regulation. When the Minister for Housing was sitting on this side of the House I can remember him saying that he was very averse to giving the Government of that day any opportunity to make regulations. His desire then was that they should be embodied in the Act. Yet today he is a member of a Government that is taking over hundreds of regulations.

In the court the other day I heard a very eminent lawyer say that there was hardly any lawyer who could say what the regulations were in regard to the particular Act which was under review. If an eminent lawyer makes that statement how can the House expect a layman like myself to know anything about them? Under the measure we are going to have a controller appointed. Another controller! Also, for the purpose of administering the Act, the Minister may appoint an advisory committee of persons possessing expert or business knowledge. Now, Mr. Speaker, when are we going to finish with these advisory

committees comprising men with expert or business knowledge? Last night we discussed one advisory committee for about an hour and a half.

The Premier: I think you will agree that some expert knowledge is required on a matter like this.

Hon. A. H. PANTON: We are going to have a Minister in charge of this Act. We are going to have a controller. I wonder whether there has been a controller in Western Australia under the Commonwealth regulations.

The Minister for Lands: Yes.

Hon. A. H. PANTON: Is he the man who is going to be appointed?

The Minister for Lands: Yes.

Hon. A. H. PANTON: That is splendid. The Minister has told us that blackmarketing is rampant in Western Australia and yet we are going to have the same controller.

Hon. J. T. Tonkin: The same controller and the same regulations.

Hon. A. H. PANTON: Yes, but in this case we are going to have an advisory committee.

The Premier: And less control.

Hon. A. H. PANTON: Less control and an advisory committee! The staff does not finish at that point. In addition to the controller, the Minister and the advisory committee, there will be two experts with business knowledge. I would suggest that the Minister should obtain one from the C.I.B.

The Minister for Lands: After what happened here last night?

Hon. A. H. PANTON: I would take the risk. I ask the Minister for Lands what the controller is going to do. If a controller is appointed under the provisions of this measure why will it be necessary to have a controller of land sales?

The Minister for Lands: There are quite a few controls under this Bill. You know that as well as I do.

Hon. A. H. PANTON: I have a headache and have lost my eyesight looking for them.

The Minister for Lands: You are acting very innocently; but you know.

Hon. A. H. PANTON: The Minister for Lands knows more than I do; he must be a mind-reader.

The Minister for Lands: You are an ex-Minister for Lands and know just as much as I do about it.

Hon. A. H. PANTON: Well, I do not know much. To carry out the provisions of this Bill the Government may appoint other persons who, in the opinion of the Minister, are suitable. We are going to make a start, but it will be interesting to know where the start will be made. All the Commonwealth officers today are permanent. If the State is intending to appoint officers for the administration of this measure there is only one of two things to be done. The Government will either have to second those men and pay them the salaries they are now receiving, or take them into the State Public Service, to which the officers are not likely to agree because they will receive lower salaries than they are now getting from the Commonwealth. Even if they are taken over by the State and paid salaries at Commonwealth rates, it will cause trouble in the State Civil Service. I should like the Minister to tell the House where he is going to recruit this staff and whether he is going to depend on the expert knowledge of the advisory committee to instruct the staff what they are to do. If members look closely at this piece of legislation, they will find provisions telling the public what they must not do. Clause 10 begins—

Except as provided by this Act, a person shall not, without the consent in writing of the Controller—

and then it goes on for two and a half pages stating what the public shall not do. I read in a Digest the other day that a mother should not say, "Don't" to her children. This is a new way of telling the public what not to do. I would suggest that when the Minister brings in a Bill he should point out what could be done and it would save a lot of trouble. There is a definition of "land" in the Act. I want to draw the particular attention of Goldfields members to this definition, which reads—

"land" includes every share, interest, or right in a mining tenement under the Mining Act, 1904-1937, or any Act amending that Act.

There is a good job for a lawyer, Mr. Speaker. I can imagine you, being a lawyer, sitting down and finding out all the amendments from 1904 to 1937 in the amended Act. Anyone who has a share in

a small goldmine in the "never-never" or up in the Murehison somewhere has got land under this definition. It is the most extraordinary definition I have ever read. It includes every share or interest. I think the member for Fremantle has an interest in a mining show. I do not know whether he has obtained any gold from it, but still he will have an interest in the land.

The Premier: From what page are you quoting?

Hon. A. H. PANTON: Page 7! That is one matter that needs clearing up, particularly as to why an interest in a goldmine or a share in a goldmine becomes land. I could understand it if it were a lease of a goldmine, but many shareholders in gold-mining companies are in England. Shareholders in the big shows on the Golden Mile under this definition will own land. I can see another lawyer on the opposite side of the House shaking his head. We have a Crown Law Department which advises the Minister. Thank goodness, the Minister for price-fixing stated, "I depend upon the Crown Law Department." Now he is shaking his head because a layman is talking to him. However, I will leave the matter to the four lawyers in the Cabinet. They ought to be able to work it out between them.

The Minister for Lands: I get plenty of advice from them.

Hon. A. H. PANTON: In addition to the controller and the advisory committee we will have the Under Secretary for Lands. I do not know who will be the senior officer, the controller or the Under Secretary. Clause 11 reads—

The Under Secretary for Lands may, from time to time, by order published in the Gazette, declare country-land specified in the order to be land suitable for settlement by former members of the Defence Force.

It will be interesting to learn who will finally decide the suitability of a piece of land. We are proposing to appoint a controller, which position, I should say, would be a very important one, and then we have the Under Secretary for Lands, who is a particular friend of mine. We may find that the controller will decide that a piece of land will be particularly suitable for certain purposes, and the Under Secretary may also decide that it will be very fine land for soldier settlement. I have looked

in vain to find what will happen when a clash occurs between these gigantic forces. What will happen when they agree that certain land is suitable for settlement and the Under Secretary for Lands says it is more suitable for soldier settlement? Will the Minister decide between the two expert officers, or will he refer the matter to the Crown Law Department or appoint a Royal Commission or a committee of inquiry?

Hon. J. T. Tonkin: He might send it to the advisory committee.

Hon. A. H. PANTON: As I go through the Bill, I find it becomes more and more complicated. Now I come to a provision that is particularly interesting. It begins—

The Governor may by regulations exempt from the whole or any of the provisions of this Act, and either unconditionally or subject to such conditions as are specified in the regulations—

and then follow several paragraphs containing the exemptions. So we are really handing over a blank cheque to the Minister. He may look honest and may be as honest as he looks, but I consider that the House has no right to hand over a blank cheque to any Minister or any Government, especially when it is adopting Federal regulations. Under the Bill we are asked to give the Minister the right to exempt from the whole or any of the provisions of the measure persons, lands or transactions. I think we had better start at the beginning of the Bill and strike out all the words after the numeral 1, and that would be the end of it. The Minister is not justified in coming to the House and asking for this power. Here is another provision that is rather interesting. I should like to read it, though I shall refrain from mentioning the particular clause. It begins—

Any order made before the commencement of the Act under subregulation (1) of Regulation 9 of the Commonwealth Regulations—

I do not know whether even the Minister can tell us what subregulation (1) of Regulation 9 of the Commonwealth regulations is. Does he know? The provision continues—

—and in force in this State immediately before that commencement, shall continue in force in all respects as if that order had been made by regulations made under this Act, and may be rescinded, varied, or amended accordingly by regulations made under this Act.

What subregulation (1) of regulation 9 might be, I do not profess to know, al-

though it might be said that I am paid a big salary to know. That regulation is in force now and will continue in force in all respects as if that order had been made by regulations under this measure. The regulation will come into force as a State regulation immediately this Bill becomes an Act and receives the assent of the Governor, but it may be rescinded, varied or amended.

This must be a special regulation, seeing that it has received special mention. There must be hundreds of Commonwealth regulations in all, but I cannot help thinking that this must be a very important one. The Minister might look it up and tell us what it is all about. As I have said, it may be rescinded, varied or amended by regulations made under this measure. So important is it that the Minister, on waking up one morning and taking a walk amongst his vines, might suddenly decide, "I shall rescind that regulation" and thereupon rescind it. I do not suppose that one person out of every thousand in the State could say what the regulation is all about.

The Minister for Lands: I did not know it was as easy as that to rescind a regulation.

Hon. A. H. PANTON: The Minister has been long enough in office to know.

The Minister for Lands: It has to be laid on the Table of the House.

Hon. A. H. PANTON: It could be tabled when the House was not sitting, but then there would be trouble when we met again.

The Minister for Lands: You know we would not do that.

Hon. A. H. PANTON: No? The Minister is a very unsophisticated gentleman. There is another extraordinary provision in the Bill and I should like the Attorney General to take notice of this point. I may remark that there are so many of these regulations that any person is liable to commit a breach of one of them, particularly of the Commonwealth regulations. People are in trouble every day of the week over regulations. I think the Minister must have a soft spot for potential culprits under the measure. The Bill provides—

No prosecution for an offence against this Act shall be instituted without the written consent of the Attorney General.

So we are to have a controller, an advisory committee, a lands controller and probably

a host of inspectors who will be ready to launch prosecutions, but they will have to wait for the written consent of the Attorney General. Where the Attorney General will get his advice, I do not know. Whether he will get it from one of the inspectors, from the controller or from the advisory committee is hard to say, but the Attorney General, with all the worries of price-fixing on his mind, will have to determine whether Bill Jones deserves to be prosecuted or whether Matilda Somebody-else has wilfully committed a breach of the regulations.

Hon. J. T. Tonkin: I think we ought to be told the purpose of that provision. Is it that the Government may protect its friends?

The Minister for Lands: No.

Hon. J. T. Tonkin: Then what is the purpose?

The Minister for Lands: To ensure that before any prosecution is launched, it will be referred to the Crown Law Department.

Hon. A. H. PANTON: Then why not say the Crown Solicitor, instead of the Attorney General? Why palm it off on to the Attorney General?

The Minister for Lands: You know that the Attorney General is in charge of the Crown Law Department.

Hon. J. T. Tonkin: Are not all prosecutions by the Crown initiated in the Crown Law Department?

The Minister for Lands: Yes, and the Commonwealth adopts exactly the same procedure. You are aware of that.

Mr. SPEAKER: Order!

Hon. A. H. PANTON: I have not much more to say about the Bill except to repeat—and I think I am justified in indulging in this repetition—that a comprehensive and intricate Bill of this sort should not have been introduced as this one has been. I have no objection to the speech of the Minister in moving the second reading; in fact, he was good enough to lend me his notes, which I was able to follow easily. However, he brought down the Bill last night. I suppose he had had a good dinner and felt in the right mood to bring in such legislation. Then, however, the House was asked to sit until 3.15 a.m., and on top of that we are expected to deal intelligently with it tonight. I cannot claim that I have dealt with it in-

telligently, but I could not do more in the few hours that have been available to me.

I hope that the Premier will take notice of my remarks and ensure that, when he or his Ministers are bringing down legislation in future, the tradition of the House of Commons will be observed and that the measures will be presented to the House in a proper manner. We are here to scrutinise proposed legislation, even if we do not object to it or criticise it. I suggest that in future the Government should refrain from suspending the Standing Orders, even for the purpose of introducing emergency legislation. As was pointed out last evening, the best way to overcome this difficulty would be to get the Commonwealth to carry on for another month. That would enable us to get out of trouble.

The Premier: I do not think the Commonwealth would do so.

Hon. A. H. PANTON: I am sure it would. The Premier's friendship with the Prime Minister would get him anything.

The Premier: Unfortunately, that is not so.

Hon. A. H. PANTON: I am sure it is. He gave the Premier £750,000 and will make it up to £1,000,000 if he makes the request.

The Minister for Lands: I have received a telegram from the Prime Minister stating that we must have this Bill passed by Monday.

Mr. SPEAKER: Order! The member for Leederville must address the Chair.

Hon. A. H. PANTON: Yes, Mr. Speaker. If the Minister for Lands had mentioned before what he has just told the House, it would have saved me all this worry. The Bill will have to be completely overhauled when in the Committee stage. I support the second reading, and hope the Minister will be ready to tell us exactly what will be controlled and how it will be controlled, and whether he is quite satisfied that the control which led to all the black marketing he mentioned will be effective.

MR. HEGNEY (Pilbara) [10.11]: I desire to pass a few brief comments on the Bill. I repeat what I said when the Prices Control Bill was before the Chamber, namely, that members have received but scant courtesy in the introduction of this Bill. While the Minister was moving the second

reading, I asked whether we could have the regulations. He replied that they had come down. On the first page of the Bill reference is made to Commonwealth regulations.

The Minister for Lands: Most of the regulations are in the Bill.

Mr. HEGNEY: The Minister can have his say afterwards. There is a definition of "Commonwealth regulations" in the Bill, but the regulations have not been supplied to members. Does the Minister seriously expect us to deal intelligently with the Bill when he has not supplied us with a copy of the regulations? Since the referendum was held on the 29th May last, ample opportunity has been provided for the submission of this series of regulations to members. Incidentally, the Minister, in common with others, criticised in no uncertain terms the attitude of the Commonwealth Controller; yet all through this Bill apparently the Commonwealth regulations have been adopted. I do not propose to deal with the Bill clause by clause, as I would not be in order in doing so, but I have selected one provision at random, a subclause on page 10 of the Bill. It reads—

Any order made before the commencement of this Act under subregulation (1) of regulation 9 of the Commonwealth Regulations and in force in this State immediately before that commencement, shall continue in force in all respects as if that order had been made by regulations made under this Act, and may be rescinded, varied, or amended accordingly by regulations made under this Act.

Where is the regulation? Is it intended that we should pass this measure without knowing the contents of the regulation? Surely the Minister realises his responsibility to members in this respect. We must be informed on what we have to decide. We must know whether it is advisable to amend the regulation mentioned in the subclause I have quoted. Having made that protest, I point out that it does not matter who controls, or tries to control, land sales or any commodity or any business transaction, because if two parties connive to defeat the law they will meet with a large measure of success. I do not know where the Minister got his information, or how he based his estimate that 90 per cent. of real estate sales were made on a blackmarket basis.

Mr. Rodoreda: I think he is a bit low in his estimate.

Mr. HEGNEY: The 90 per cent. is an indication that if so many people are breaking the law, the law should be repealed.

The Premier: It is like the sales of secondhand motorcars.

Mr. HEGNEY: I suggest, as a fit illustration or comparison, that it would be well to lift the controls over starting-price bookmakers. The Government admits that 90 per cent. of real estate transactions have been on a black market basis, and that is the reason why it proposes to lift all controls.

Hon. J. T. Tonkin: The Government does not propose to lift all controls, but only some.

Mr. HEGNEY: I believe that before long the Government will lift all controls, because the Bill provides that the Government may do so by regulation. Let us consider how the controller proposes to administer a provision of the Bill appearing on page 6—

Where an applicant for consent to purchase any land on which is erected a dwelling-house has informed the Controller that he intends to live in the dwelling-house, the applicant shall not, without the consent in writing of the Controller, let the land.

Will the Minister, when replying, if he proposes to do so, explain that provision? Suppose a person advises the controller that he proposes to purchase a property and the transaction is completed, the title deeds are passed over, or the mortgage registered, and then changes his mind, what will the Minister or the controller do? Is there provision for a penalty for a breach of the provision, or is it inserted as so much eye-wash? With regard to the advisory committee, I should like the Minister to indicate the type of person he proposes to appoint to the committee. Does he intend to appoint real estate agents, or large property owners, or people supposed to possess expert or business knowledge?

The Minister for Lands: Or does he propose to appoint two or three secretaries from the Trades Hall?

Mr. HEGNEY: The Minister's interjection indicates that members ought to know from him just whom he proposes to appoint.

The Minister for Lands: Yes. Why do you not mention them?

Mr. HEGNEY: It might not be out of place if a few secretaries were appointed.

The Minister for Lands: We generally consider them.

MR. HEGNEY: I know the Minister gives great consideration to them. After the Bill sets out the powers of the controller and places certain restrictions on prospective purchasers or sellers, it proceeds to provide for the making and gazettal of regulations. These are extremely liberal and very wide. For instance, the Government may by regulations exempt from the whole or any of the provisions of the Act, and either unconditionally or subject to such conditions as are specified in the regulations, persons of any particular class specified in the regulations, lands of any particular class specified in the regulations; lands situated in any particular part of the State specified in the regulations; or transactions of any particular class specified in the regulations. During the past six or seven years we have heard much about the people of Australia being sick and tired of Government by regulation, of autocratic methods, yet the kernel of this Bill provides for the control of certain land transactions by regulation.

If Parliament rises in November or December then, as I interpret the Bill, it will be competent for the Minister to gazette certain regulations which could not be attacked or challenged for another eight or nine months. I have no doubt that if certain regulations are gazetted and if, as was mentioned earlier, the lid is lifted from these controls, we will find that prospective home-buyers who want to acquire land will be paying abnormal prices for the right to live within a reasonable distance of transport and other conveniences. I hope that when the Minister replies he will give the House some detailed information as to what is proposed in connection with certain provisions of this Bill, because although he states that it is incumbent on him and on the Government to have this Bill made law by next Monday, it is also due to members that they receive full and complete information of the intentions of the Government.

MR. STYANTS (Kalgoorlie) [10.22]: When the Minister was introducing this measure last night, I was amongst those who thought the objective was to do away with control as far as the sale of vacant land was concerned, and I think I was not the only one who had that impression. I noticed that "The West Australian," in its

report this morning, made the same mistake as I did; because it would appear that there is to be only a partial lifting of the restriction as far as the price is concerned, and there is to be no lifting of those irksome, troublesome and expensive controls that have proved such a bugbear to those wishing to sell or buy land over the past five or six years in this State.

I believe a good case could be made out for the lifting of the price level that has operated since 1942. I agree with the Minister that a very high percentage of the land sale transactions that have taken place over the last three years have been on the black market. I remember that on one occasion I went to the Sub-Treasury in connection with a deal that one of my constituents wanted to put through; and the Sub-Treasury would not agree to the price that the buyer was prepared to pay and the seller required. I gave it as my opinion that the Sub-Treasury official's estimate of the value of the block was altogether too low. He said that out of something like 14,000 valuations the department had made in a period of 12 months, only 600 had been disputed. I said, "I do not think you are so unsophisticated as to think that the number of sales that have taken place have been effected at the valuation you placed on the properties."

The official knew as well as I—though he would probably not be able to prove it—that while on the surface the Sub-Treasury's price was accepted by the seller and paid by the purchaser, in actual fact a sum of money passed between them and the deal took place in what is known as the black market. I believe that a very high percentage of land sales have taken place under those conditions in the last three years, because buyers have realised that the 1942 valuation, plus 15 per cent. allowed in addition, did not fairly recompense the owners of property for a number of reasons.

The seller may, for instance, have been paying on a block which cost £150 an amount of £50 or £60 in rates and taxes. In addition to that, if the amount of money that he could receive for his block now—even if he could obtain the original purchase price plus his outgoings—were put to another purpose, it would not bring him anywhere near the value he would have re-

ceived in 1939 or 1942. The value of everything else has sky-rocketed; and if a person wanted to put the £150 or £200 he received, from the sale of his land into the purchase of furniture or some other commodity, the value he would receive would be no more than £100 in comparison with the pre-war value. So both the purchaser and the seller knew that the price basis was unfair and consequently a black market developed.

With the Premier, I believe that the result of the lifting of price control to a more reasonable level will be to place on the market many more blocks of land in favourable localities; because, despite the black marketing that has occurred, there are still many honest and reputable citizens in the community who are owners of blocks and who would not indulge in blackmarketing. Consequently there are blocks of land in very desirable localities from the standpoint of transport and environment that have not come on the market; although there are a number of purchasers who would be prepared to pay the seller's price, notwithstanding that that price was considerably in excess of the figure set by the Sub-Treasury, which has been bound to the 1942 basis of valuation. I believe that quite a number of blocks will be available now, and that there will be many willing buyers at a price in excess of what the Sub-Treasury would allow.

But the peculiar set-up appears to me to be that under the present method of price control the controller is tied down to the 1942 price plus 15 per cent., and I understand that the same official will control this matter under the legislation we are discussing when it becomes law after Monday next. Under the proposed method, almost any price can be obtained for a property when this Bill becomes law. The Minister says the 1942 basis is very unfair, but that it is proposed to adopt that basis as the general basis for valuations. There is, however, nothing in the legislation to say to what price the controller will be permitted to agree. A block that would be valued at £200 under the present Sub-Treasury valuation could be sold for £450 after next Monday, if the controller liked to agree to that price and a purchaser were available.

The Bill in itself appears to me to contain, as I said before, all the vexatious controls. The only release of control is that in regard to prices. The measure provides that if a person wants to purchase a block of land under its provisions he still has to make application to the controller. The seller has to fill in a form—probably a statutory declaration with it—setting out all the particulars of the location, and any valuation that might have been placed on it in recent years. In addition, the controller may demand—and probably will in many cases—a valuation from one of the number of valuers set out in the Bill. That means additional expense and a perpetuation of those restrictions, controls and time-wasting applications that have been demanded under the old legislation. None of these things has been done away with. We are going to establish a staff consisting of the controller and as many assistants as he says are necessary. We then propose to have an advisory committee of men with expert or business knowledge. We do not know how many of them there will be, but they are to be paid travelling expenses and a remuneration for their services. We might have quite a number of them.

I notice that the Bill provides that moneys are to be appropriated by Parliament to meet the travelling expenses and remuneration for the services of these people, and all other expenses incidental to the running of the controller and his staff. I do not see anywhere in the Bill any means of getting revenue to pay for these services. The only revenue I see is that which will go to an approved valuer in the event of the controller demanding a sworn valuation from a purchaser or a seller in connection with a particular transaction. It is to be involved in a pretty heavy annual expenditure in this regard. It would also seem to be an open cheque so far as carrying on this part of the control is concerned. I say that advisedly, because it is not control at all, or a definite lifting of control. The only part that has been lifted, I repeat, is price-fixing.

All the other vexatious controls are still in existence. If we had some of these regulations before us, which we are supposed to be endorsing but have no knowledge of, we would probably find that many of the controls in the measure are more vexatious than those in the regulations.

There is about a page and a half of the Bill which sets out the "thou shalt nots," and there is about a page of things that can be done, subject to certain provisos. At page 6 of the Bill there is a portion which states that the controller shall not refuse to grant his consent if there is set out in the application full and correct particulars, including an account of the consideration paid or payable, or any option granted in relation to the land or lease specified in the application. Then it goes on to give a number of instances where the controller shall not be permitted to refuse his consent. There is also a fair amount of sting in the tail of the Bill because of the penalties that can be levied on any person, body or company that transgresses the legislation in any shape or form. I think an individual can be fined up to £100, and a body, company or syndicate up to £200.

While I believe that a case can be made for the lifting of price control, I would much prefer it to be done in a thorough manner. I believe the Government is convinced, as are most people, that many deals have been carried out under black market conditions, because of the unfair circumstances attaching to the sale of land during the last three or four years. I would much prefer to see it bring down a measure that would completely abolish control; or, if that were not necessary, simply to allow the Commonwealth regulations to lapse on Monday next and see just where land values would eventually find their level. I believe that for a short time there would be increases in prices above those allowed by the Sub-Treasury, but I do not think they would increase to any appreciable extent above the amounts that have been paid on the black market in this State for a considerable number of years. I support the Bill.

MR. HOAR (Nelson) [10.38]: I regret very much the short time that has been permitted us to discuss the measure. I am of opinion that a Bill of this type and importance should have been introduced some time last week so as to give members an opportunity of thoroughly studying it. It seems to me that it is a measure that can bear a fair amount of scrutiny and perhaps amendment in the Committee stage. In the circumstances, I can appreciate the Minister's dilemma in having to make every

effort to see that State legislation is provided before next Monday. The Bill proposes to lift control on the sale of vacant town, suburban and country town land, and to place in the hands of a controller of land sales some power to determine fair and reasonable prices, based on 1942 calculations. As I read the Bill, that is my interpretation of it. It is hoped by these means—according to the Minister—to do away with black marketing. He was quite right when he said that a big percentage of land sales in the last few years had been made on the side with black money. But what are we doing in this measure?

In effect—and I hope the Government does not try to take some advantage of it in a future election campaign by saying that it was a Liberal Government which abolished black marketing in Western Australia—all we are doing is to make the law of the land fit the crime, instead of endeavouring by some means or other to do away with the circumstances that create this pernicious influence in the community today. A feature of the Bill that I am pleased to see is the encouragement I think it will give—particularly in country towns—to the throwing open for business purposes of building blocks that have been tied down over the years as the result of the war and, since the war, as the result of Sub-Treasury valuations based on the values as at the 10th February, 1942, plus 15 per cent. In many country towns—particularly in Manjimup, where I live—there are many building blocks that have been deliberately kept vacant because those who owned them did not approve of the values placed on them by the Sub-Treasury. They have been waiting for the opportunity to dispose of their blocks at a reasonable figure.

Many ex-Servicemen have come to Manjimup—I think this applies generally to the towns throughout the State—with their gratuities and savings, endeavouring to find land on which to build and open businesses, but that opportunity has been denied them. In Manjimup there are plenty of instances of no less than two or three businesses occupying the same shop window while nearby in the business area there are vacant holdings that could well be utilised. I believe the Bill will encourage land sales, but I imagine—with the little time I have

had in which to examine the Bill—that the sales of town and suburban blocks, if the Bill becomes law, will no longer be at the values operating in 1942, but at those given to the controller by approved valuers. I assume that whatever price the approved valuer places on a block will almost automatically be accepted by the controller.

The Bill will not stop the black market operating. There is no doubt that in some areas where there are great opportunities for developing businesses there will remain that urge to pay more for a block than is approved by the valuer concerned. That is a feature of human nature that I think will be eliminated only when the supply equals the demand. I notice that although there is a minimum or base on which we are to start building our prices under the Bill—the 1942 valuation—no ceiling price is provided, and there is no indication of what steps the controller is likely to take in order to see that a particular price is not excessive. Is it to be left entirely to his judgment, or is he automatically to take the opinion of the approved valuer in respect of any particular block of land?

The Minister for Lands: Are you referring to vacant land?

Mr. HOAR: Yes.

The Minister for Lands: Vacant blocks are free of all control.

Mr. HOAR: There is nothing to that effect in the Bill.

The Minister for Lands: I said last night that that would be the position.

Mr. HOAR: Does that mean there is to be no control of any kind over vacant holdings?

The Minister for Lands: Not in respect of vacant land in town or country. That will be done by regulation.

Mr. HOAR: Members have not had the opportunity to study the Bill as closely as would have been desirable on legislation of this importance. In view of the Minister's last statement I am concerned that we should not have in this State a boom in land values, repeating the tragedy enacted in the early part of this century, particularly in Melbourne and the Eastern States generally. The experience of those years should indicate to the Government the necessity for caution in lifting controls over land in their entirety. We do not wish to see develop a

situation—which to some extent is developing—where owing to the influx of population to the metropolitan area we will find an entirely unbalanced community.

The Minister for Lands: I said last night that if that happened the Government would again take control. It reserves that right should those circumstances arise.

Mr. HOAR: Is there under the Bill any kind of control over farm lands?

The Minister for Lands: There is control of farm lands, but an increase of 15 per cent. is being allowed on rural values.

Mr. HOAR: That is satisfactory, up to a point.

Hon. E. Nulsen: All land is to be controlled unless it is decontrolled by regulation.

Mr. HOAR: Great care should be taken in regard to the values of our rural and Crown lands. It is well known today that the value of a block of land, as regards production, depends to some extent on the market value of the commodity produced.

The Minister for Lands: That is so.

Mr. HOAR: We know that the values of such produce are inflated today.

The Minister for Lands: That is what makes the value of the land. —

Mr. HOAR: While the rest of the world is dependent upon the produce of Australia it will pay high prices for what we have to sell, but when other countries again get into production we can expect to see the prices of our primary products fall to some extent.

The Minister for Lands: That is so.

Mr. HOAR: If that occurs, and we have not had reasonable control over land values in this State our farmers will be over-capitalised owing to the lower prices they will receive at that stage. I support the Bill, but I hope later to have the opportunity to comment on some of the proposals contained in it.

HON. J. T. TONKIN (North-East Fre-mantle) [10.48]: As this session of Parliament progresses the more remarkable and amazing the situation becomes, because this is the Government that was going to remove the controls and that capitalised the existence of controls. Members will remember that pretty little brochure of the

Liberal Party which read, "It is really over the fence, Mrs. Jones. Since this Chifley Government took over the temporary control of prices we have had to pay more for everything than we ever had to pay before." Yet we find that in all the control measures that have been brought down this session the Government has invariably taken over, *hols bolus*, the Commonwealth regulations, and intends to have them administered by the same officers who have administered them all along, though the Government said it was really opposed to that state of affairs during the referendum, and during the preceding State election campaign.

The Premier: Is not this Bill getting away from some controls?

Hon. J. T. TONKIN: No. I will give the purpose of the Bill, in the Minister's own words. He said it was designed to place on the statute-book of this State the legislation necessary to give effect to a continuance of land sales control. Those are the Minister's own words.

The Attorney General: To the end of 1949.

Hon. J. T. TONKIN: That has been done with all the Bills put before the House, but we have been told that it is the Government's intention to do it in order that Parliament may have an opportunity of reviewing the situation.

The Attorney General: That is so.

The Premier: The Bill intends to release us from certain controls.

Hon. J. T. TONKIN: We might as well save the time of Parliament and put it through for the necessary stage in the first instance. However, the purpose of the Bill is to give us State legislation to ensure the continuance of controls.

Mr. Rodoreda: And it has to go through before Monday.

Hon. J. T. TONKIN: The Minister has informed us, although it is not in the Bill, that it is the intention to remove control from vacant town, suburban and country town lots and from the sale of boarding houses.

Mr. Wild: Is that not in keeping with the pamphlet you read out?

Hon. J. T. TONKIN: Then the Minister goes on to say that while it might be reasonably expected that prices will for some time rise slightly, it should be of short duration,

as the greater number of properties available should provide an effective control over values and that the amount of money changing hands in property sales should virtually remain the same. I ask the Minister honestly as man to man, does he believe that? Does he believe that virtually the amount of money changing hands will be the same?

The Minister for Lands: Will it not be the same as when 90 per cent. of the blocks were sold on the black market?

Hon. J. T. TONKIN: No. The Minister's proposition involves a reduction in the selling price of land because one of the reasons for the black market, and the main reason, is that demand is so much in excess of supply. People have been withholding their land from sale although there has been opportunity for blackmarketing. They have been withholding it because the price which they were permitted to get was in their opinion insufficient and they will still continue to withhold it from sale if the price offering is insufficient. They will only sell if the price is attractive. We must assume that if we lift the control then the price that people will be prepared to pay for land without control will be the price they have been prepared to pay on the black market.

The Minister for Lands: Yes.

Hon. J. T. TONKIN: Which means then a very big increase in the recognised legitimate selling price of land.

The Minister for Lands: That is so.

Hon. J. T. TONKIN: So not only will we have this increase in price, that will apply to all land sold, but it will apply to a greater volume of land to be sold and that position will hold good for a considerable time until we reach a stage, if we do, in the future, where the amount of land being offered at the price exceeds the demand and then there must be a recession in price. But because of the tremendous lag in home building, because of the almost insatiable demand for land, we can expect the pressure to be on for some time.

The Minister's only proposal to check blackmarketing is to lift the controls from a very small proportion of the land in demand. Business land is in demand, land with buildings already upon it, land containing shops and land containing offices. All of that type of land is in keen demand

because profits are likely to be particularly good at a time when there is such a strong demand for all types of commodities, so that, if one can get into business and supply, one has an opportunity to make a good return on one's investment. Because of that fact a demand has existed for all land which has on it buildings already erected. There will still be the difficulty of putting buildings on vacant land. It is not much good having vacant land on which you wish to build if you cannot get a permit to build, and because of this the blackmarket will still continue with regard to land upon which buildings have been erected. This legislation will not help the position at all.

I do not know that we have much to gain from what is proposed in the Bill. After all, the real purpose of it, as the Minister himself said, is not to lift controls at all, but to continue them. I want to put the House right with regard to certain figures that the Minister quoted. He was right in the first place when he quoted them, but subsequently he was wrong. We still do not know what the correct figures are. They apply to State land transfers and not to the Commonwealth at all.

The Minister for Lands: That is so.

Hon. J. T. TONKIN: It is interesting to consider the figures because I do not know that they altogether prove the Minister's contention of the ineffectiveness of controls—they might to some extent but not altogether. The figures given by the Minister were that for 1939, the last pre-war year, the total was £4,131,699. It is noteworthy that for the year 1945, the year in which the war ended, the figure was £4,123,163—scarcely any difference! Is it not to be expected that in the year the war ended, having regard to the built-up demand for land, the figure would be somewhere near the figure of the last pre-war year?

In the war years it was not much good people desiring to purchase vacant town lots for home building because they could not put up any homes. The artisans were away at the front or in the munition factories, and so the figures indicate that there was a tremendous falling-off in demand. That does not show the ineffectiveness of price control at all. But in the year the war ended we find that the volume of land sales was practically the same as at the beginning of the war. It does not show the ineffectiveness of land

sales control at all, because the demand would naturally be so much greater, having been pent up during the war years.

Then we have to expect that each year, beyond the ending of the war, there must be some appreciable increase in the volume of land sales, or else we would reach a stage of complete stagnation. Business was developing, production expanding gradually, and we had a stage of striving to get back to normal. It was to be expected that the volume of land sales—always a good barometer of prosperity and progress—would increase and the figures prove that. I do not think that is any proof of the ineffectiveness of the control at all, at least not in the way the Minister would suggest.

Whilst I can understand the position in which the Government now finds itself, in having to rush legislation through in this fashion, I still think these Bills should not be pelted at us with but a few hours to consider them. As the member for Leederville pointed out, after a sitting which lasted practically all night, he was obliged to study the Bill and prepare a speech upon it for the next day. That is not the way this sort of legislation ought to be put through; but the Minister explained it was not possible to have the copies of the Bill here earlier so I suppose we have got to put up with the position. Here we are about to pass legislation the full import of which we do not know. We have not seen the regulations.

The Minister did say when introducing the measure that he would let members have a look at the regulations later; but that was the end of it. We have not seen any of them, and therefore we are not fully aware of what we are doing. This is a most undesirable state of affairs and one against which the members of the present Government would have protested very loudly had they been on this side of the House. However, we have no alternative. We have to accept the position if we want these controls to continue and if there is to be no hiatus in the meantime. I hope there will not be many more Bills introduced in the same manner as this and other Bills have been introduced this session, because, as the member for Leederville has said, it is developing almost into a practice.

THE MINISTER FOR LANDS (Hon. L. Thorn—Toodyay—in reply) [11.1]: As I explained last evening, it was not my wish that this legislation should be rushed in this

way. I would have preferred it otherwise and I made every endeavour to bring down the Bill a fortnight ago. I realise, as well as other members do, that if legislation is to be passed through this House the Opposition has to be treated decently and given an opportunity of considering it. That is what I endeavoured to do but the circumstances were against me, and, as I explained before, it was quite a rush to get the Bill to the House yesterday for the second reading. The member for Leederville said, "Why all this rush?" I point out that it was only yesterday that I received a telegram from the Prime Minister advising me that it would be necessary to have this legislation through by Monday.

Mr. Hegney: Did you not know that the Commonwealth was going to relinquish control by the 20th September?

The MINISTER FOR LANDS: After all, before introducing a Bill of this nature it is advisable to seek information from other States to ascertain what they are doing, and to see that the legislation passed by this State is as uniform as possible with that of the other States. We were just waiting for that information.

Hon. J. T. Tonkin: That is what I stated the other night. The Minister does that only sometimes. He did not do it with the tractors control Bill because this is the only State continuing control.

The MINISTER FOR LANDS: I agree on that point. The referendum was mentioned in the House, also its results, and the taking over of controls by the States. After all, let us get the right point concerning the referendum. The Commonwealth Government was asking for permanent control. We all know that this State decided against giving permanent control to the Commonwealth Government; but we were quite willing for the Commonwealth Government to carry on these controls during a state of emergency. However, it decided otherwise and therefore the controls have come back to the State. Then again, it has been said that we are adopting the Commonwealth regulations. Of course we are adopting the Commonwealth regulations, because we will all admit that they were operating quite satisfactorily.

Hon. J. T. Tonkin: That is new, you know.

The MINISTER FOR LANDS: We did not accuse the Commonwealth Government

on that point. The whole issue was that we were not prepared to give the Commonwealth Government these powers permanently. If members will look at the reference column in the Bill they will see that all those regulations are mentioned. Members who have spoken, particularly the members for Leederville and North-East Fremantle, know as well as I do, and probably better, where to obtain the information they require. They know there are several copies of the Commonwealth regulations in this House for reference purposes, and without a doubt I take it that those members have had a peep at them because they know where to find them. I do not think the member for North-East Fremantle is altogether innocent in respect to the regulations; I suggest that, anyway.

The 1942 level has been mentioned and, as I said last evening, the Government has adopted that as a basis plus the 15 per cent. that was allowed by the Commonwealth Government by way of increase since 1942. After all is said and done, it is not policy for a Government to release information too soon when it is dealing with prices and values. I said last evening that it was proposed to lift completely the control over vacant lots in town and country. In reference to business premises, we do intend to allow an increase of 15 per cent., plus the basis. If members will work that out it will show an increase of 32 per cent. on the 1942 levels.

Hon. J. T. Tonkin: That is going to make a substantial increase on the general price level.

The MINISTER FOR LANDS: That is the position; but with regard to rural land we are allowing a 15 per cent. increase.

Mr. Kelly: What about unimproved town lots?

The MINISTER FOR LANDS: The hon. member means building lots?

Mr. Kelly: Yes.

The MINISTER FOR LANDS: The control is lifted in that instance.

Mr. Rodoreda: How long will it take to put the legislation into effect?

The MINISTER FOR LANDS: It will all be done just as quickly as we can get the regulations through. No time will be lost. The question of staff was mentioned.

We have had communications from the Prime Minister's department offering the present staffs to the States with a wish that we take them over. We have, of course, a permanent staff connected with the Taxation Department dealing with land values for State purposes. On that staff we have Mr. Jarvis who is the State representative. He has been there all through the war and is on the State's payroll. We have Mr. Steffanoni of the Taxation Department, and also Mr. P. A. Hunter, the Treasury representative. Those three men are on the permanent staff.

Hon. A. R. G. Hawke: Is Mr. Hunter a Commonwealth Treasury or a State Treasury officer?

The MINISTER FOR LANDS: He is in the Commonwealth Treasury. We are taking over that trained staff to deal with land values. The member for Kalgoorlie referred to the definition of "tenement" and asked what we intended to do, whether we were going to control mining leases and so forth. No! We are well aware that many houses have been built on mining leases. We know that they should not be there, but the fact is they are there. They are classed as tenements, and it is essential to have control over them.

One member stated that this control would be more vexatious than previously. It will not be. We are giving certain relief from control and, as we are taking over the machinery of the Commonwealth, how can control be more vexatious than before? I maintain that there will be an improvement in that respect. Quite a lot has been said about black marketing. This is a most undesirable practice and the less I hear about it the better I like it. During the war years reputable real estate agents, men who had been accustomed to doing business on strictly honourable lines, suffered considerably owing to the practices that have grown up. I feel that we shall now be able to allow legitimate business people to engage in their business.

Hon. J. T. Tonkin: Only with regard to town and suburban lots.

The MINISTER FOR LANDS: Yes. I stated that a 15 per cent. increase was allowable on business premises. I agree with the hon. member that that will probably not correct blackmarketing. I do not think it is sufficient. It might have been better to lift the lid right off, but the Government

gave earnest consideration to the matter. This is a big responsibility in such a time, especially as we have a full realisation of how values will spiral, and we are doing our best to exercise control that will have the effect of allowing prices to find their true level gradually and not have a severe and sudden spiral in prices that would be bound to upset the economy of the State and probably, to a great extent, bring about inflationary tendencies.

I appreciate the references to the Bill made by members of the Opposition. I believe they have all indicated that they realise the necessity for giving relief as far as possible, and that they consider that very close control, particularly of vacant lots, has brought about undesirable trading. I thank members for their criticism. After all, very few of the Bills presented to the House are perfect.

Hon. A. R. G. Hawke: What about Bill Grayden?

The MINISTER FOR LANDS: I shall not refer to him because I have no wish to disturb the harmony of the Chamber. I did make a "blue," but I am always ready to admit a mistake. I was on the right track in the first place. When a reference was made to the figures being so tremendous, I began to think I might be wrong. However, I have the return that I tabled for the year 1947-48, which gives the figures and confirms what I said.

Question put and passed.

Bill read a second time.

In Committee, Etc.

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

Clauses 1 to 9—agreed to.

Clause 10—Certain land transactions forbidden:

Mr. RODOREDA: Will the controller of land sales have power to fix the prices of land? There is nothing in the Bill to indicate that he will.

The MINISTER FOR LANDS: That officer will have control under the direction of the Minister.

Mr. Rodoreda: Where is the provision?

The Attorney General: In Clause 10.

The MINISTER FOR LANDS: The controller will have that power subject to the direction of the Minister.

Mr. RODOREDA: I am not satisfied with the Minister's reply. There is nothing in the measure to empower the controller to fix the prices of land. The only provision I can see is one stipulating that no land shall be bought without his consent.

The MINISTER FOR LANDS: The Attorney General assures me that there is such power in the Bill.

Mr. Rodoreda: Where?

Hon. A. H. Panton: I spent all the morning looking for it and could not find it.

Hon. J. T. Tonkin: Suppose it is not in the Bill.

The MINISTER FOR LANDS: Then it will be provided by regulation.

Hon. A. H. Panton: Splendid! I can assure you it is not in the Bill.

The MINISTER FOR LANDS: There is a provision that no land may be sold without the consent of the controller.

Mr. RODOREDA: I do not know what we are coming to when a Minister can try to foist off an explanation like that. No power is given in the Bill to the controller to fix prices. In order to make the measure effective, the Minister should have a provision inserted giving the controller such power.

Mr. BOVELL: The controller will not fix the price of land. A sworn valuer values the land and the controller either approves or disapproves of the values. It is unnecessary to insert such a provision in the Bill.

Hon. J. B. SLEEMAN: Will the Minister explain the definition of "land" as set out in Subclause (14)?

The MINISTER FOR LANDS: I made the explanation during the hon. member's absence from the Chamber.

Hon. J. B. Sleeman: I have not been absent from the Chamber. You must find some other excuse.

The MINISTER FOR LANDS: I explained that it referred to tenements under the Mining Act.

Hon. J. B. SLEEMAN: I do not like the definition. I move an amendment—

That the definition of "land" in subclause (14) be struck out.

The ATTORNEY GENERAL: There may not be a large number of houses coming within the scope of the definition. As Goldfields members doubtless are aware, it is possible to obtain a license to erect a house on land which is subject to the Mining Act. The "share" referred to in the definition relates to the share in the tenement, not to a share in a mining company.

Amendment put and negatived.

Clause put and passed.

Clauses 11 to 13—agreed to.

Clause 14—Exemptions and consent:

Mr. CORNELL: Is it the intention to exempt all town lands from control? As the member for Kalgoorlie pointed out, the Act contains no such provision. Is it proposed to insert it?

The ATTORNEY GENERAL: The Act provides, under an earlier provision, that where application is made for the consent of the controller under Clause 10, the controller may, in his absolute discretion, grant the consent, either unconditionally or subject to such conditions as he thinks fit, or refuse to grant the consent. In reply to the member for Avon, the Government will have power to exempt from the provisions of the measure any class of land mentioned in Subclause (1) of Clause 14. The Minister for Lands has declared the Government's intention to decontrol all vacant town lots.

Clause put and passed.

Clauses 15 to 25, Title—agreed to.

Bill reported without amendment and the report adopted

Bill read a third time and transmitted to the Council

House adjourned at 11.32 p.m.