

volume of work to perform and more responsibility to shoulder and, further, it could not undertake the degree of work which each local authority carries out in its own particular district.

Hon. D. Brand: Then give the local authorities what they want in this Bill.

The MINISTER FOR HEALTH: We cannot give them all they want. If the hon. member gave me all that I want, I would want a great deal of money to get out. This is purely a Committee measure and all the clauses can be debated in the Committee stage. I hope that during that stage of the Bill the debate will be fair and that the measure will be passed as soon as possible. I also trust that the Leader of the Opposition will not hold any grudge for the mistake that was made this evening. However, I accept no blame for what happened, although I agree that the move made by the Opposition was not intentional. The Acting Speaker was on his feet and was halfway through putting the question when I rose. I would like to have a few words to say in reply. I can assure the Opposition that the Government had no intention of applying any gag.

The SPEAKER: I would remind the Minister that that question has now been disposed of.

The MINISTER FOR HEALTH: I realise that, Mr. Speaker, but I merely wanted to point out to the Opposition that I accept no blame for what happened. I hope the Bill will pass through Committee without any trouble. I still say it is not contentious and that it is purely a matter of opinion.

Question put and passed.

Bill read a second time.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. A. R. G. Hawke—Northam): I move—

That the House at its rising adjourn till 2.15 p.m. on Thursday next.

Question put and passed.

House adjourned at 11.20 p.m.

Legislative Assembly

Thursday, 11th October, 1956.

CONTENTS.

	Page
Questions : Fisheries, (a) whaling industry, Albany	1315
(b) Exmouth Gulf handling facilities	1316
(c) weight caught by licensed fishermen	1316
Education, (a) Rocky Gully bus service	1316
(b) kindergarten subsidy	1316
(c) school enrolments and accommodation	1316
(d) school transport, Boogardie-Mt. Magnet	1317
(e) teachers' rail passes	1317
(f) tenders for Tuart Hill high school	1317
Roads, Frankland River district	1317
Police, Mt. Barker station	1317
Australia-wide wage policy, tabling of conference agenda and discussion	1318
Agriculture, use of pH indication	1318
Shipping, damage to "Charon"	1318
Loan works programme, final recommendations, 1956-57	1318
Prisons, financial assistance to ex-prisoners	1318
Railways, suburban diesel passenger coaches	1318
Health, South-West visit of x-ray clinic	1319
Potatoes, (a) prosecutions under amended legislation	1319
(b) export from Bunbury	1319
"One-armed bandits," Licensing Court action	1319
Bunbury bulk oil installation, consideration by Government	1319
Traffic, prevention of pedestrian accidents, Stirling Highway	1320
Eastern States racing, approach to A.B.C. by Government	1320
Housing, (a) war service homes	1320
(b) rental home, Rowley-rd., Armadale	1320
Bills : Police Act Amendment (No. 2), 1r.	1321
Profiteering and Unfair Trading Prevention, 3r.	1321

The SPEAKER took the Chair at 2.15 p.m., and read prayers.

QUESTIONS.

FISHERIES.

(a) Whaling Industry, Albany.

Mr. HALL asked the Minister for Fisheries:

Will the Government approach the Commonwealth Government for financial assistance for the further development of sperm whaling at Albany, as this industry needs more backing to enable it to be fully exploited?

The MINISTER FOR EDUCATION (for the Minister for Fisheries) replied:

No request has been received from the Cheynes Beach Whaling Co. by either the Fisheries Department or the Department

of Industrial Development that any such approach be made. If an application is submitted, it will be sent on to the Commonwealth Government for consideration.

(b) Exmouth Gulf Handling Facilities.

Mr. NORTON asked the Minister for Fisheries:

As the Prime Minister has indicated in an answer to a question by Senator Willessee in the Senate on the 25th September, that the Commonwealth is giving active consideration to allocating funds from the Fisheries Development Trust Account for the establishment of handling facilities at Exmouth Gulf, to assist in the development of the fishing potential in that area, will he advise the House—

- (1) Has the State Fisheries Department been advised of this move?
- (2) What plans have been made towards the development of the fishing potentials in Exmouth Gulf and other North-West waters, if such money or grants are available?

The MINISTER FOR EDUCATION (for the Minister for Fisheries) replied:

(1) No.

(2) The State Fisheries Department, in conjunction with the Commonwealth Scientific and Industrial Research Organisation, has investigated the resources of the Exmouth Gulf area. Further investigations, other than technological work in relation to the processing of prawns for market, are not considered necessary at this juncture. In view of more pressing problems in nearer waters, no plans have been made to investigate the fishery resources of the far North-West.

The Premier: On a big scale.

(c) Weight Caught by Licensed Fishermen.

Mr. CROMMELIN asked the Minister for Fisheries:

(1) What was the full weight of crabs caught by all licensed fishermen in any manner from the 1st November, 1955, to the 30th September, 1956?

(2) What weight of crabs, flounder and flathead were caught from the 1st May to the 30th September, 1956, by licensed fishermen using—

- (a) hauling sunk seine nets,
- (b) drop nets for crabs?

The MINISTER FOR EDUCATION (for the Minister for Fisheries) replied:

	lb.
(1) Swan River	18,133
Cockburn Sound	3,470
Peel Inlet	13
Total	21,616

(2) (a) Sunk seine nets are lawful only in the Swan River. The following is the weight of fish taken therefrom by this means during the period stated:—

	lb.
Flathead	1,150
Flounder	184

(b) Crabs may be taken only by means of drop nets in the Swan River from the 1st May to the 14th December in each year. The only crabs taken therefrom by this means by professional fishermen in the period in question was 1,457 lb. in May and June. Three hundred and eight pounds of crabs were taken by drop nets in Cockburn Sound in September. There is no record of the taking of crabs by professional fishermen elsewhere in the State during the period May-September, 1956.

EDUCATION.

(a) Rocky Gully Bus Service.

Hon. A. F. WATTS asked the Minister for Education:

Have steps been taken for the inauguration of the third bus service to Rocky Pool school, and when will it commence operations?

The MINISTER replied:

The third bus service at Rocky Gully has been authorised and the contractor expects the commencement of the service to take place on the 1st November.

(b) Kindergarten Subsidy.

Hon. A. F. WATTS asked the Minister for Education:

(1) What subsidy per child is being paid this year for children attending kindergartens?

(2) Is it proposed to increase this amount, and if so, to what extent and from what date?

(3) What will be the full amount of financial assistance to be granted this year to the Kindergarten Union, excluding the subsidy per child referred to in Nos. (1) and (2)?

The MINISTER replied:

- (1) £8 per child.
- (2) No.
- (3) £13,880.

(c) School Enrolments and Accommodation.

Hon. A. F. WATTS asked the Minister for Education:

(1) What number of halls, rooms, etc., not orthodox classrooms were being used by the Education Department as at the last reporting day?

(2) How many children were accommodated therein?

(3) Does the number of needed classrooms exceed the number of premises mentioned in No. (1), and if so, by what number?

(4) How many classrooms is it anticipated will be built during the current financial year?

(5) By what number will the anticipated new enrolments for 1957 exceed the number of children leaving school at the end of 1956?

(6) What additional number of classrooms will be required to accommodate such excess of "arrivals over departures"?

(7) Are any, and if so, how many, teachers engaged in teaching classes of more than 50 children?

The MINISTER replied:

- (1) 84.
- (2) Approximately 2,500.
- (3) At least another 150.
- (4) This is dependent upon the amount of loan funds available.
- (5) 5,400.
- (6) About 200.
- (7) 296 in April, 1956.

(d) School Transport, Boogardie-Mt. Magnet.

Mr. O'BRIEN asked the Minister for Education:

(1) How many school children are transported from Boogardie to Mt. Magnet per day?

(2) What is the cost per child, per day, over the above route?

The MINISTER replied:

- (1) Twenty children.
- (2) Two shillings per child per day.

(e) Teachers' Rail Passes.

Mr. EVANS asked the Minister for Education:

(1) In what areas of the State are bi-annual rail passes issued to school teachers, during Christmas vacations to enable them to holiday at the coast?

(2) What number of teachers availed themselves of this opportunity last Christmas vacation?

(3) What was the cost to the Education Department for this service for the year ended 1955?

The MINISTER replied:

- (1) Schools in the Goldfields and North-West districts.
- (2) and (3) This information is not available.

(f) Tenders for Tuart Hill High School.

Mr. CROMMELIN asked the Minister for Works:

(1) How many tenders were received for the building of the Tuart Hill high school?

(2) What were the amounts of the individual tenders?

(3) (a) Was the lowest tender accepted?

(b) If not, which tender was accepted?

(4) Was a contract signed by the successful tenderer?

(5) Is the contractor proceeding with the work at present?

(6) If not, who is proceeding with the building and on what conditions?

The MINISTER replied:

- (1) Five.
- (2) £103,156.
£122,477.
£122,832.
£148,061.
£198,099.
- (3) Yes.
- (4) Yes.
- (5) No.
- (6) Public Works Department, by day labour.

ROADS.

Frankland River District.

Hon. A. F. WATTS asked the Minister for Works:

(1) Have any funds been provided for work this financial year by the Main Roads Department for work on the road from Cranbrook to the Frankland River, and if so, how much and for what work?

(2) Will he also give similar information regarding the road from Jingalup to Rocky Gully, via Frankland River?

The MINISTER replied:

- (1) Yes—£5,000. Construction of five miles.
- (2) No funds were provided for this road.

POLICE.

Mount Barker Station.

Hon. A. F. WATTS asked the Minister for Police:

(1) Has a decision been reached regarding the commencement of the building of a new police station at Mt. Barker?

(2) If so, what has been decided?

(3) If not, when will a decision be reached about this long-outstanding matter?

The MINISTER replied:

- (1) No.
- (2) Answered by No. (1).

(3) This work is high on the Police Department priority list and a decision will be reached when loan funds have been allocated.

AUSTRALIA-WIDE WAGE POLICY.

Tabling of Conference Agenda and Discussion.

Mr. JOHNSON asked the Premier:

(1) In regard to the proposed Premiers' Conference to deal with an Australia-wide wage policy, will he lay on the Table of the House the agenda proposed by the Commonwealth, when received?

(2) Will he also make an opportunity for the House to debate the matters contained in the said agenda prior to his attendance at the conference?

The PREMIER replied:

These questions will be decided when a copy of the agenda has been received, but there is no certainty that one will be received.

AGRICULTURE.

Use of pH Indication.

Mr. HALL asked the Minister for Agriculture:

(1) Would the Agricultural Department be prepared to instruct farmers in the use of pH indication for soil testing?

(2) If the answer is "Yes", could the information and equipment, or test papers, be supplied at cost?

The MINISTER replied:

Farmers with soil problems should consult the department's district officers, personally or by letter. These officers may consider it necessary to take soil samples for pH or other tests. A number of district officers are at present being equipped to test soils and waters for pH and salt, such service being free.

The equipment in use by departmental officers would be unsuitable for general use and results, unless correctly interpreted, would be misleading.

SHIPPING.

Damage to "Charon".

Hon. D. BRAND asked the Minister for Works:

(1) Has any special inquiry been made by any State department into the matter of the damage to the "Charon" at Geraldton recently?

(2) Is any action contemplated by the Government in order to avoid or minimise a repetition of such damage to ships in the future?

The MINISTER replied:

(1) This vessel is under the jurisdiction of the Commonwealth Department of Navigation, which has made a preliminary investigation.

(2) Special inquiry by the State at present would be improper as the matter is subjudice.

LOAN WORKS PROGRAMME.

Final Recommendations, 1956-57.

Hon. D. BRAND asked the Minister for Works:

When will he make final recommendations on his 1956-57 loan works programme to the Treasurer for inclusion in the Budget?

The MINISTER replied:

When the total loan allocation to the Public Works Department is known.

PRISONS.

Financial Assistance to ex-Prisoners.

Mr. EVANS asked the Minister representing the Chief Secretary:

In the case of persons imprisoned for short terms—for example, on vagrancy charges—is any provision made to give them any financial assistance when they leave prison, to give them some money in their pockets, so that they may have a chance of rehabilitating themselves?

The MINISTER FOR WORKS replied:

Yes. Prisoners are paid amounts ranging from 3s. to 11s. per week for work which they are capable of undertaking while in prison. Prisoners who are destitute on discharge have the right to apply through the welfare officer of the Prisons Department for assistance from the Prisoners' Aid Society.

RAILWAYS.

Suburban Diesel Passenger Coaches.

Mr. JAMIESON asked the Minister representing the Minister for Railways:

(1) Has the Railway Commission any more suburban diesel passenger coaches on order?

(2) If so, how many?

(3) Is it a fact that more steam services are now being given on the suburban passenger lines than in November, 1954?

(4) Does the commission not consider this a retrograde step in view of the diesels having attracted so much extra patronage?

The MINISTER FOR TRANSPORT replied:

(1) and (2) No. The Railways Commission has recommended the purchase of 10 additional diesel railcars, but approval can not be given until finance is available.

(3) Although the number of steam services is now greater than when the new suburban timetable was introduced on the 28th November, 1954, it is still considerably less than the number operating prior to that date.

(4) No. It would be approximately two years after order before additional diesel railcars would be available.

The use of steam trains is necessary due to the more frequent service and additional patronage.

HEALTH.

South-West Visit of X-Ray Clinic.

Mr. HEARMAN asked the Minister for Health:

(1) What further South-West towns are to be visited by the mobile chest x-ray clinic?

(2) When is this clinic due to visit Boyup Brook?

The MINISTER replied:

(1) All those not already visited where population warrants a visit.

(2) The itinerary is not yet complete for 1957 but Boyup Brook will certainly be included during next year, possibly during the first half of the year.

POTATOES.

(a) Prosecutions under Amended Legislation.

Mr. HEARMAN asked the Minister for Agriculture:

(1) What prosecutions have been launched under the recently amended Marketing of Potatoes Act against people who have sent potatoes to the Eastern States?

(2) Are any prosecutions contemplated for this offence?

The MINISTER replied:

(1) None.

(2) Three prosecutions are under consideration for selling potatoes other than through the board.

(b) Export from Bunbury.

Mr. ROBERTS asked the Minister representing the Minister for Supply and Shipping:

(1) In view of the proximity of the usual potato export season in this State, has the Government approached the Australian Steamship Owners' Association in regard to arranging regular shipments of this season's potatoes from the port of Bunbury?

(2) If so, what arrangements have been made with the ship owners to lift this season's potatoes grown in the Bunbury port zone through the port of Bunbury?

The MINISTER FOR NATIVE WELFARE replied:

(1) No. The Potato Marketing Board advises that it considers the transporting of potatoes to South Australia by rail is

more suitable than by ship. Potatoes transported by rail arrive in much better condition.

(2) Answered by No. (1).

"ONE-ARMED BANDITS."

Licensing Court Action.

Mr. COURT asked the Minister for Justice:

Will the Government's decision not to legalise "one-armed bandits" in clubs have any effect on the previous action of the Licensing Court calling on clubs to get rid of machines by the 31st December, 1956?

The MINISTER replied:

This is a matter for the court to decide.

BUNBURY BULK OIL INSTALLATION.

Consideration by Government.

Mr. ROBERTS asked the Minister for Works:

With the advent of greatly increased supplies of electricity becoming available in the South-West of this State on the completion of the new Bunbury power station and the possibility of secondary industries being attracted to the port of Bunbury in particular and the South-West generally—

(1) Has the Government considered a site or has it any proposal regarding a bulk oil installation (or sea terminal) site at the port of Bunbury to serve—

(a) new and established secondary industries within the South-West area;

(b) primary producers;

(c) ships' bunker oil requirements;

(d) the general public?

(2) If so, what are the details of such consideration and/or proposals?

(3) Are there any technical difficulties in piping fuel along the present jetty structure to a shore-based bulk oil installation? If so, what are those difficulties?

(4) Would a land-backed quay built on the eastern side of the breakwater be more advantageous for a bulk oil installation? If so, what would those advantages be?

(5) If a bulk oil (or sea terminal) installation became a reality at the port of Bunbury, what would be the estimated cost of—

(a) petrol;

(b) power kero;

(c) fuel oil, etc.,

to the consumer in Bunbury?

The MINISTER replied:

(1) Yes.

(2) Oil companies are considering proposals and details are not available.

(3) No.

(4) Answered by No. (2).

(5) There would be a reduction in cost to consumers, but the amount could be determined only by the oil company concerned.

TRAFFIC.

Prevention of Pedestrian Accidents, Stirling Highway.

Mr. ROSS HUTCHINSON asked the Minister for Transport:

(1) Has he or the National Safety Council arrived at any solution for preventing the alarming number of accidents which have occasioned injury and death to pedestrians along certain stretches of Stirling Highway after nightfall?

(2) If not, will he give an assurance that steps will be taken to ensure that action is taken to reduce the incidence of these accidents?

The MINISTER replied:

(1) It is considered that the installation of traffic lights at Nedlands and Claremont has had a good effect by causing breaks in through traffic, enabling pedestrians to cross safely. This will be further noted as more lights are installed.

Police patrols are maintained on the highway, and crosswalks near schools and picture shows are worked by police at peak periods.

Onus rests also on pedestrians to exercise care in crossing.

(2) Action is contemplated to make cross-walks more readily visible to motorists, which should ensure greater safety for pedestrians if they confine their crossings to these cross-walks.

EASTERN STATES RACING.

Approach to A.B.C. by Government.

Mr. COURT asked the Premier:

(1) Is it correct, as reported in "The West Australian" of the 5th October, that the Government made representations to the A.B.C. or Commonwealth Government for increased broadcasting of Eastern States racing?

(2) If so, what reasons prompted the request, and what was the result of the request?

The PREMIER replied:

(1) The Government made representations to the A.B.C. for the broadcasting in Western Australia of race meetings held in Sydney and Melbourne or, alternatively, those held in Melbourne.

(2) The reason prompting the request was that the many people in Western Australia who are interested in Eastern States

racing are entitled to the same service from the A.B.C. as is given by that organisation to people in other States.

HOUSING.

(a) War Service Homes.

Mr. WILD asked the Minister for Housing:

(1) How many war service homes have been built in Western Australia in each year since the end of World War II?

(2) How many of these were built under the group scheme in each of these years?

(3) How many homes have been taken over in each year as war service homes, but originally built under the Commonwealth-State housing agreement?

The MINISTER replied:

The details are as follows:—

(1) 1945-46	....	....	....	16
1946-47	....	....	....	155
1947-48	....	....	....	326
1948-49	....	....	....	489
1949-50	....	....	....	609
1950-51	....	....	....	733
1951-52	....	....	....	727
1952-53	....	....	....	1,212
1953-54	....	....	....	1,214
1954-55	....	....	....	1,109
1955-56	....	....	....	1,220
Total	....	....	....	7,810

(2) 1945-46	....	....	....	0
1946-47	....	....	....	0
1947-48	....	....	....	0
1948-49	....	....	....	133
1949-50	....	....	....	241
1950-51	....	....	....	331
1951-52	....	....	....	365
1952-53	....	....	....	493
1953-54	....	....	....	237
1954-55	....	....	....	397
1955-56	....	....	....	310
Total	....	....	....	2,507

(3) 1945-46	....	....	....	0
1946-47	....	....	....	0
1947-48	....	....	....	0
1948-49	....	....	....	0
1949-50	....	....	....	27
1950-51	....	....	....	180
1951-52	....	....	....	59
1952-53	....	....	....	145
1953-54	....	....	....	47
1954-55	....	....	....	34
1955-56	....	....	....	71
Total	....	....	....	563

(b) Rental Home, Rowley-rd. Armadale.

Mr. WILD asked the Minister for Housing:

(1) Is it correct that a Commonwealth-State rental home in Rowley-rd., Armadale, has been vacant during the last eight weeks or thereabouts?

(2) Did the previous owner leave owing a large amount of money, and taking the key with him?

(3) What was the amount of outstanding rent at the date of vacation?

The MINISTER replied:

(1) Yes.

(2) Yes. Key was left with a neighbour, but the commission was not advised.

(3) The amount was £70 17s. 6d. The commission was taking legal action to evict but apparently the tenant decided to clear out.

I may add that one additional reason for the period that the house has been unoccupied is occasioned by the amount of attention and renovations necessary, estimated to cost somewhere between £70 and £80, to make the house reasonably habitable for a new tenant. It is anticipated the work will be completed very shortly.

BILL—POLICE ACT AMENDMENT (No. 2).

Introduced by Hon. A. F. Watts and read a first time.

BILL—PROFITEERING AND UNFAIR TRADE PREVENTION.

Third Reading.

THE MINISTER FOR LABOUR (Hon. W. Hegney—Mt. Hawthorn) [2.34]: I move—

That the Bill be now read a third time.

MR. COURT (Nedlands) [2.35]: I rise to oppose this Bill on the third reading. Doubtless this is not a surprise to the Government but I want to register a further protest in connection with this particular measure. In its present form it is still unacceptable to those of us who are the Liberal Party members of the Opposition. In spite of the efforts made by the Country Party to try to tame what I referred to earlier in this debate as a cobra, the Bill still retains many objectionable features. In spite of amendments made we still feel it is an objectionable measure.

In addition, the Bill, in its original form, must surely be taken as an official reflection of the attitude of the Government towards private industry in this State. We are entitled to assume that the Government, as the authors of this measure, feels towards private industry as it expresses itself in this measure. It has been expressed in a most objectionable way and, as far as I am concerned, in a manner calculated to cause a great disservice to this State.

After all, this is a young State and there is a terrific amount of industrial pioneering to be done for many years to come. Consequently this is the last place where

legislation should be introduced that would have the effect of discouraging would-be industrial expansion here, whether in respect of new undertakings or of existing industries. There is no doubt a nation or a State has to be careful not to create an impression that it is opposed to the expansion of industry. If, of course, the Government feels now is the time to make it clear to private industry that it does not favour private industry or the capitalistic system, it should say outright that it is opposed to it and will abolish it as quickly as it can. On the one hand, it pays lip service to private industry but, on the other, it brings down a measure like this to definitely discourage private industry making any expansion in this State.

Mr. Andrew: Will it discourage it?

MR. COURT: This point has been raised during the debate on the Bill. When the Government brings down a measure like this, which gives to certain people certain powers that could be misused, a person who is honest and sincere could be penalised. It is not the only measure of a restrictive nature we have had to consider in this Parliament in the last three or four years. We have had other such legislation. The Government has introduced a prices Bill and a local government Bill which has the effect of trying to put a halter around local government, despite what has been said to the contrary. We have before the Chamber a Bill which is a further restrictive measure dealing with shops and factories. These have the effect of creating the impression among people who might be interested in developing business or establishing themselves in this State, that the present Government is opposed to private industry.

The Minister for Labour: The same as the Citizens Rights Association!

MR. COURT: The Government has endeavoured to make it clear it did not want a general system of price control. This Bill not only has the effect, or could have the effect, of being a price control measure but it seeks to give control and direction of industry and it is no good the Government denying it. If one reads the Bill carefully one can see its main object could easily be to give power of control and direction. It is not to combat inflation, although that was the excuse given when the measure was introduced.

Mr. O'Brien: It is to prevent profiteering.

MR. COURT: It will not combat inflation. Even in its original form it would not be a factor in the matter. It is a much bigger and wider subject than can be dealt with by a measure of this nature.

The Minister for Labour: Why don't you come out in the open? You are possibly frightened to!

Mr. COURT: I have been very honest in my statements on this Bill and will be interested to hear the Minister's arguments as to why the measure does not provide for direction and control.

The Minister for Lands: You have always taken the attitude that the sky is the limit.

Mr. COURT: They are words of the Minister's own making. It is the policy of members on the Government side of the House to say the sky is the limit, so far as the member for Nedlands is concerned. They can stick to their story and maybe will convince themselves one of these days.

The SPEAKER: Order! The member for Nedlands will address the Chair.

Mr. COURT: I object to this Bill as amended in Committee and now before us at the third reading stage as there are in it very many provisions to which we take exception. In fact, I think I have listed roughly 16 or 17, and I feel it is my duty at this stage of the third reading to summarise some of the points which I consider are objectionable. Firstly, my main objection to this legislation is its lack of any definition. It is almost impossible for a trader to know under this measure what is reprehensible and what is not.

Mr. Johnson: Don't traders have consciences?

Mr. COURT: The hon. member's interpretation of what is a conscience and somebody else's interpretation could be two different things. His interpretation and somebody else's interpretation of what is reprehensible could likewise be different. Surely at this stage it is important to be as clear as we can as to the responsibility of citizens, and as to what the legislation covers and is intended to do!

The second point on which we take exception is that in spite of remonstrations to the contrary, we still consider the primary producing element is vulnerable under this measure unless their sales are actually made under the auction system. They are the only sales that have been excluded specifically from this legislation and excluded, regardless of whether they are primary producers' sales or anybody else's. But the main interest in the exclusion would be the sales by primary producers by public auction.

Thirdly, the powers of delegation left in the hands of the commissioner are, in our opinion, grossly excessive. The fourth point is that the Bill foreshadows interstate connivance in connection with the handling of this legislation. The fifth point is that the commissioner and other authorised officers of the proposed department may disclose information under the secrecy clause as witnesses. But against that, they are not themselves compellable witnesses.

The Minister for Labour: It was the same under your price control legislation.

Mr. COURT: I know the Minister will say over and over again, like a record, that this was in the 1948 Act.

The Minister for Labour: It is true.

Mr. COURT: I think we have answered that so often that I do not propose to go over it again.

The Premier: You are very wise!

The Minister for Labour: It is true just the same.

Mr. COURT: A further point is that the commissioner or an authorised person can convey information to the Commissioner of Taxation or his deputy. Another is that there is no protection or compensation provided for a trader who is—to use a current phrase—given the full treatment by the commissioner under this Act, and who has his business severely dislocated during that process, all of which could be done on suspicion. It could be that he would be found not guilty, but there would be no redress for him for such an experience at the hands of the commissioner.

Another point is that any person—not a declared person or a suspected person, but any person—must give information when it is demanded; and I make this point in spite of what is in Clause 24 (3), because that must be read in conjunction with Clause 28 (5). A still further point on which we take exception is that this Bill if it becomes an Act could be responsible for very serious breaches of professional secrets or confidences, something that has been respected throughout the ages in the British system of professional conduct. Under the provisions of the Bill, and particularly Clause 28 (2), a person could, against his will be involved in serious breaches of professional secrecy and confidences.

A still further point is the power given to the commissioner to institute investigations and the methods by which he can obtain information, lay a charge, hear the charge, and then declare a trader. We consider that the powers vested in the commissioner under this Bill, in spite of the amendments, are far too great and sweeping.

Then there is the power of direction in the hands of the commissioner when a trader is declared. This is assuming, of course, that the appeal to the president of the Arbitration Court is either unsuccessful or is not availed of by the trader.

Another point again is the indeterminate sentence, or the indeterminate nature of the sentence that the commissioner can impose on a declared trader. Those who study Clause 33 of the Bill as amended will appreciate, if they are fair, that the declared trader, even if he appeals to the president of the Arbitration Court and is knocked back, or fails to avail himself of

the right of appeal, is subject to an indeterminate sentence. By that, I mean an indeterminate period so far as the declaration from the commissioner is concerned. He is then subject to the whims and fancies of that man for an indeterminate period, and only one person can relieve him of that, and that is the commissioner himself, after he has instituted an inquiry and satisfied himself that the trader should be released from the declaration.

The commissioner's powers to impound and retain documents, books, accounts and papers to the detriment of a trader's business is something else we take exception to. Efforts were made to reverse the provisions of the Bill so as to bring it into line with the English practice under their new restrictive trade practices measure, whereby the department has to make the copies and leaves the trader in full possession of his books, records, accounts and papers. In other words, he can carry on his business with a minimum of interference.

Then we find that the commissioner can direct the keeping of records and accounts in a manner he thinks fit, and that applies not only to a declared trader or somebody suspected, but anyone at all, any trader who comes under the definition of a trader within the meaning of the Act. In addition, we find that the onus of proof is thrown on the trader. He has to go to the commissioner and prove that he is not guilty of unfair practices. The commissioner, in the meantime, has suspected him of something, investigated him, and prepared a charge, and then leaves it to the trader to prove himself not guilty.

A still further problem under this Bill is the great damage that can be done to businesses that are declared. The Government agreed to an amendment to withdraw from the Bill the provision whereby a trader would be branded in the prescribed way by having a notice in his store and notices on his stationery, etc. to the effect that he had been convicted under this measure. But the fact remains that a declared trader will receive all the branding that is necessary to do his business a terrific lot of damage.

The Minister for Works: He has the remedy in his own hands. He need not be declared.

Mr. COURT: That is nonsense. He has not the position in his own hands.

The Minister for Works: Yes, he has. He can see that he does nothing to cause himself to be declared.

Mr. COURT: He is not sure what is necessary to cause him to be declared; he has to find out. He does something which, in all good faith, he thinks is fair, but which the commissioner holds to be not fair.

Mr. O'Brien: Very few will be declared—we hope!

Mr. Johnson: He could always ask somebody with a conscience.

Mr. COURT: That is so inane that we will just forget it.

The Minister for Health: It appears that this commissioner will be a big bad wolf.

Mr. COURT: I think he could be.

The Minister for Works: A man with no commonsense!

Mr. COURT: We have to judge the law by what is put into it. Provisions are inserted in legislation to be used and they are not put there for fun. It is no good saying, "We are not the type of people to do that sort of thing".

The Premier: If we judged every prospective law on the basis that you are judging this, we would never pass any law.

Mr. COURT: Some laws would be better for not being passed, I think. Continuing with the reference to the great damage from declaration, I point out that it is not mandatory for the commissioner to keep the declarations secret. An attempt was made to have that put into the measure, but it was rejected by the Government. It is now quite open for the commissioner to publicise in any way that he thinks fit, the declared trader, and that right will achieve all the diabolical things that we predicted for the notices, with respect to conviction; bearing in mind that these will go on indefinitely until the commissioner, in his wisdom, and without any right of appeal to other authority, decides that the declaration should be lifted.

Another matter is that the commissioner is empowered only to caution a trader if the matter is considered to be trivial. Whether it is trivial or not is a question for the commissioner alone to decide. If the matter is something that he considers to be a little more than trivial, he has no alternative but to declare the trader. He cannot say, "You are a first offender and I shall deal with you as such." He either has to dismiss the matter altogether or class it as trivial. When he comes to consider what are trivial things, there is some scope, but not a very great scope, for a difference of opinion.

If I might retrace some of the points I have just touched on, I would like to do so in order that I might give some explanation of my objections. In connection with the lack of definition as to what is an offence under this legislation, one must realise that an attempt was made to rewrite into the Bill a definition of "unfair." Personally, I feel that the attempt made, whilst a conscientious one, would not have achieved very much at law. However, the Government immediately sought to defeat the definition by deleting the word "means" and inserting the word "includes." There was but one reason for wanting to change

the word "means" to "includes," and that was to remove any restriction on the definition.

If we look at Clause 15, the word "includes" has been used by the Government to make certain that the definition is not restrictive. It is also important to note that, through lack of definitions in the Bill, a person can be caught for unfair trading or can be considered guilty of it, not because he did it himself or was actually found guilty of doing it, but because he attempted to do so; and further than that, that he aided or attempted to aid someone else. This question is not actually restricted to the person who is found guilty of committing the offence.

On the question of the vulnerability of primary producers, which has been treated rather flippantly every time I have introduced it—

Mr. May: It is in the paper this morning.

The Minister for Lands: The Leader of the Country Party did not treat it flippantly.

Mr. COURT: He expressed an opinion.

The Minister for Lands: It was not flippant.

Mr. COURT: I did not say he treated it flippantly. I was referring to the other side of the House. Every time I raise this issue, members opposite seem to think there is something sinister about it. We must not deny primary producers the right to seek the best market they can get. There are certain commodities which, by majority agreement among the producers, are marketed by organised marketing. There are many products which are not subject to these organised schemes and special statutes.

The Minister for Lands: What are they?

Mr. COURT: Livestock in particular.

Mr. Bovell: Wool sold on the property is another.

The Minister for Lands: It is either sold under orderly marketing or under a system of what the market can absorb—supply and demand.

Mr. COURT: Very true, but the Minister's side does not believe in that system.

The Minister for Lands: Do not talk silly!

Mr. COURT: We have had this argument time and time again. The member for Leederville does not believe in it.

The Minister for Lands: Never mind him; you said that the Government does not.

Mr. COURT: That is so. We have to realise that these products are seasonal and there are other conditions which seriously affect their marketing, and therefore we must leave the people concerned free to play the market, as it were, so as to get the best deal they can. They can sell the stuff only once.

Mr. Potter: They cannot be touched.

Mr. COURT: The power is in the Bill.

Mr. Potter: It is just a red herring.

Mr. COURT: It is not a red herring. If the hon. member had had detailed experience under the Prices Control Act—he may have had some experience of it—he would realise that the subject of meat was always a very sore one because the Governments of the day did not seek to go back and control meat on the hoof. It was found almost impossible to keep it properly controlled, particularly in some of the Eastern States, when the control existed only after the killing of the animal.

I know what is going to happen. We could easily have a state of affairs where the price of meat starts to fly sky-high, and the Government of the day, seeing its effect on the basic wage, will want an inquiry into it. The Government will then find, possibly, that control of meat, on only one side of the actual killing, is insufficient and it will then start—

The Minister for Lands: Your leader looks uncomfortable at what you are saying. You have not made yourself acquainted with the facts.

Mr. COURT: I am pretty sure that my leader agrees with everything I am saying at the moment.

The Minister for Lands: He does not look as if he does.

Mr. COURT: He might be fidgeting if the Government was going to put control on livestock before it was killed. That is the only thing that would make him feel uncomfortable, and this only shows how true what I am saying is.

The Minister for Lands: That is the one subject you should have left alone, because it is obvious that you know nothing about it.

Mr. COURT: I have been mixed up in it a fair bit and I know how far it goes.

The Premier: Probably briefed by Mr. Johnston.

Mr. COURT: I do not think he would be so interested in the other side of the killing stage.

The Premier: He would be interested in either stage.

Mr. COURT: The provisions of the Bill should be carefully studied by members on the other side because the power is there, and once any two people get together to try to secure a better price for their product, they are subject to the provisions of the legislation.

The Premier: It sounds like the amendment to the Arbitration Act which your people put through.

Mr. COURT: We will, perhaps, be debating that one later tonight, or in the near future.

The Premier: It is exactly the same principle.

Mr. COURT: The other point I wish to touch on is the question of the power of delegation. An attempt was made to restrict the power of delegation by the commissioner, but it was rejected. The commissioner now has the power of delegation in respect of all the powers he possesses, with the usual provision that he cannot delegate his power of delegation. This means that he can delegate the right to investigate, lay charges and declare a trader. Furthermore, the person with that delegated authority could be in charge of the trader's operations after he has been declared.

So it is no use saying that this is something of little importance and that we will have a good and reasonable commissioner. It is already foreshadowed that he will have staff. The Government has already insisted that the commissioner shall retain his power of delegation, and therefore these delegated authorities will extend to people far beyond the commissioner himself.

To elaborate on my reference to non-compellable witnesses: The Bill provides that the commissioner or his authorised officers can, without breaching the secrecy provisions, give evidence in proceedings under the Act. It also provides that they are not compellable witnesses. As I understand that it means that, if it suits the commissioner or the prosecuting counsel to get these people to disclose secrets, as it were, in the course of the trial, that will be done, but if it would embarrass the prosecution and possibly assist the defence, they will not be compellable witnesses, and it could be vital—

The Minister for Labour: Why did the Liberal Government agree to it five years ago?

Mr. COURT: It was thrown out of this Parliament three years ago. The situation could become untenable if a person who was trying to defend himself in court could not bring vital evidence from the commissioner, for the defence, while vital evidence in the possession of the commissioner could be used against the trader.

My other point in regard to the secrecy clause is that the provision whereby information can be divulged to the Commissioner of Taxation or his deputy requires further examination. Surely the trader is bedevilled enough already by the actions of the tax-gatherer, with his sweeping powers and staff and resources! Here we find legislation which seeks to make it easier for the long suffering public to be caught up in the machinations of the law, and it is just another step by means of which the privacy of certain confidential information can be breached.

I mentioned that traders had no protection where an investigation was proved to be wrong. Under Clauses 13 and 16,

certain protection is given to the commissioner and his staff. They are immune from action in regard to certain things that they do under the legislation. Acting on suspicion, they could give a trader the devil and disrupt his business and take him and his senior men off the running of the business for days or weeks and then, if in the end he were proved not guilty, that trader would have no redress.

We know how often one hears around the town that someone is being investigated by the Taxation Department. The news gets out and people put two and two together, and add a bit for themselves, and the next thing we know the matter is being discussed all around the town. It could be a very damaging experience for a trader to be investigated, even if eventually found not guilty. There is no provision in the measure for the commissioner to tell the public that he has investigated a man in error or that the person investigated has been completely exonerated, yet if the trader is declared publicly can be given to his so-called offence.

I wish to refer again to Subclause (2) of Clause 28. Among other things professional services are covered by the definition of service and under this and other provisions contained in the measure the commissioner can demand certain information from the person concerned who, in turn, must supply it, in some cases orally and in other cases by sworn declaration or in some form satisfactory to the commissioner.

We cannot simply say this will not happen. That sort of thing has been fought against for many years. We cannot simply brush it aside and say this will not happen. I have endeavoured briefly to summarise my main points of objection to the measure. I think that we, on this side, have made our position clear and I oppose the third reading.

MR. ANDREW (Victoria Park) [3.5]: It is unusual for a lengthy debate to take place on the third reading of a measure and since I have been in Parliament I have never before heard such an analysis of the various clauses of a Bill as that just made by the member for Nedlands.

Hon. Sir Ross McLarty: I have heard very long speeches on the third reading.

Mr. ANDREW: We might have expected such an outburst from the member for Nedlands because since I entered this Parliament—he came in at the same time—he has always fanatically advocated the interests of big business.

Mr. Court: Free enterprise.

Mr. ANDREW: He has entirely neglected the wellbeing of the ordinary people.

Mr. Court: That is utter nonsense.

Mr. ANDREW: I will prove what I have said, before I sit down. In regard to this measure the hon. member said, from the

beginning, that he would have nothing to do with it because it contained nothing worth while. The things he has mentioned in connection with the Bill do not matter to him but are only excuses that he has put forward because he does not like the actions of big business interests to be circumscribed in any way.

Conditions experienced in Australia in the past few years have been such that attempts have been made to meet them in certain ways. The method adopted by the Federal Liberal Government was to tie the wages of the workers. Admittedly, that was done through the Commonwealth Arbitration Court but I believe—and I think most people think the same—that a hint came from the right quarter and the basic wage was then tied for several years.

Mr. Court: Do you say the Federal Arbitration Court was influenced by the Government?

Mr. ANDREW: Notwithstanding the fact that the basic wage was tied, the inflationary trend continued and that method of halting it failed, because certain business interests—not all, as there are a large majority of decent people in business—were not satisfied with a fair thing but endeavoured to secure, and in many cases did secure, huge profits.

Mr. Wild: What are you saying about your cobbler, Cahill, in New South Wales, who is doing the same thing?

Mr. ANDREW: The member for Netherlands mentioned other measures which this Government has brought before Parliament, and in relation to them he attempted to do the same as he has tried to do in regard to this Bill. He saw that there was not going to be any opportunity to weaken this legislation and so he did not move any amendments. I will read an extract from "The Daily News" of Saturday last, headed "Rent Squeeze on in Perth's Little Italy."

The news item read as follows:—

Housing problems have led to rent rackets in Perth's Little Italy.

Big profits are being made by cramming many families into small houses at high rents, according to real estate men.

The Rent Control Office can do little about it because of a loophole in the law being exploited by unscrupulous landlords.

The loophole: A three-year lease. By getting tenants to do this, the landlord puts the house outside the office's jurisdiction.

That is how they overcame the rents and tenancies legislation, namely, by giving the unscrupulous interests power to exploit poor unfortunate people. Continuing—

No matter how high a rent is, the office can do nothing to alter it if a three-year lease has been signed.

According to the real estate spokesman, migrant landowners are not the only ones taking advantage of this situation. But the highest incidence of rent racketeering was in Little Italy, among Greeks and Italians they said.

Here, the problems of newly arrived Greek and Italian migrants lent themselves to quick profits for the unscrupulous.

That is the clause the Opposition put in the legislation. Now its members are talking about a fair deal being given to all sections of the community, but they do not care about the people at all. Continuing with the newspaper article—

These migrants wanted to live near the city in their national "colonies."

Often newcomers wanted accommodation so badly that they tended to overlook the implications of a three-year contract.

No Idea of Law.

Many had little idea of the law and did not complain because they feared being evicted.

The head of a real estate firm which specialises in properties in the Italian and Greek quarters said today:

"I know of a seven-room house in Aberdeen-st. where there are 35 people.

"There are five families—each with their own gas stove in a communal kitchen."

There were instances of as many as a dozen single men sleeping in small five-room houses at £2 a bed.

Such houses cost about £2,000. A person who got £2 a bed from 10 men would make £1,000 a year.

Hon. L. Thorn: They are being taken down by their own countrymen.

Hon. Sir Ross McLarty: What will this Bill do about that?

Mr. ANDREW: The attitude adopted by the Opposition only assists these unscrupulous, greedy people. The members of the Opposition do not attempt to help the various sections of the community.

Hon. Sir Ross McLarty: You have a warped mind!

Mr. ANDREW: The unscrupulous business interests—I am not including them all—

Mr. Roberts: The majority of them are not unscrupulous.

Mr. ANDREW: —but those that are unscrupulous and greedy are being assisted by the Opposition. That is the type of person the Opposition is always battling for. The following also appeared in Monday's issue of the "Daily News," dated the 8th October, being extracts from a report of a case which was heard before Mr. Justice Wolff dealing with a claim by Clara

Ottild Spanney against a person known as Sam Gurfinkel. The extracts are as follows:—

It was Mrs. Spanney's reprehensible practice to demand key money from the unfortunate people who came to her in urgent need of accommodation. His Honour said.

And Gurfinkel's practice was to buy old houses and let rooms in them to people urgently needing accommodation.

Mr. Wild: Whom are you supporting, Mrs. Spanney or Gurfinkel?

Mr. ANDREW: Continuing with the extract—

As for Mrs. Spanney—there were no bouquets for her. From her key money and exorbitant rents she got considerable sums. Money from these illicit sources was kept in a safe with scrappy accounts.

The SPEAKER: Order! I hope the hon. member will connect these remarks with the Bill.

Mr. ANDREW: I am merely endeavouring to show that the attitude of the Opposition tends to assist people such as these and the same applies to the Bill now before the House which has been introduced in an endeavour to protect people from those who are considered unscrupulous. The Opposition, in connection with the legislation that the Government brings before this House, is not endeavouring to hold the scales of justice on an even balance when considering all sections of the community or individuals. The member for Nedlands has been very vociferous in his attitude in the interests of those people who do not consider the well being of the ordinary man and woman. In my opinion, he should not be proud of his advocacy in this House.

MR. GRAYDEN (South Perth) [3.15]: Since we are to be called upon very shortly to vote on this Bill and in view of the fact that it has been amended considerably since its introduction, I want to make my position in relation to it very clear. I am going to vote against the Bill because I believe it is completely contrary to Liberal principles.

Mr. Roberts: British justice!

Mr. GRAYDEN: No, I would not say that. It is quite in accord with Labour outlook. We live in a democracy. The Government has been elected by popular vote and no one can deny that it has the right to introduce this legislation. The Government made itself perfectly clear on the hustings that it intended to introduce a Bill such as this. The Government has been returned and it has introduced it. I believe that the Labour Party has introduced the legislation with the best of intentions. At the same time, I oppose the Bill because I believe it is completely

contrary to Liberal principles. I have been elected as a Liberal, I believe in Liberal principles and for that reason I will vote against the Bill.

Mr. Johnson: Tell us what they are.

Mr. GRAYDEN: I believe it is most unfortunate that it is apparent we are to have legislation of this kind on the statute book of Western Australia. However, I think the Opposition must share responsibility for the passing of the Bill. It has shirked its responsibilities in the past in regard to the objectionable trade practices which this Bill seeks to remedy. In the past many people have come forward and pointed to the existence of these undesirable trade practices. Some have taken steps in an endeavour to overcome them. I do not think that they are widespread, but the fact is that they do exist. Those who believe in Liberal principles have always been opposed to those practices.

In the constitution of the Liberal Party there is a clause which is to the effect that the party is opposed to monopolies and matters of that kind which are inimical to the public interest. Notwithstanding this clause being in its constitution, the L.C.L. has never attempted to implement it. If it had done so, we could have had legislation of a more acceptable nature than this Bill. This measure is so completely contrary to Liberal principles and the principles on which our free enterprise and economy are grounded, that it is deplorable it should be placed on the statute book. It is equally deplorable that the Opposition parties in the past, when they had the opportunity, did not take advantage of their position to introduce legislation which would have been more acceptable and better able to deal with these undesirable practices. Had they done so, we would not have had to consider the legislation that is now before us. As I have already said, the Opposition must share the responsibility for this situation.

MR. MAY (Collie) [3.21]: I have not very much to say on the third reading but there are one or two remarks I would like to make. I listened to the speech made by the member for Nedlands and I do not think that there were two words different in his speech today from that which he made during the second reading.

The Premier: He is consistent.

Mr. MAY: This afternoon he said that publicity in regard to this Bill had got abroad. I would like to read a letter that I have received from New South Wales which will show members just how much the publicity on this Bill has got abroad; and possibly later I might be able to inform the House as to how this publicity got abroad. I have a letter here from the People's Union Research (Non-Party) Publicity.

Mr. I. W. Manning: I have one here, too.

Mr. MAY: If it is similar to the one I have, it will probably finish up in the same place. I would like the House to take notice of the address of this organisation. It is: Wingello House, Angel Place, Sydney. If this is the sort of stuff angels produce, I have no desire to go to heaven.

Mr. I. W. Manning: You probably will not get the opportunity.

Mr. MAY: The address of this organisation is a complete misnomer and I think it should be told what its correct name is. I will not read all that is contained in the circular I received, but I would like to point out that it is dreadful propaganda.

Mr. Ross Hutchinson: Read the lot.

Mr. MAY: If the member for Cottesloe has no objection, I will suit myself in this matter. The letter I received reads as follows:—

Dear Sir,

The Profiteering and Unfair Trading Prevention Act.

We have heard that before in this Chamber, I think. To continue with the letter—

The attached brief review of this Bill identifies it as fulfilling the requirements of Lenin's mysterious "Anglo Saxon" formula adopted as official Labour policy in 1921. Documented conclusions were arrived at about two years ago by this group after ten years' investigation and sent on to affiliated bodies in Europe. They created a minor sensation.

A German official in charge of anti-Communist work came to Australia and described them as of vital importance. They had not suspected that Communists were presenting their Police State as "Socialism" to control administration and eliminate opposition by legal means in other countries.

The issue was placed beyond doubt by Soviet Leaders' addresses to the 20th Congress in February last.

Please refer to us if in doubt. It is difficult for most men to believe that such calculated evil exists in the world.

He signs himself "A. G. Hebblewhite". The last part of his name tallies with the address on the top of the letter. He is the administrator. I did not read this letter and the correspondence attached until I got home. As a rule, this sort of tripe finishes up in the basket as soon as I open it.

The Premier: Which basket?

Mr. MAY: It was an error on my part; that was not the basket to which I was referring. When I read the correspondence I realised why and where it had originated.

Because I had taken it home I decided to acknowledge it, and I propose to read my reply.

Mr. Roberts: Are you going to read the enclosure?

Mr. MAY: The hon. member should be patient. My reply reads as follows:—

Your letter dated 26th September, 1956, together with enclosures has reached me, relative to the "Profiteering and Unfair Trading Prevention Act" and I hasten to tell you in reply that I am thoroughly disgusted with the tripe being circulated by the "People's Union".

Suffice it to say, the Bill in question will not affect one single trader, provided he or she is trading fairly with the public and is satisfied with a reasonable margin of profit.

I would like the member for Nedlands to answer that. My reply continues—

All the nonsense contained in your propaganda is pure imagination and evidently intended to cause panic amongst the public of this State. As for its connection with the Communist Party policy, this also is sheer bunkum.

I want to say, as a Labour supporter and a representative of that party in the Western Australian Parliament, I have no connection with the Communist Party whatsoever, never have had and never will have and this can be safely and definitely applied to all other Labour members in the Western Australian Parliament.

Therefore, your filthy and low-down insinuations as contained in the trash now under reply leaves me cold and thoroughly disgusted and finally please understand without qualification that it is only my desire to tell you this, in no uncertain manner, otherwise your letter with the enclosures would have reached the only place it belongs much earlier.

The Premier: I could suggest a much shorter reply such as: "Dear Sir, Your letter is at present in front of me".

Mr. MAY: I would like to draw the attention of the House to some of the contents of the circular. It says "For the purposes of the Act". I do not know why anybody in New South Wales should be so interested in this Bill. The only reason I can imagine is that somebody—and it could not have been a member of the Labour Party, or a member of the Communist Party—has been in contact with his party's representatives in New South Wales.

Mr. Court: Do you not think they would read the paper?

Mr. MAY: The circular says—

For the purposes of the Act:—

The Commissioner is a person appointed for the prevention of unfair trading.

A "declared trader" means a declared trader under the Act.

Trading means trading in goods or services or both.

I wonder where we have heard that before? It strikes me as shades of Nedlands.

Mr. Court: It is out of the Bill.

Mr. MAY: Further reference in the circular is to the effect that "The Act to be administered by a commissioner, who can delegate any or all of his powers." I have heard those words this afternoon.

Mr. Court: You have heard them often during the debate.

Mr. MAY: When the member for Nedlands has spoken, he has done so in that strain and in those words.

Mr. Court: The Leader of the Country Party tried to move an amendment to that effect.

Mr. MAY: Which reminds me of the advertisement I saw in the paper this morning. I think it is a crying shame. There is no doubt that it will be the opinion of the public that the Liberal Party in this State, through the Chamber of Commerce and the Retailers' Association, has endeavoured to bring pressure to bear on the Government during the last stages of the Bill in this Chamber.

Mr. Roberts: You have kept his letter longer than he will keep yours.

Mr. MAY: The circular continues—

Communicate to the Taxation Commissioner any information.

Call in advisers or specialised services to assist him and pay any allowances and expenses.

The commissioner is not a compellable witness and has the power to compel any person to furnish him with any information relating to a suspected person.

He can administer an oath or affirmation.

The commissioner or authorised officer can enter any premises without warrant—use force if necessary—impound any documents and copy them—demand any information whatsoever from any outside person.

That is symbolical of what we have heard in this Chamber.

Mr. Roberts: It is out of the Bill.

Mr. MAY: I would like to know where all the tripe shown in the circular came from.

Mr. Court: Out of the Bill.

Mr. MAY: Do not protest so much, because the hon. member is already under suspicion.

Mr. Court: I have my own unfair trading notice already printed.

Mr. MAY: Mr. Speaker, I am not going to worry you with all the dirty insinuations contained in this circular letter. As the Premier has remarked, I have it now before me and it will not be long before it is behind me.

Hon. Sir Ross McLarty: You gave it a lot of attention.

Mr. MAY: The member for Nedlands talked a lot about the lack of definitions in this Bill.

Mr. Bovell: There is no definition in it.

Mr. MAY: The hon. member should keep quiet or he may get one! In reply to the member for Nedlands, I want to say that if the traders in this State are quite content with a reasonable margin of profit and do not attempt to profiteer, nobody trading in this State, whether he be wholesaler, retailer, farmer or anybody else, has any need to worry about a definition.

Mr. Roberts: What do you consider profiteering?

Mr. MAY: The member for Bunbury should know better than anybody else, coming from the business he does.

Mr. Roberts: Would you like to look at the balance sheets in connection with it?

Mr. MAY: All the phrases used by the member for Nedlands in his third reading speech are contained in the circular which came from Sydney. They bear every hall-mark of where certain authorities were prompted in connection with this matter.

The Minister for Labour: Citizens' rights!

Mr. MAY: Why should anybody be scared under this Bill? It would be for only one reason. The whole of the third reading speech of the member for Nedlands was based on pure assumption and supposition.

Mr. Court: You are frightened yourself!

Mr. MAY: All of his arguments in this Chamber have been based on pure supposition such as what could happen or what might happen. Anyone would think that this Bill, if it becomes an Act, will be administered by a set of school boys. Does the Opposition think there is nobody in this State able to control an Act apart from its members themselves? I feel that in connection with its opposition to the Bill, the Opposition has made out a very poor case.

The Minister for Transport: Hear, hear!

Mr. MAY: All they have been saying is what is likely to happen, but there is no danger of anything like that happening at all. The whole of the member for Nedlands' argument has been built up on supposition and I want to say so far as

members on this side of the House are concerned, they will be quite happy if no profiteer is brought to book. So far as wholesalers, retailers and anybody else trading are concerned, they have nothing to fear providing they are perfectly happy and satisfied with a reasonable margin of profit.

Mr. Roberts: We do not know what it is. Why don't you define it?

Mr. Bovell: What is the commissioner's idea?

Mr. MAY: When the member for Bunbury spoke on this Bill he would not give me a definition of a reasonable profit.

Mr. Roberts: It varies according to the commodity.

Mr. MAY: Every member on that side of the House is afraid of committing himself.

Mr. Hearman: We are under no obligation to do so.

Mr. MAY: When I sit down, the member for Bunbury can tell us what he considers is a reasonable margin of profit.

Mr. Roberts: On what line?

Mr. MAY: Any line at all. I will give the hon. member full scope. For any member of the Opposition to get up and tell us in this Chamber that a farmer has anything to fear in connection with this Bill, is too much tommy rot.

Mr. WILD: You are hoping he is not.

Mr. MAY: I missed that interjection. I want to talk about people in the South-West dealing in cattle.

Hon. Sir Ross McLarty: You may get somebody interested now.

Mr. MAY: When the people in the South-West take cattle to the market for auction—they are held every week and some every day—very few cattle go into the market without a reserve price on them.

Mr. Roberts: What is wrong with that?

Mr. MAY: Nothing at all, but unless these people get the prices they want, they are not prepared to sell their meat.

Hon. Sir Ross McLarty: The great bulk go to Midland and what about the reserve price there?

Mr. MAY: That is an open market but most of the South-West beef is sold in the South-West.

Mr. Hearman: Are you sure?

Mr. Ross Hutchinson: What about the price of coal?

Mr. MAY: The point is this—

Hon. Sir Ross McLarty: We will give you an extension of time.

Mr. MAY: The producers who put cattle into the sale have a reserve price on them.

Mr. Hearman: What is a reasonable price?

Hon. L. Thorn: That is not profiteering.

Mr. MAY: They sell under a system or a ring. That is what goes on.

Mr. Hearman: What is a reasonable price for cattle?

Mr. MAY: The hon. member lives amongst it. I shall deal with coal.

Mr. Ackland: What will the commissioner consider a reasonable price?

Mr. MAY: I would suggest to the member for Moore that when this Bill becomes law, he tries the commissioner out to see how he gets on.

Mr. Ross Hutchinson: It will be far too late then.

Mr. MAY: It will only be just in time.

Mr. Hearman: What is a reasonable price for cattle?

The Premier: For yours, less by half than anybody else's.

Mr. MAY: A few days ago a butcher told me he could make all the profit he wants to in two days.

Mr. Hearman: What is a reasonable price for cattle?

Mr. MAY: The member for Blackwood makes me sick. I merely rose to pass some comment on this third reading in regard to the circular sent to me as a member of this Parliament in Western Australia. That is where the original advice came from and also from the Opposition party in this Parliament.

HON. SIR ROSS McLARTY (Murray) [3.40]: Mr. Speaker—

The Premier: You stood up smartly this afternoon!

The Minister for Labour: He has learnt his lesson.

Hon. Sir ROSS McLARTY: There is no question that this Bill has created a good deal of bitterness, not in Parliament so much but outside of Parliament; and there is no doubt that a great many people—not these big business people that certain members like to refer to, but a great number of average business people—are very concerned regarding the measure. In moving about, I have met many who have asked me what was in the mind of the Government in introducing such a measure. One does not wonder at that, because this legislation is the most extraordinary of its kind that has been introduced into our Parliament.

There is no question that, in its original form, the Bill was unjust and certainly vicious in regard to the penalties, and many people have asked me why such penalties were even suggested by the Government, and expressed grave doubts whether Parliament would ever agree to the penalties proposed.

The Minister for Native Welfare: Did you tell them what penalties you inserted in the industrial legislation when you were Premier?

Hon. Sir ROSS McLARTY: I think I will be like a bulldozer and go ahead, ignoring interjections.

The Minister for Native Welfare: Did you tell them?

The SPEAKER: I suggest the Leader of the Opposition address the Chair.

Hon. Sir ROSS McLARTY: We know that the most objectionable of the penal clauses have been taken out of the Bill; and they were taken out, I would think, because the Government recognised that they were vicious and unjust and would never be tolerated by the people in a country such as ours. Public opinion had some effect on the Government in that regard.

But let us take the Bill as it is now. As has been pointed out, it contains no clear definition of unfair profits or unfair trading, and from that point of view alone the measure can be said to be most unsatisfactory. In most legislation which is introduced in Parliament there are definitions; and if members study our Acts, they will find that an attempt has been made to cover almost everything in the definition clause. In this instance, however, the important definitions are omitted; and when an attempt was made by the member for Narrogin to do something about it, the Minister first of all said that he would agree to the amendment, and then went on to add, with the alteration of just one word. And how innocently he said it! He looked at this rather long amendment and said that he would agree to it with the alteration of just one word, one solitary word. So he struck out the word "means" and inserted in lieu the word "includes."

The Minister for Native Welfare: That is fair enough.

Hon. Sir ROSS McLARTY: We will see how fair it is! That, of course, threw the definition wide open and now there is no definition at all. I believe we would be justified in throwing out the Bill on those grounds alone, if we could do so.

Sitting suspended from 3.45 to 4.5 p.m.

Hon. Sir ROSS McLARTY: As I have said, there are no clear definitions in the Bill as to what is an unfair trade practice or what is an excessive profit. I have not heard either the Premier or any of his Ministers express what they consider to be unfair profit or unfair trading. Surely, to give a commissioner—as is proposed under this measure—full power to decide what is an excessive profit or what is unfair trading is giving him great power indeed!

As the result of amendments which were agreed to, the Bill now contains provision for an appeal but, even so, a trader could be named by the commissioner as taking

an excess profit or indulging in unfair trading and would have to pay all the cost of making an appeal even though he might be an innocent person. As I understand it, the trader would have to bear the cost of the appeal whether he succeeded or not. If I am wrong in that assumption I would like the Minister to correct me because, if it is so, it is certainly unjust.

I was surprised at the Premier's attitude towards the offer made to him by businessmen in the community to co-operate with the Government in relation to unfair trading methods and, I think, excess profits also. I cannot help thinking that that offer was genuinely made. It would be agreed, I believe, that the business community generally consists of honest men and I suppose that could be said of all sections of the community—that the great majority are honest men. I am convinced that the offer which was made to the Premier by the business community in an endeavour to assist him in this regard, was one to which he should have given more favourable consideration. I am inclined to think that he gave it scant consideration because he seemed to have come to a decision very quickly.

Surely the Premier does not think these men made their offer just for the sake of camouflage or in the hope that the Bill would be dropped! I have no doubt that it was a genuine offer made to the Premier in order to assist the Government. It was suggested that there should be an annual review of this legislation and the Premier or the Minister gave reasons why that could not be done, the main reason given being that it would be hard to find people who would accept positions on the commission or board which would have to be set up, owing to lack of security. I hardly think that is right, because in my experience once most of these continuance measures reach the statute book, they remain there.

The Minister for Labour: Measures such as price control!

Hon. Sir ROSS McLARTY: And others. I believe that this kind of legislation, which can be so highly damaging, should be subject to an annual review by Parliament. Then, if any member of this House or of the public felt that he had a grievance that should be ventilated, it could be aired and amendments to the Act made if necessary. In regard to the onus of proof being placed on the trader, as mentioned by the member for Nedlands, I am surprised that the Bill should leave the House with such a provision contained in it. Surely it should be the responsibility of the commissioner to prove that a trader has been guilty of unfair practices or of making excessive profits and not ask that trader to prove his innocence! This particular feature of the Bill has received wide publicity. I have seen it referred to in many

Press articles, some of them printed outside the State. From time to time we have heard, in this House, strong objections to a provision such as this, yet the one in the Bill has been passed by this House and will go to another place.

Mention has been made of the position of primary producers under the Bill, and it is true that under the auction system they would not come within its scope. In these days primary producers generally avail themselves of the open market if they get the opportunity and, from my point of view, they adopt a wise course. I know that I would rather sell stock today in the open market than by private treaty. Experience has shown that in the selling of commodities such as wool and other primary products, it is in the best interests of primary producers to take advantage of the open market. Unfortunately, a great deal of stock is sold by private treaty and that practice will continue.

I find it somewhat difficult to understand why those who sell their stock in the open market will not come within the scope of this Bill, but those who trade by private treaty will be affected by its provisions. However, it has been said that it is very unlikely that they will be. If that is the case, why should we make such provision in the Bill, because if it were not included we would know where we stood? I do not like legislation which, in effect, says, "We do not want to do this to you, but we can do so if we wish." The Bill, as amended in Committee, and as it will go to another place, is still objectionable and I think it is unfair. Whether it will be further amended in another place I do not know.

Hon. J. B. Sleeman: Have you any idea?

Hon. Sir ROSS McLARTY: No, I have not heard of any amendments that are likely to be accepted in another place, but in reply to the member for Fremantle, I would say that with a Bill of such importance I would not be surprised if amendments were made to it. I think that reply will satisfy the member for Fremantle.

Hon. J. B. Sleeman: They do anything up there.

Hon. Sir ROSS McLARTY: I do not know how far the Government is prepared to go in accepting amendments moved in another place. I certainly hope that an amendment will be moved and insisted on in another place to insert in the Bill clear definitions of "unfair trading" and "unfair profit." I propose to vote against the third reading of the Bill.

THE MINISTER FOR TRANSPORT
(Hon. H. E. Graham—East Perth) [4.15]: Mr. Speaker, I desire to make a few observations on the measure. I do so because I am surprised and, shall I say, disgusted at the attitude of certain responsible people in the community, persons whom I have got to know fairly intimately over the last few years. It surprises me that they have adopted the

attitude they have on this measure which I believe to be as mild and as fair a Bill dealing with the question of price control as was ever introduced in an Australian Parliament.

I say that because this legislation was drafted deliberately to overcome the system that obtained under both Labour and anti-Labour Governments. The Governments of the day brought particular commodities under price control notwithstanding the fact that there might have been only three or four traders going to excess in their operations. As a result, scores and hundreds of other traders who had not offended in any way were brought within the ambit of price control and were affected by all the petti-fogging interferences and associations connected with the system.

It is for that very reason that this Government—on a basis of fair play, on the basis that the overwhelming majority of business people are fair and reasonable—introduced legislation which would not have any effect, if it could be avoided, on those persons engaged in trading in certain commodities in a fair and reasonable manner. In other words, they would not be brought under any official control. There have been all sorts of extreme and extravagant things said about the prices commissioner, but those allegations simply do not hold water.

In my view, there is no necessity for a close definition of unfair trading or profiteering. The person to be appointed the commissioner will not be a lunatic or an irresponsible individual. He will have some knowledge of business and trading methods. He is not likely to be pernickitty where there is only slight overcharging; but if such does occur, there is provision made for a warning to be given to those who are committing a slight breach.

However, if there is a firm which is going to excess in unfair trading, under this legislation all the commissioner will do will be to bring that one firm under price control. It amazes me to think that members of the Opposition who, year after year, introduced and reintroduced prices control legislation which affected the decent and fair trader as well as those few who were overdoing things, should now be so vociferous in objecting to this Government introducing legislation to deal only with those who do not play the game by the public.

Hon. Sir Ross McLarty: We were getting away from price control before we went out of office. Every day we were in office we were trying to effect decontrol.

THE MINISTER FOR TRANSPORT: The fact remains that when the McLarty-Watts Government was in office, there was price control which is something this Government does not want. All this Government wants to do in the interests of the public

generally is to have constituted an independent authority which can exercise some form of control over excessive charges being made. Surely there is nothing unfair about that!

Hon. Sir Ross McLarty: Don't you think there could be some clear definition of what is unfair trading or excessive profits?

The MINISTER FOR TRANSPORT: Let us be clear on that. No prices legislation introduced and reintroduced by the Leader of the Opposition when he was Premier contained a definition of anything. For instance, when his Government considered that the prices charged for footwear were too high, footwear was brought under price control. The innocent and guilty were both brought under price control and it is to avoid that situation that the present Government has decided that it shall not be left to the whim of a Cabinet to decide whether every trader shall be affected, but to a qualified, experienced and intelligent man who will first have a look not at the whole of the industry but at a particular firm, or at several firms, that are suspected of overcharging.

Mr. Roberts: Only suspected.

The MINISTER FOR TRANSPORT: Precisely, because it is intended he shall be a man of ability and standing with some knowledge of these affairs. He will then merely make an investigation. If he satisfies himself that there has not been any undue profiteering, then that firm will not be declared. In other words, that firm will not be brought under price control. Surely members of the Opposition, and those who are making their protestations outside, can have no quarrel with that! The Government is seeking to do what the Commonwealth Government has done, namely, it is seeking to take action against those individual firms that do not act in the public interest. Only in those circumstances will there be any action taken under this legislation, and even then the only action taken will be to bring that particular firm under price control.

Mr. Court: You cannot give an absolute assurance of that. You may hope that that will be the case; but once you appoint this man, he will be left to his own devices.

The MINISTER FOR TRANSPORT: I think we could deduce all sorts of ridiculous things, shall we say, from the Arbitration Court, which is clothed with certain powers and responsibilities and suggest that it could do all sorts of absurd things. But because of the qualifications possessed by the type of individual appointed to those jobs, they do not act in that manner. I daresay we could draw upon our imaginations on almost any statute there is, and we could imagine terrible things that could possibly be done.

Therefore, I repeat that this legislation was designed for the purpose of assisting the business people. I make so bold as to say that at least 95 per cent. of the business community could carry on in the manner they are without any fear whatever of being placed under price control—which, incidentally, is the worst fate they could suffer.

Mr. Court: It could be worse than that. If they were brought under direction and control, it could be worse than price control.

The MINISTER FOR TRANSPORT: If they are brought under price control, then they will have certain obligations to fulfil; if they do not conform to the requirements set out, then there are certain penalties which can be imposed. But this is precisely the same as the position which obtained under price control legislation that Australia had for many years—which Western Australia in common with other States had for many years—and which South Australia, under a Liberal Premier, has at the present time.

I have read and listened to what has been said in opposition to this legislation, and most of the criticism springs from wild and irresponsible imagination. So much so that one would be inclined to draw the conclusion that there are certain firms in Western Australia which very definitely have something to hide; that because of their position in the community, and because of the influence they are capable of wielding, they have got all the other traders together behind them in their official organisations and have whipped themselves into a frenzy with all sorts of arguments which, upon close analysis, are found to be completely baseless.

Mr. Roberts: Can you indicate one of those firms?

The MINISTER FOR TRANSPORT: It is not my intention to identify one of them in this Chamber, but if the member for Bunbury wishes, I could suggest several such firms to him in the corridor. If there are a number that fall within that category, I do not see why any member should name one firm and not the others. There could be no other reason for this hostility because the call coming from conservative quarters is for all sorts of controls to be imposed upon the workers of the community in the interests, it is alleged, of the economy of the Commonwealth of Australia.

Surely there is no section that is entirely responsible for the present position! If controls are warranted and some reserve power is necessary, then that reserve power and authority should be provided with respect to various sections; and, of course, if there is a uniform basic wage, then I venture to suggest that practically every person drawing wages in the Commonwealth will be affected—and detrimentally

affected. As a matter of fact, through our wage-fixing tribunals, every worker is affected to his detriment at the present moment—in Western Australia to the extent of 24s. 1d. a week. Under the Commonwealth Arbitration Court, the amounts vary in the different States. All this Government seeks to do is to have some authority vested in a person of responsibility with full qualifications to carry out an investigation and to call a halt in the event of there being any firms that are so anti-public in their outlook as to go to excess in the matter of charges which they are imposing upon the people in relation to the sale of goods or for services that they render.

So, apart altogether from my being a member of the present Government, as a citizen of Western Australia I have conscientiously endeavoured to understand the other person's point of view. I think I might be forgiven for saying that I had something to do with the present approach to the problem, inasmuch that, during a conversation with businessmen of considerable repute and financial understanding, I was given vivid illustrations of all the inconveniences that beset them when departmental officers were investigating their firms—marking their prices up and marking their prices down and so on.

One of them who is in business in the heart of the City of Perth, and who has a tremendous establishment, told me with some pride that he had been associated with the business and had seen it grow; that he sought to do injury to no one but felt that he was in a better position to run his business in accordance with sound principles than any civil servant, however well qualified the latter might be. He outlined to me how irksome it was that there should be this matter of having to wait until a price was established.

Apart from the knowledge I have of him, he was able to convince me that he was inherently honest and, as I said earlier, I think that can be said of the overwhelming number of people associated with industry and commerce in Western Australia. This legislation, after careful consideration, was prepared by the Government to overcome the position of public servants interfering with every firm merely because a few people had been overcharging and expressed in the first portion of the Bill that there should be no profiteering or unfair price taking. If such did occur, then the firm or firms only would be brought within the ambit of price control and subjected to penalties if there were any infringements. I cannot visualise anything fairer than that.

I repeat as I conclude: I am both surprised and disappointed that individuals in high places here, whom I have got to know fairly well over the past three or

four years, have demeaned themselves to the extent that they have imagined all sorts of terrible things happening under this Bill which are not indicated in its terms, because in their saner moments they know in their own hearts such will not occur. I suppose all those certain interests are the sponsors of the Liberal Party and we can expect the Liberal Party to dance to their tune, but I would have hoped there would have been unanimity on the part of the Country Party at least in respect of this matter and that it would have recognised a genuine and sincere attempt on the part of this Government.

Furthermore, I also thought that the Country Party would have recognised that this Bill is in no way connected with the political platform of the Government. It is a watered down application of what all members on every side of the House have agreed to for many years. This legislation has been drafted to deal only with those firms which go to excesses instead of causing inconvenience to everyone of the trading stores and causing unnecessary inconvenience to the great majority, who, as everybody knows, play the game in the interests of the people and of Western Australia.

MR. PERKINS (Roe) [4.33]: I opposed the second reading of this Bill because I felt it was framed in such a way and incorporated a principle which, in my opinion, left far too much to the discretion of the commissioner to be appointed under it. I said then, and I say now, I fear that whatever good intentions were held when the commissioner was appointed, nobody could be sure exactly how this legislation would work over a period of years. I said then I thought it was very difficult to amend a Bill incorporating the principles upon which this Bill is based and now, when the Bill goes to its third reading stage, I say it is very little more acceptable to me.

We have heard some very impassioned speeches from the Government side of the House. One would think, if one were an outsider listening to the debate in this Chamber, that some members on this side of the House had an interest in seeing that the public were exploited.

The Minister for Labour: It appears some have an interest in the public not being protected.

MR. PERKINS: We must realise that the vast majority have no such interest or wish because the vast majority on this side stand to benefit as consumers to a far greater extent than any interest that they might have otherwise. So far as I am concerned, I have no shares in industrial companies whatever. My only interests are in my farming property and whatever money I have invested in the co-operative business.

Members who know something of the co-operative movement would know that great returns cannot be made on share capital invested, because any company which includes the term "co-operative" in its name is limited in the dividends it can pay to its shareholders to 5 per cent., in addition to the Commonwealth Bank current lending rate on two years' fixed deposit.

The Minister for Labour: Then you have nothing to worry about.

Mr. PERKINS: Perhaps the Minister thinks that is a good return on capital. I do not think he knows. It is necessary to get that background clear because otherwise the public can be left with the impression that the vast majority of members on this side of the House have some particular interest in seeing that a very high rate of dividend is earned by companies trading in Western Australia. Of course, nothing could be further from the truth.

In my opinion, no worth-while amendments have been accepted by the Government. The Government has made the defence during the Committee stages that it put up during the second reading debate that the commissioner to be appointed under this Bill was going to be a reasonable individual who would administer this legislation in a commonsense way and, therefore, what had the public to fear? I give the Government credit for good intentions, but I question whether that is the right approach to make in placing this measure before Parliament and I certainly question very much more whether Parliament should let it become law in its present form.

As I stated at the second reading stage and repeat, I believe that the ordinary man in the street—that is, the ordinary citizen—should know as clearly as possible what the law is so that he can shape his course to keep within its ambit and avoid being brought before the courts of this country. I rather suspect that the real intention behind the Government in introducing this measure in its present form is that the powers incorporated in this Bill are to be used as a kind of a big stick with which to threaten anyone who does not toe the particular line which the Government of the day thinks is reasonable in regard to levels of profit and so forth.

Obviously, anything which the Government says at this time concerning its intentions in that regard would not hold indefinitely in the future, because the Government could change its ideas as its personnel changed, or as its own opinions altered from time to time.

The Minister for Labour: You could say that the law against speeding is a threat against motorists.

Mr. PERKINS: What a stupid comparison that is!

Hon. Sir Ross McLarty: I am surprised at the Minister for Labour!

Mr. PERKINS: There are specific regulations that are laid down, and I cannot see that there is any comparable analogy at all. Regarding these reserve powers, admittedly we do, in a lot of legislation, provide for such powers, but we provide for them to operate within a very much more limited ambit than that within which the reserve powers in this Bill can be used.

For instance, we provide for considerable reserve powers for the Police Force. As a matter of fact, there was considerable criticism some time ago when we amended the Police Act to extend the consorting charge. One of my constituents criticised me very severely for having supported that extension of power.

The Premier: What had he done?

Mr. PERKINS: He is a very upright individual, as a matter of fact. I cannot imagine his being brought before the courts for an offence in any direction that we visualised at that time. But there is a matter of principle involved, and more regard is paid by citizens in the street to this matter of principle than I think the Premier gives them credit for. Most of our British people think back to the very long struggle over many centuries to achieve and preserve liberties which we take very much for granted at present; and many people look askance at measures which can be used to curtail what we regard as basic liberties within our British community.

We have always taken particular care to see that when these reserve powers are misused, the individual has some right of redress. Misuse of such powers does occur from time to time. We have already had a long debate in this House during this session about one misuse of reserve powers by a certain police constable; and, of course, the rights of the private individual in that case were vindicated by the courts, and vindicated with a vengeance.

I think it has been made clear during the debate on this Bill that the provisions in it are of such a nature and the commissioner is clothed with such powers that he could go a considerable distance towards injuring the reputation of an individual in the community, without its being possible for that individual to bring him before the courts of this land in order to vindicate his reputation. To that extent, a very vital principle in this community is infringed.

There is no doubt in my mind that the Minister and the Government have the best of intentions in regard to the type of individual who would be appointed as commissioner if the Bill became law. I give them credit for that intention, though we might disagree on whether the individual was suitable or not. But assuming such an individual were appointed, even the members of the Government could not

tell how he would use these powers, and whether the position after this measure had been operating for a couple of years would be satisfactory.

Mr. Potter: He would have more brakes on him than any other commissioner has had.

Mr. PERKINS: The Government will have, but no one else.

Mr. Potter: And even a trader would have the right of appeal.

Mr. PERKINS: There are not many rights of appeal regarding the power to declare him; and also, as has been pointed out, the definitions are almost non-existent.

The Minister for Transport: You did not have any definitions in the Bill you supported.

Mr. PERKINS: Any Bills we introduced did not incorporate the principles incorporated in this measure.

The Minister for Transport: Mr. Abbott said that something should be brought under price control, Cabinet agreed, and that was the end of it.

Mr. PERKINS: Bringing something under price control is nothing compared with the powers possessed by the commissioner under this Bill.

The Minister for Transport: You had better read the Bill.

Mr. PERKINS: The powers in respect of price control in this Bill in my opinion are only minor things compared with some of the other powers exercisable by the commissioner.

The Minister for Transport: Mention one or two.

Mr. PERKINS: They were debated fairly extensively in Committee, and I do not want to go over that again.

The Minister for Transport: You can't even think of one.

Mr. Court: The power of direction of a trader is a big one under this Bill.

The Minister for Transport: I will have a word with you outside.

Mr. PERKINS: The Minister will have to agree that if the commissioner used his powers under this Bill to the maximum extent possible, he would be able to paralyse the operations of almost any business firm which did not kowtow to his particular line of reasoning. I think the Minister will have to agree with that. I am not saying that one would expect this commissioner to be capricious, especially in the early stages. But after all is said and done, these people are only human; and we can imagine that when the commissioner runs up against what he regards as an obstruction by a trader, he will start to call on some of these reserve powers. In those circumstances, one cannot be sure

just what ill-advised decisions might be made and how far the Government would back them up.

The Minister for Transport: What decisions? All he could do would be to gather information. He has power to do that.

Mr. PERKINS: He could go very much further than that. I am not going to debate that aspect.

The Minister for Transport: You are talking so much hot air.

Mr. PERKINS: The Minister, who is also Minister for Housing, is one who on past occasions has been very critical of some Government departments. I can remember some speeches we heard from him in this Chamber in years gone by in which he criticised officers of the Housing Commission which he now administers. In some of the hard words he said about the officers of the Housing Commission when he was sitting on this side of the House, he almost accused them of being utterly unprincipled—

Mr. Bovell: He did accuse them.

Mr. PERKINS: —in their administration of that department. I have no doubt that the Minister has now found that he was very wrong.

The Minister for Transport: Not a bit of it.

Mr. PERKINS: I would not like to think what would happen if the Minister suddenly believed that some firm in this community was overcharging or following some unfair practice and sooled his commissioner on to it under this Bill, if he is going to exhibit the same vindictiveness as he exhibited towards the officers of the Housing Commission when he spoke from this side of the House. I would hate to think what such a firm would be in for on that basis.

The Minister for Transport: There was nothing vindictive in my criticism.

Mr. PERKINS: I have no doubt that reputable firms would be able to clear their good names. Should we subject any firm to the running of that sort of gauntlet? I feel we are not justified—

The Minister for Transport: What sort of gauntlet?

Mr. PERKINS: —in passing that kind of legislation. The objections of some of us could have been met to some extent—certainly the Bill could have been much improved—had the Government accepted some definition of the terms "unfair trading", "profiteering" and so on. But, of course, the Government utterly refused to accept any definition limiting the wide scope of the very general terms used in the Bill.

In my opinion, the Minister for Works was quite honest when, during the course of one of his speeches in the Committee

stage, he objected to any definition being included and said that the more one defines, the more one restricts. I agree with the Minister that that is the position. But at least his remark opened a window into his mind and what he was thinking as to how the Bill might operate. The Government wants to leave the powers in the Bill as wide open as possible in order to give the commissioner the maximum authority to follow whatever line he may decide on or whatever his Minister may advise him.

I am wondering how far the Government has studied the real position of business in the State at the present time. Those of us who have any contact with business know that for some time now most firms have had great difficulty in maintaining their turnover and profit level. In many cases, their net profits are down considerably. It is no secret that a considerable number of firms in the State are wondering what the future holds for them and whether they will be able to carry on. That being so, surely this is a peculiar time to introduce a type of legislation which must cause misgivings in the business community!

If I were a businessman and were considering whether I would expand my business in Western Australia, or whether I would go to some other State or elsewhere in the world, I would want to know fairly definitely how this sort of legislation was going to operate and what the Government contemplated next. Those are matters I would want to be clear about before I arranged to have my capital tied up in this State.

The Minister for Health: I think you have lost faith in humanity.

Mr. PERKINS: I have not. I stay here. I am not thinking of moving to another State. I am a Western Australian with all my assets tied up here, and I have to stay here. There are, however, some people with whom the Government is dealing who do not have to stay here. I am wondering what questions will be asked of the Premier and some of his Ministers in the immediate future as to what their intentions are before some of these business concerns, which we hope will invest capital in this State, settle here.

Mr. Jamieson: You will talk them out of it.

Mr. PERKINS: I am not anxious to talk them out of it, but I do not think that anything that any of us—

The Premier: A champion grizzler!

Mr. PERKINS: —can say will have any effect on the type of firm that seeks to invest thousands of pounds in Western Australia. They would not be the type of financial concerns that I think they are if they came here without knowing fairly definitely how their capital would be

treated. Members on the Government side of the House no doubt know something of the negotiations conducted by representatives of General Motors, for instance, before they went into Victoria and South Australia in order to expand their business.

One cannot expect business firms to come here and invest vast sums of money if they have to submit to the caprice of some individual appointed under a measure like this, who will be vested with powers, the extent of which no one knows. Even members on the Government side of the House have refused to be explicit as to how they think those powers extend. We, on this side of the House, find it difficult to decide just how far they go. When the Ministers have spoken they have studiously avoided the point. I have already quoted what the Minister for Works said and I quote it again. He said, "The more one defines, the more one restricts." It is quite obvious to me that the intention of the Government is to leave the powers in the Bill as wide as possible.

Mr. Evans: That is obvious.

Mr. PERKINS: I suggest the hon. member get up and state what he thinks.

Hon. A. F. Watts: Do not invite us to that!

Mr. PERKINS: I am always interested in finding out what any members on the Government side of the House think of this measure. Sometimes we are sadly disillusioned as to their knowledge of how business operates. When one hears the interjections made here from time to time, one wonders how any businessmen vote for them.

Mr. Court: We have learned one thing from the member for Kalgoorlie.

Mr. PERKINS: What is that?

Mr. Court: He does not think much of the member for Nedlands.

Mr. Ackland: I don't think he is a good judge!

Mr. PERKINS: At the second reading stage I indicated fairly clearly the very great objections I had to the principles incorporated in the measure, and I can only say, when speaking to the third reading of the Bill, that I like it but little more than I did then, although I am not saying that there is not the need for worry about some of the restrictive practices which exist in industry; and I shall be pleased to go on the select committee appointed by the House in order to explore that subject, because I think it is one in connection with which none of us has a very full knowledge.

Most of us probably overrate the effect which restrictive trade practices have on the general price level, and I doubt whether they have any measurable effect

at all in the long run. I think the Government would be much better advised to explore that particular channel than to tinker with the problem that this type of legislation seeks to deal with.

This, of course, is a drag-net type of legislation which is likely to deal with all sorts of aspects of the problem. I think we all believe that under our system of free enterprise—of western capitalism, if I may call it that—where we have free competition, the public get the best deal in the long run. Wherever free competition operates, there is a much more efficient economy and a higher standard of living for the individual than exists under any other system so far devised in this world.

The Minister for Transport: But free competition has been dead for a generation.

Mr. PERKINS: Inquiries have been made elsewhere in the world as to what is the best approach to this problem and a lot of that literature is available to members if they have the inclination to study it. I believe that other measures could be devised which would be less restrictive of business and less liable to abuse than this legislation which could result, possibly, in severe curtailment of the basic freedom of the individual. I hope those other avenues will be explored rather than that this Parliament should accept legislation of the type now before us.

I very much doubt whether the effect, on the general price level, of the tendencies sought to be dealt with by this Bill, are measurable. Perhaps the most important point is that some individuals always have to make a certain amount of sacrifice, and when some of them fall on hard times, they believe they have a grievance against society. In those circumstances, it is most undesirable that a suspicion should exist that another section of the community is combining to exploit the consumer.

It is my belief that the exploitation of the consumer through the alleged restrictive trade practices is over-estimated, but I have no doubt that there is cause for complaint in some directions. If we can take measures to correct that fault, while I do not believe it will make an appreciable difference to the standard of living of the ordinary citizen, I think it will be a step in the right direction. If we can remove the belief that any group is being placed in a privileged position, it will be worth while going ahead with something along these lines. If we carry on with the present measure, however, we could do immeasurable harm to the economy of Western Australia.

A great deal of the success of any country's economy is based on a feeling of confidence, and once that confidence is destroyed the position is not easy to remedy.

It is no use saying that we could agree to this legislation and see how it works and let the commissioner have a go and later turn the clock back, because that would be impossible. Once mistakes have been made by the commissioner, irreparable harm will have been done to the business community of Western Australia and if the feeling of confidence, to which I have referred, is destroyed, the Government and all who vote for this measure will have a grave responsibility, because this legislation could easily set back the development of the State to a considerable extent.

HON. A. F. WATTS (Stirling) [5.5]: My observations at this stage will be comparatively short—that is, in comparison with the speeches that have gone before, or a great number of them. I wish to state, at the outset, that I cannot agree with the member for Nedlands who said the Bill is a reflection of the attitude of the Government towards private industry in this State. I do not think it is anything of the sort. I believe, as the member for Roe has on more than one occasion observed, that this legislation is a reflection only of the good intentions of the Government in regard to a problem which has been exercising the minds of a great many of us for a considerable time.

Whether those good intentions will lead to the correct result is a matter of greater difficulty to forecast, but I do not think the member for Nedlands is correct in the belief that the Government of this State is inimical to private industry because, if it were, I suggest that its attitude during the Committee stage of this Bill would have been different from what it was, because there is no doubt that the Bill is now considerably improved.

In my view, unfortunately, it is not improved enough and I wish to make quite clear why I think that. During the second reading debate I said—

I do not propose that this Bill should be left to the discretion and authority of a single commissioner. If this Bill is to become an Act there must be some fairly balanced body of persons to advise that commissioner.

The member for Katanning attempted to have inserted into the measure a proposition of that nature, but the Minister in charge of the Bill said he was not prepared to accept it but that he might consider some other type of body, although he gave the Committee no opportunity of determining whether it would agree to such a proposition as he might make.

I reminded him, at the time, that the amendment of the member for Katanning had been on the notice paper for a fortnight and that he, the Minister, had had an excellent opportunity—if he so wished—to put some other proposition before us for consideration, but he had done nothing of

the kind. The result is that we have in the Bill no provision at all for a committee of persons to advise the commissioner in regard to some of the very difficult problems which are going to come up if he is to have the powers set out in this Bill.

In the absence of such an advisory body, as I said on the second reading, I fail to believe that any one individual is capable of handling all the problems which I feel—I think with some justification—will come before him. Even under the prices legislation in 1948, there was provision for an advisory committee and it is well known that for a time the present member for Nedlands was a member of the committee set up for that purpose. I am well aware that during that period the advice of that committee was sought on many occasions and acted upon on a great number of them and so, as I said on the second reading, if this Bill is to become an Act there must, so far as I am concerned, be some fairly balanced body of persons to advise the commissioner.

As the measure has passed through Committee, has been reprinted and reported, there is no such provision in the Bill. So the fundamental factor on which I was relying is not to be found in the Bill as it stands at present on its way to becoming an Act. If it is to become an Act, I hope that in another place steps will be taken, before it is returned to this House, to ensure that it will not continue to be entirely unacceptable.

During the second reading of the debate, I made it perfectly clear that if I were not satisfied with the amendments inserted in the Bill I would vote against them in subsequent stages of the measure. One provision was consequential to the absence of the provision for the appointment of an advisory committee. Another important factor is that there is no limitation to the time during which this measure shall operate. There was a proposal put forward for the legislation to be limited to one year. The Premier then said he might be prepared to consider two years but no steps were taken, even on that proposal, to ascertain the feeling of the Committee at that time.

Therefore, the Bill, in its present form, will have a permanent life. It has been repeatedly said in this House—I have said it myself—that if this Bill does pass, it will be of an experimental nature. I agree that I do not know of any similar piece of legislation in operation at the present time anywhere. If it is to be of an exploratory nature, as the Premier observed, the only way to ensure that it is reviewed by Parliament is to give it a limited period of life so that it will come before Parliament prior to the expiration of that period. However, that provision is not in the Bill, either,

As everyone here knows, I called for a division and voted against that proposition which deleted from the definition the word

"means" and inserted the word "includes." As I said at the time, the word "includes" does not exclude a great many other meanings that might be inserted. It is my belief that, in the presence of free competition and in the absence of restrictive trade practices, cartels, monopolies, or whatever else one might call them, the prices of commodities and the forces of industry generally will find a level that is satisfactory to all persons in the community.

However, in the presence of all those things I am satisfied, in my own mind, that there is greater opportunity for what is usually called the exploitation of some sections of the community, and I do not desire to see such a state of affairs continuing, but the intention of the amendment that was moved was to insert in the Bill something which would identify—to the best of the ability of the draftsman or his associate—circumstances by which the commissioner, in respect to unfair trading and competition, could put the legislation into operation.

That would have been a reasonable proposition if the Bill was to last for 12 months only so that even that aspect could be reviewed at the end of that period. However, as the Bill stands at the moment, unfair trading is not only what the definition in its present form says, but also still does not exclude any other form of undefined types of trading which the sponsor of that amendment and myself as supporting him were most anxious to see covered. I would not have minded if something had been added to the definition which the member for Narrogin had left out of his motion, but the mere act of deleting the word "means" and inserting the word "includes" did not do that at all.

Once again there was a fortnight's time in which to advise this Committee of the advisability of altering that particular amendment, but no steps were taken to do it and therefore we were obliged to vote on the proposition as it was put before us, with one word altered. There was no possibility of suggesting what might be done to do justice, no matter what position the Minister might find himself in. So following on exactly the same phraseology that I used in the second reading and in the hope that wiser counsel will yet prevail, I propose to vote against the third reading of this measure.

MR. WILD (Dale) [5.16]: I cannot possibly let this measure go through the third reading without once again recording my protests, which are based on three main grounds. Firstly, there is the principle underlying the Bill; secondly, it will not achieve the objective that the Government says it will, and thirdly, it has probably done more harm—and will do a great deal more if it finds a place on

the statute book—in Western Australia than any other piece of legislation has done for many years.

In this Chamber one day last week we sat for 3½ hours trying to determine what was unfair trading. The member for Narrogin made an attempt to define it and after 3½ hours of discussion, I am certain that no one really knew what was meant by unfair trading. Therefore, if this measure becomes an Act it will go forward to whoever the commissioner may be for him to determine what is unfair trading.

During the course of the debate on this Bill, not only in the second reading but also in the Committee stages, members on this side of the House did try to ascertain from members of the Government, particularly the Ministers, whom they had in mind or whom they were attacking when they continually referred to profiteering and unfair trading. However, all we could get from them were veiled references to B.H.P. and the oil companies. All they would say was that the Government had certain people in mind, and they left it at that.

What I do not understand is why the Government does not realise that we are all sitting here today because of the investment of capital in this State by somebody or other. If our forebears, when they came to Western Australia, had not been prepared to be chancy not only with their wherewithal but also with their lives and had they not had stout hearts and plenty of courage, we would not be where we are today. Therefore, over the years, a man by virtue of his assiduity and devotion to his work and country helps to build up the economy of the State, but now we want to tear down that structure and destroy all the good work that has been done with this piece of legislation which intends to give somebody the opportunity to say, "You are making an unfair profit". Yet this Chamber, after 3½ hours of debate, was unable to define what was an unfair profit.

I know, of course, that the Government says there are certain firms and organisations that are making big profits. That may be so. It seems to me that as we go on year after year, all we appear to be doing is slowly restricting ourselves more and more. We are initiating more control, and still more control, and where is it getting us? Only a fortnight ago we had a debate in this Chamber on the question of potatoes. Because there is control of potatoes we had the prospect of men in Western Australia being permitted to receive only £30 a ton in this State while they could have sent their potatoes to the Eastern States and received for them £180 or £190 a ton. Yet we deny them that right because we exercise that control over them. We are controlling the whole community. If it has not already been reached, the day is not far distant when we will be controlled from the cradle to the grave—and it will get us nowhere.

It does not matter what one invests in; whether it be an industry or primary production, one puts one's money in with the object of getting some return. I know that some members of the Government say that there are firms which are making big profits. That may be so. These people might be called the entrepreneurs of industry. They invest their money and take a chance on getting a return. If they are prepared to be chancy with their investment and it happens to come good, it has been done in the best interests of the community. Now, however, we want to deny them the right of the excess profit which they may or may not be getting.

On looking at the financial columns of "The West Australian," I cannot find too many firms that are not on the down-grade. So many of the so-called good investments of the postwar years are slowly being cut off today, and what was a 10 per cent. or a 15 per cent. return for an investment is now reverting to the prewar 5½ per cent. I submit that if ever we in Western Australia needed a shot in the arm, it is now.

In recent weeks we have heard something about unemployment. Can anybody deny that the prosperity we have experienced in Western Australia in the past five years has not been nearly completely due to the capital that was brought into Western Australia by four large organisations? Firstly, we had the Anglo-Iranian Oil Co. which brought in £45,000,000 or £50,000,000. Then we had the prospect of B.H.P. bringing in £4,500,000; Cockburn Cement brought in £2,500,000 and latterly we know that a representative of Wapet told members of this House that that concern was prepared to invest £20,000,000 in Western Australia over a period of five years. That is the type of investment that creates the employment and the prosperity we have today. By virtue of the fact that three of the four organisations have completed their initial projects, we find ourselves in the position in which we are today. We are now waiting for some other large organisation from overseas—from America, England or some other country—to bring capital into Western Australia which will give us a shot in the arm and enable us to maintain full employment again.

The position was summed up well the other evening, if it was reported correctly. The Deputy Premier attended a dinner at the Adelphi Hotel which was given in honour of visiting American businessmen. They were reported to have indicated to the Deputy Premier, who spoke in response to the toast of the Government of this State, that "they want us to come here pioneering without profit." When these men get back to America, they will tell the heads of industry there that if they go to Western Australia they will find that they are going to be hamstrung, because if they do make a profit they will probably be

faced with the prospect of somebody being on their doorstep declaring them unfair traders. I cannot possibly allow this measure to go through without recording my very strong protest against it. As I said during my second reading speech, it is the worst Bill I have seen introduced during my ten years in this Chamber.

MR. OLDFIELD (Mt. Lawley) [5.25]: When speaking to the second reading of this Bill I said at the outset that in the form it was presented it was entirely unacceptable. I reserved the right to oppose it at the third reading stage if all the unjust and outrageous clauses in the measure were not deleted or amended. It is perfectly obvious that much that should have been done in the Committee stage was not done, and I feel now that the only course open to us is to oppose the Bill because of the form in which it is at present before us.

I think the Government was a little unwise in insisting on a form of dictatorship by the appointment of a commissioner who would have sole control, as opposed to the amendment submitted by the member for Katanning which sought to form an advisory council. I would also like to refer to the amendment outlined by the member for Narrogin which was amended by the Minister by his deleting the word "means" and inserting the word "includes", thereby altering the whole purpose of the attempt to define unfair trading. That is also a matter to which the Government should have given very serious consideration with a view to its possible acceptance.

Another feature of the legislation, to which I referred during my second reading speech, is that, in my opinion, it is most essential that legislation of this nature, which is purely exploratory, should be given a term of only twelve months as a trial for a start; especially in view of the fact that a select committee has been appointed to inquire into certain practices which could possibly come under the heading of this legislation. Accordingly, I oppose the third reading of this Bill.

MR. ACKLAND (Moore) [5.28]: I was one of the Country Party members who opposed the second reading of this Bill. Members may recall that when doing so, I said that I thought the Bill would be unsatisfactory even if the Government accepted all the amendments that had been introduced by the Country Party. I also said that I was quite sure that the Government had no intention of accepting those amendments. Members will further recall that the Premier told me I was a bit previous, and that I had no reason to believe that the Government would not accept those amendments.

We now find that I was a pretty good tipster, because the amendments presented by the Country Party and rejected by the Government left the Bill very nearly as unacceptable as it was when it was first introduced. When the Minister said he was going to make a very small alteration to the amendments that were designed to classify unfair trading and unfair profits, he knew full well that by his alteration and his deletion of the word "means" and his substituting the word "includes," he would leave the Bill substantially as it was when introduced, with the sky as the limit as regards the interpretation that the commissioner could put on the Bill.

I was amused last night to note the different attitudes the Government intended to adopt towards a section of the community that contributes nothing to the community. We find that in the betting Bill which was introduced—I do not intend to discuss it, Mr. Speaker, but just to make a passing reference—there is one individual who has a turnover of more than £700,000 and ten, I think, with a turnover of more than £5,000,000 between them. It is amusing that the profits these men make are going to be safe in every respect in the long run.

The SPEAKER: The member for Moore will have the opportunity of discussing that when the betting Bill is before Parliament.

Mr. ACKLAND: I only wanted to make reference to show the different attitude of the Government towards these matters. I do not intend to speak at length as I do not believe in a lot of repetition in this House.

The Minister for Labour: Hear, hear!

Mr. ACKLAND: The Minister and I for the first time in my knowledge agree on one matter, but I do not think it is likely to happen again. I feel it was necessary for me to rise and oppose the third reading as I did the second reading. I suppose the people in my electorate could suffer more from unfair trading practices and unfair profits than any other section in the community. Yet I have been going through my electorate and in every instance except one, I have been asked to oppose this legislation all the way that it was possible to do so.

Mr. Evans: Who asked you to support it?

Mr. ACKLAND: The hon. member may have read his letter in the paper the other day. He sent a copy to me. He was concerned because of the extortionate prices he was required to pay for spare parts, and I think they were extortionate, too. I have no intention of saying any more about the Bill, but I do think it is vicious.

The Minister for Labour: What about developing that spare part business?

Mr. ACKLAND: I think the justification in opposing the second reading is in the fact that the Government would not accept any worth-while amendments.

THE PREMIER (Hon. A. R. G. Hawke—Northam) [5.34]: The member for Moore easily justifies his attitude and does it on this occasion by misrepresenting what was said by way of interjection. The member for Dale said that life these days was almost one of controls from the cradle to the grave. I will be like the member for Moore and make a prophesy. I will say now that before Australia's present acute, total economic problems are overcome—and I am speaking on an Australia-wide basis—there will be more controls in operation by far than there are today. These controls will be in operation on an Australia-wide basis.

Hon. Sir Ross McLarty: That is not a very bright prospect for us.

The PREMIER: Well, I say it. The member for Dale also said that one of the great difficulties in Western Australia was that for a period we had the benefit of very substantial capital investments by some large companies. The State was boosted by all these investments, but they have now more or less run their course and consequently there has been a slump. That is to some extent a contributing factor, but there are many others and I would suggest to the member for Dale that he make a survey of the economic effects imposed upon industry in this State by the bank credit squeeze which has been operating during the last two years. In his speech, the Leader of the Opposition told us a great deal of bitterness had been created by the introduction of this Bill, particularly outside this Parliament. We know some of the reactionary leaders of business interests in this State that put on a show, condemned the Bill uphill and down dale; they have condemned every one who dared to support it and have published in the newspapers all kinds of frenzied advertisements. I would say that the community generally was left cold by this attempt to stir up fear in the mind of the community as a whole.

Mr. Court: I do not think that is so from the number of discussions I have had on it.

The PREMIER: The member for Nedlands moves in a special and restricted circle and would hear a different version of the matter. Members among us move in that circle occasionally, but for the most part we move among the ordinary citizens of the State and it would be a great exaggeration to say that the ordinary citizen had been stirred up or scared by the introduction of this Bill, even though

there has been plenty of opportunity on account of the propaganda by the vested interests to stampede and scare the ordinary man in the street.

Mr. Court: Why refer to these people as reactionaries?

The PREMIER: If the member for Nedlands had been listening carefully instead of shaping his interjection, he would know I referred to some of the reactionary leaders of the business world—some of them.

Mr. Court: Why reactionaries?

The PREMIER: I will deal with that straight away although it is further down in my notes. These reactionary leaders to whom I refer prepared and had published in "The West Australian" last Saturday a most treacherous type of advertisement, not only against the Government but against Western Australia. It was headed, "Go East Young Man." I go further than describe them as reactionary; I describe them as treacherous in their activities towards our State.

They must be men who are not only treacherous in mind, but black in heart when it comes to consideration of the best interests of Western Australia as a whole when weighed in the balance against their own selfish interests. That is how far they are prepared to go. Those responsible for that advertisement and its subsequent publication committed an act of treachery against Western Australia.

Mr. Bovell: The Government has committed an act of treachery.

Mr. Court: It has nothing on its Bill.

The PREMIER: It was an act of treachery against the State. The Leader of the Opposition has on several occasions raised the point in relation to an offer of co-operation made by representatives of business organisations which waited upon me two or three weeks ago. The offer of co-operation they made was conditional on the withdrawal of this Bill. The Government decided not to withdraw the Bill and proceeded with it. So obviously when the Government made that decision, the offer of the businessmen's organisations ceased to exist.

In his contribution to the debate, the member for Roe told us he had no interest in industrial shares. Goodness knows what difference that would make! Surely none of us decides his attitude to this Bill on the basis of whether he holds industrial shares! The trouble with the member for Roe is not that he holds or does not hold industrial shares, but his mental attitude to these sorts of things. I do not blame him for that; he cannot help it. He talked about the liberties of the people.

Mr. Perkins: Is that one of the bad attitudes I adopt, too?

The PREMIER: He talked about liberties, and apparently in those liberties he includes the liberty of the powerful to exploit the weak.

Hon. J. B. Sleeman: There you are! You've got it now.

The PREMIER: He talked about vital principles, too. One would never think from what he said and the way he said it, that for six years, year after year, in this House he voted for the very principles he now condemns to the uttermost degree. It was stated by the member for Nedlands that the Bill in its present form is still unacceptable to him. Well, we knew that; everybody knew that. You knew it, Mr. Speaker. But, of course, this Bill in any form would be unacceptable to the hon. member.

Mr. Court: I seem to have made that very clear.

The PREMIER: Of course, the hon. member is opposed to any control whatsoever in relation to the profits which businessmen can take from each other or from the general community. He is opposed absolutely to any legislative control over unfair trading practices. He is opposed completely to any legislation of any kind which would aim to control unfair trade competition. There was not the slightest need for the hon. member to tell us that this Bill in its present form is still unacceptable to him.

Mr. Court: You won't demonstrate any unfair practices on which we can deliberate. You say you think they are there.

The PREMIER: The hon. member, more than anybody else in this House, knows of the existence of some of them.

Mr. Court: Why would I? You keep on saying that.

The PREMIER: Because he goes about with his eyes open and with a keen mind; and, what is more, he has the inside running in relation to business activities generally in the city.

Mr. Court: You continue to flatter me in that regard.

The PREMIER: I am pleased to flatter the hon. member on that point. I am only sorry that he will not be frank with us. We have been told that the bringing forward of this Bill will discourage industrial expansion. It is easy to say that. I have no doubt that some of the blood-and-thunder propaganda indulged in by reactionaries in the business world could have that effect.

Mr. Roberts: But you do not think the Bill will have that effect?

The PREMIER: However, I am bound to say that in recent weeks and currently business firms of quite substantial weight, financially and otherwise, have been negotiating with the Government, and there is very good reason to believe that all of

them will make favourable decisions either to expand their existing activities in Western Australia or to establish new industries here. I had one man in to see me only this week; and he smiled as he said, "I notice you are having a great party-political argument in Parliament about whether there shall be a Bill to prevent profiteering or otherwise. My company is prepared to go ahead and expand industrially to a very substantial degree in your State."

One of the things I notice about these private companies—and I have had a great deal of respect for them—is that they all want as much socialism as they can obtain from the Government in connection with their proposals to expand their industries. They will take all the socialism the Government will give to them. I suppose we cannot complain about that. I suppose it is good business. I am not complaining about it, but it should be mentioned—

Hon. Sir Ross McLarty: Is that by guarantees?

The PREMIER: —because there seems to be an idea in the minds of some people, and in some circles, that private enterprise stands 100 per cent. on its own feet all the time.

Mr. Court: Are not these requests for finance a form of insurance against precipitate action by the Government?

The PREMIER: No. These requests are for financial assistance to enable the companies concerned to expand or to establish, as the case might be; and naturally, being good, hard-headed, progressive businessmen, they want to be able to expand or to establish on the best possible basis financially from their point of view. I suppose that even the member for Nedlands could get some satisfaction from a set-up in regard to the expansion of an existing industry or the establishment of a new one where the private enterprise people concerned shake hands with the cobra of socialism.

Hon. D. Brand: Do all the people who are going to expand or establish want financial assistance?

The PREMIER: They want either financial assistance or substantial assistance of other types which would involve the Government in expenditure of money out of its own funds.

Mr. Court: There might be a certain amount of method in their madness. It used to be the well-established practice that if you wanted good treatment from your bank manager, you owed him as much as he would allow you to.

The PREMIER: These firms do not owe us anything at present.

Mr. Court: But they apparently want to.

The PREMIER: The member for Stirling made reference to some points; and all I want to do, in conclusion, is to make a brief reference to them. He said he placed great importance on an advisory committee. During the debate in Committee, members of the Government said they were prepared to agree to an advisory committee so long as it was not too large in number, and as long as it was not heavily weighted in one direction; and we will stand by that declaration. The hon. member also said that there should be a period to the proposed law, and we said we would be prepared to consider making the proposal operative until the 31st December, 1958.

In connection with the question of limiting the definitions which were put forward by the member for Narrogin, I would say that it would be most unsatisfactory to have a definition of profiteering or unfair trading or unfair trade competition in the proposed law, because that would mean that we would cover some people in trade, commerce and industry who would be found guilty of profiteering or unfair trading or unfair trade competition, but would not cover others because the definition would be too restrictive for them to come under it.

The view of the Government on this point is that it ought not to be restricted. Surely if anyone is found to be guilty of profiteering, no matter in what field, he should be capable of being brought into line; and the same should apply to anyone whether he was carrying on unfair trading within the limits of the definition, if we had a limiting definition, or outside of it. So the Government is not prepared to have a definition which is restrictive. It would be unfair to have such a definition and I think, in practice, it would be found to be unsatisfactory to most of the people concerned.

All I want to say now is that the Government has brought this measure forward for the purpose of protecting the public interest. We regard the public interest as far superior to the interests of any particular individual or company operating in the field of trade, industry or commerce. The time is fast approaching—in fact, I think it is already here and has been here for quite a while, probably—when the public interest has to be considered much more than it has been for some years. Not only is the welfare of the public involved in this total and economic problem which exists in Australia, but the interests and welfare of trade, industry and commerce generally are involved.

Members of the Liberal Party section of the Opposition have talked about controls and have expressed their hate of them, but I have information to the effect that the whole of the retail traders' associations in Australia in their approach to the total

economic problems with which the nation is faced, are prepared among other things to advocate strict control over the price structure, and they are prepared to support that principle, together with several others, in an endeavour to have Australia's economic problems as a whole, faced up to and dealt with as soon as possible.

Mr. Court: Does that mean they have asked you for price control?

The PREMIER: No.

Mr. Court: How else can it be achieved?

The PREMIER: Obviously if these problems were to be approached on the basis that has been suggested, or as I understand has been suggested, by them it would have to be on an all-Australia basis—the whole of the seven Governments would have to be in it. It could happen that at the Premiers' Conference to be held next month—called upon the initiative of the Prime Minister—these suggestions, recommendations or proposals will receive earnest consideration.

I am not suggesting that the retailers' associations in Australia have put forward their ideas because of an anxiety to do the right thing or from the point of view of pure merit. I think probably they have developed some considerable fears in their mind about the economic situation in Australia and I think they feel, despite the fact that normally they would hate controls over their businesses and the prices they charge, the situation has developed so seriously that drastic steps have to be taken, and that for a period at least they might have to accept and support the application of principles which normally they would not have at any price.

Mr. Court: Is there any proposition that you have in mind by which it could be done by means other than price control, even if it is on a Commonwealth-wide basis?

The PREMIER: I have said that I understand that these associations put forward a number of proposals, one of which is to keep prices from going any higher than they are at the present time.

Hon. Sir Ross McLarty: That could only be done by price control.

The PREMIER: It can only be done by the joint action of the seven Governments in Australia and I have suggested that this might become a matter for most active consideration at the Premiers' Conference to be held next month.

I bring this question forward because it indicates that a considerable number of men in at least one section of commerce in Australia are worried about the situation; are anxious to have action taken urgently; are prepared, even if in the ordinary run of things they might hate control over prices, to put forward price control, advocate it and support it in a series of proposals which, I understand,

they, as the organisations of retail traders in the six States of Australia, have endorsed officially.

Hon. Sir Ross McLarty: I take it the Premier will advocate more controls at the Premiers' Conference. That is his solution of our difficulties.

The PREMIER: No. The Leader of the Opposition is quite wrong and, I think, a bit unfair. What the Premier will do at the next Premiers' Conference is to oppose any single policy of control which would be applied only to wages in Australia. That is what the Premier will do. If wages are to be controlled in a strict and severe fashion, then everything else that is a factor in the cost of living and the cost of production ought also to be brought under control in a similar way.

Hon. D. Brand: Would a condition of the proposition put forward by the retail traders' associations be the suspension of the quarterly adjustment?

The PREMIER: Yes. They have a whole string of propositions.

Mr. Hearman: What do they think of this legislation?

The PREMIER: I understand that in their series of propositions they include one to prevent prices from going any higher. In other words, they advocate severe control over prices and, of course, severe control over a number of other things.

Hon. Sir Ross McLarty: If they did not accept a permanent control, it would be a long period of control.

The PREMIER: They suggest, I understand, a limited period for the purpose of trying to rescue the economic situation from the dangerous position in which they now believe the country finds itself.

Mr. Hearman: Do they support this measure?

The PREMIER: Any member who comes along with the free and easy idea that all we have to do in order to rebuild the economic situation is to allow free enterprise to have an open and unlimited go and, in addition, freeze wages, is of no value to Parliament or the community.

Mr. Court: We certainly have not advocated that.

The PREMIER: Such a person has his head well and truly buried in the sand.

Mr. Court: Are you suggesting that is our proposition, because it has not been our proposition?

The PREMIER: I said that any member, or any individual outside, who has that idea in mind is burying his head in the sand.

Hon. Sir Ross McLarty: The Premier knows that when we had these controls, prices continued to rise. There is no question about that. Prices continued to rise

whether the controls were Federal or State. Would not the same thing occur again?

The PREMIER: The claim by the Leader of the Opposition is not correct, in fact.

Hon. Sir Ross McLarty: Yes, it is.

The PREMIER: No, it is not. When there was a strict hold upon prices, rents and other elements in the cost of living, prices and wages and salaries in Australia remained reasonably stable.

Mr. Hearman: That is when wages were pegged.

The PREMIER: They were under strict control. If members were to give a moment's serious thought to the present value of the £, they might regard the economic situation more seriously than they seem to regard it. In conclusion I say this Bill is an attempt on the part of the Government to protect the public interest and to provide some safeguard, in this State, against that minority of business people and firms which not only exploits the public generally but exploits also other individuals and smaller firms in business.

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

Ayes	....	....	....	....	24
Noes	....	....	....	....	18
Majority for					6

Ayes.

Mr. Andrew	Mr. Marshall
Mr. Brady	Mr. Molr
Mr. Evans	Mr. Norton
Mr. Gaffy	Mr. Nulsen
Mr. Hall	Mr. O'Brien
Mr. Hawke	Mr. Potter
Mr. Heal	Mr. Rhatigan
Mr. W. Hegney	Mr. Sewell
Mr. Hoar	Mr. Sleeman
Mr. Jamleson	Mr. Toms
Mr. Johnson	Mr. Tonkin
Mr. Lapham	Mr. May

(Teller.)

Noes.

Mr. Ackland	Sir Ross McLarty
Mr. Bovell	Mr. Nalder
Mr. Brand	Mr. Owen
Mr. Court	Mr. Perkins
Mr. Crommelln	Mr. Roberts
Mr. Grayden	Mr. Thorn
Mr. Hearman	Mr. Watts
Mr. Mann	Mr. Wild
Mr. W. Manning	Mr. Hutchinson

(Teller.)

Pairs.

Ayes.	Noes.
Mr. Kelly	Mr. Cornell
Mr. Lawrence	Mr. I. Manning
Mr. Graham	Mr. Oldfield

Question thus passed.

Bill read a third time and transmitted to the Council.

House adjourned at 6.5 p.m.