(3) That they are in good health, and not affected with any bodily complaint or infirmity rendering them unfit to perform the duties of a pilot, which certificate shall be under the hands of a registered medical practitioner, and shall bear date within six weeks prior to the date of application.

3. All applications as aforesaid shall be made in the applicant's own handwriting.

Those are the conditions. While I have spoken for a long time, and there are still one or two points I have not touched upon, I have nevertheless endeavoured to show that every possible step has been and is taken to ensure that the pilot staff at Fremantle shall be the most competent it is possible to secure for any port. I think I have shown, by means of comparisons, that while the Harbour Trust was so fair as to place on the Table of the House the whole of the so-called mishaps at the Fremantle harbour, very few of these are major mishaps, and that, compared with the total number of ships handled, the number of accidents has been infinitestimal. I have endeavoured also to show that our experience is equally as good as the experience in any other port of the Commonwealth. Although I have not been able to secure actual statistics from other ports in the Commonwealth, I make this statement in the full belief that it is correct. I regret that so many reflections have been cast upon the competency of our pilots, and that so much has been said by members who have not had the full knowledge of all the circumstances. I also regret that many people outside, who have not been able to secure the information I have presented to the House must, from the remarks that have fallen from the lips of hon. members, have received the impression that the position at Fremantle is worse than it used to be, and that it is practically unsafe for large ships to enter that port. In common with other members I am keenly desirous of seeing that the reputation of the port is upheld. I am quite prepared to leave its reputation in the hands of the present pilot staff at Fremantle. I hope the second reading of the Bill will be carried, and that if hon. members desire to move amendments they will place them on the Notice Paper.

Question put and passed.

Bill read a second time.

House adjourned at 10.33 p.m.

Legislative Assembly.

Tuesday, 11th December, 1928.

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

QUESTION—CHIEF ELECTORAL OFFICER, RETIREMENT.

Mr. LATHAM asked the Minister for Justice: 1, Is it true that the Chief Electoral Officer of the State has resigned? 2, If so, from what date is the resignation to take effect?

The MINISTER FOR JUSTICE replied: 1, The Chief Electoral Officer drew attention to the fact that he was 61 years of age and applied for retirement under the provisions of the Public Service Act, and asked that the matter be finalised as early as possible. 2, The retirement has been dated to take effect as from the 31st December, 1928.

MOTION—STANDING ORDERS SUSPENSION.

THE MINISTER FOR JUSTICE (Hon. J. C. Willcock—Geraldton) [4.36]: I move—

That during the remainder of the session the Standing Orders be suspended so far as to enable Bills to be introduced without notice and to be passed through their remaining stages on the same day, and all messages from the Legislative Council to be taken into consideration on the day they are received.

This is the usual motion introduced towards the close of the session. It is expected that the business will be concluded next week. No new legislation of a controversial nature will be introduced, and it will not be sought to take advantage of the suspension of the Standing Orders to push through business hurriedly. Every member will be given opportunities to discuss motions and deal with

other matters brought forward, but in order that the business between the two Houses may be transacted with the necessary expedition to close the session by the end of next week, the motion is moved.

MR. LINDSAY (Toodyay) [4.37]: I oppose the motion, because it appears to me that if it is carried, I shall not have an opportunity to reply to certain statements made by the Minister for Works on Wednesday night last. Unfortunately I was not in the House at the time, but the statements made previously I had made well knowing them to be true. The Minister for Works spoke with the object of proving that my statements, so far as he was concerned, were not true. My statements dealt with the Kunnunoppin Road Board——

Mr. SPEAKER: The hon. member can discuss the motion, but not any special matter outside it.

Mr. LINDSAY: I merely wish to protest because I think I should have an opportunity to reply. I have information from the Kunnunoppin Road Board to refute what the Minister said.

The Premier: You can move a motion.

Mr. LINDSAY: I want an opportunity to reply to the Minister's statements, and I have not had an opportunity so far. If I cannot do it on this motion I shall endeavour to take other means.

The Minister for Justice: You can move a motion.

HON SIR JAMES MITCHELL (Northam) [4.39]: I know this is the usual motion at this period of the session, and I accept the assurance of the Minister, on behalf of the Premier I take it, that an opportunity will be given to members to discuss the business thoroughly and that there will be no undue haste if members are not prepared to proceed with Government business straight away.

The Minister for Justice: You have that assurance.

Hon. Sir JAMES MITCHELL: It is desired to close the session next week, but if legislation is introduced to which exception is taken, or which members desire time to consider, time should be given. There is some private members' business on the paper and the members responsible for it should be given an opportunity to move their motions, but not on the last day of the session.

The Premier: As a matter of fact most of those motions could have been discussed in the last two weeks, but members were not prepared to proceed with them. An opportunity has been provided from day to day.

Hon. Sir JAMES MITCHELL: They were entitled to ask for an opportunity and, if they do not wish to proceed with their motions, the proper course is to discharge them from the Notice Paper. There is some important business on the Notice Paper, but there is nothing that cannot be dealt with without much delay. I understand we shall have to consider some amendments to Bills made by another place, and I have no objection to the suspension of the Standing Orders so long as we are given time to consider the business. In the past members have always been given time. The member for Toodyay should be given time to make his explanation, but the suspension of the Standing Orders will not deprive him of his opportunity. On the understanding that we are given time, I shall not oppose the motion, without which it is doubtful whether Parliament will be able to rise within the next fortnight. The passing of the motion will not weaken any consideration that we shall give to legislation. I hope we shall complete the business next week, but if we are to do so, we shall have to send as much work as possible to another place this week. To that end I am prepared to assist so long as time is given for the proper consideration of every proposal.

MR. THOMSON (Katanning) [4.41]: I recognise that it is usual towards the end of each session for the Government to ask for the suspension of the Standing Orders, but the Minister for Justice did not indicate whether any further Bills of a controversial nature were likely to be introduced.

The Minister for Justice: Yes, I told you that.

Mr. THOMSON: I regret I did not hear the Minister say it.

The Premier: That is the very point he did make.

Mr. THOMSON: At times it is difficult to hear clearly, and perhaps I was not able to follow the Minister's remarks as closely as I should have liked to do. Like the member for Toodyay, I have several matters

with which I should like to deal. More particularly should I like to reply to the Minister for Works, who attacked me in the House the other evening on my statements regarding the Esperance railway. I made statements that I maintain were correct, and the Minister said I was not altogether fair in my criticism. I do not know whether I am to be afforded an opportunity to prove conclusively that the statements I made did appear in the Press, and that I can substantiate them by official documents as well. If we pass this motion, Government business will take precedence and we shall not have an opportunity to refer to other matters.

The Minister for Justice: That is not so.

Hon. Sir James Mitchell: Let us give notice to suspend the Minister for Works.

Mr. THOMSON: I should like an opportunity to reply to some of his statements.

The Minister for Works interjected.

Mr. THOMSON: I shall be only too pleased to give the Minister an opportunity.

Mr. Angelo: He has been punished sufficiently by being nearly capsized.

The Premier: If the motion were not passed, would the hon. member have any better opportunity? Your opportunity to reply to the Minister is not affected by this motion.

Mr. THOMSON: It seemed to me that this was the opportune time to discuss such matters, but as you, Mr. Speaker, have ruled the member for Toodyay out of order, I know you will not allow me to proceed on similar lines. Let me say that I have looked up the Standing Orders and have been able to find nothing to debar me from bringing up those matters on this motion. Standing Order 416 states that the Standing Orders may be suspended on motion duly made and seconded without notice provided that such motion has the concurrence of an absolute majority of the whole of the members of the Assembly. Standing Order 417 provides—

> When a motion for the suspension of the Standing Orders appears on the Notice Paper such motion may be carried by a majority on the voices.

I cannot see where we are debarred from giving our reasons for opposing the suspension.

The Minister for Railways: This motion does not affect the position from the aspect you raise. You will still have your right with regard to notice of motion.

Mr. THOMSON: In view of the Minister's statement that Parliament will probably close next week, there will not be too much opportunity of ventilating certain matters.

The Premier: If this motion were not carried, what better opportunity would you have?

Mr. THOMSON: Business would then take its usual course.

HON. G. TAYLOR (Mount Margaret) [4.47]: This is not an unusual motion. In fact, a motion of the same kind has come down during every session of Parliament since I have been a member of the House, and sometimes at an earlier stage. The carrying of the motion will not affect either the member for Katanning (Mr. Thomson) or the member for Toodyay (Mr. Lindsay). It will merely do away with the formality of waiting until the next day after giving notice, and will enable us to give consideration to messages from another place straight away. The ordinary business of the House will not be affected one iota. I am glad the Premier said that the member for Toodyay, who is apparently smarting under what he considers unfair criticism from the Minister for Works, will have an opportunity of discussing the matter. However, that opportunity will only arise if the Premier gives the hon. member's notice of motion a prominent position on the Notice Paper.

The Premier: I could place it well down, quite apart from this motion.

Hon. G. TAYLOR: I take it the Premier will give the hon. member an opportunity of moving the motion if he gives notice of it. I do not oppose the suspension of the Standing Orders.

Question put and passed.

LEAVE OF ABSENCE.

On motion by Mr. Panton, leave of absence for two weeks granted to Miss Holman (Forrest) on the ground of ill-health.

BILL—WORKERS' HOMES ACT AMENDMENT.

Returned from the Council with an amendment.

BILS (2)—THIRD READING.

1, Road Districts Act Amendment.

2. Roads Closure (No. 2).

Transmitted to the Council.

BILL—TEXAS COMPANY (AUSTRALASIA) LIMITED (PRIVATE).

Select Committee's Report.

MR. LUTEY (Brown Hill-Ivanhoe) [4.51]: Under Standing Order 53 relating to private Bills, I have to report that this Bill contains the several provisions required by the Standing Order.

MR. ROWE (North-East Fremantle) [4.52]: I move—

That the select committee's report be adopted.

Question put and passed.

Second Reading.

MR. ROWE [4.53]: I move—

That in view of the lateness of the session, and in accordance with No. 52 of the Standing Orders referring to private Bills, the second reading be proceeded with forthwith.

Question put and passed.

MR. ROWE [4.54]: I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Lutey in the Chair; Mr. Rowe in charge of the Bill.

Clauses 1 to 13—agreed to.

Clauses 14—Payment in lieu of rates, etc.:

Hon. SIR JAMES MITCHELL: The clause provides for an annual payment of £35 in lieu of rates. Is that quite satisfactory?

Mr. ROWE: Yes. The municipality have agreed to that payment.

Clause put and passed.

Clauses 15, 16—agreed to.

Clause 17—Voidance of Act on default of commencement of works:

Hon. G. TAYLOR: This clause seems to give a long time before the starting of work—the 1st January, 1931.

Hon. Sir James Mitchell: That is the date before which work must be started.

Clause put and passed.

Preamble, Title—agreed to.

Bill reported without amendment, and the report adopted.

Read a third time, and transmitted to the Council.

BILL—WATER BOARDS ACT AMENDMENT.

Council's Message.

Message from the Council notifying that it insisted upon two amendments made to the Bill, now considered.

In Committee.

Mr. Lutey in the Chair; the Minister for Agricultural Water Supplies in charge of the Bill.

The MINISTER FOR AGRICULTURAL WATER SUPPLIES: I move—

That the Council's amendments be further disagreed to.

Hon. Sir JAMES MITCHELL: The Minister would be well advised to give consideration to the two amendments upon which the Council insist; otherwise he may lose the Bill.

The Minister for Justice: But we can ask for a conference and report to the House!

Hon. Sir JAMES MITCHELL: The Opposition endeavoured to induce the Minister to accept one of the amendments, and I think the Minister would be well advised to accept the same amendment that has been insisted upon by the Council.

Mr. Sleeman: But that does not make it right!

Mr. Thomson: But we know what the country districts require.

The Minister for Mines: And the Minister does not?

Mr. Thomson: I do not know that he does.

Hon. Sir JAMES MITCHELL: It is a question of what is fair and just. That was what influenced us in asking the Minister to accept the amendment in this House.

Although the Minister has power to carry his motion, he would be wise to accept the Council's amendment.

Hon. G. TAYLOR: I am afraid we are drifting into a system of legislating by means of conferences. I am not prepared to assist the Minister in a request for a conference. Unfortunately our managers, in the past, have completely altered the principle of Bills referred to conferences with managers from another place. I shall not mention the particular Bill I have in mind, but I contend that that is wrong. When a Bill goes to a conference, it should be discussed in a spirit of compromise.

Mr. Panton: They do not always do that sort of thing in the Council.

Hon. G. TAYLOR: I do not know that that is so.

Mr. Panton: I do. I have been on several conferences.

Hon. G. TAYLOR: I had one experience, and a spirit of compromise prevailed, although it took a lot of work to get the managers from the Council to accept our point of view.

The Minister for Mines: What do you suggest we should do? Accept the Council's amendments or drop the Bill?

Hon. G. TAYLOR: If the Government consider the principle of sufficient importance, as embodying part of their policy, they should lay the Bill aside, and let the Council accept the responsibility for the non-passage of the Bill.

Mr. THOMSON: I think the Minister should have given some consideration to the Council's amendments and explained to us his reasons for further disagreeing to them. Instead of doing that, he simply sat down after moving his motion.

The Minister for Agricultural Water Supplies: I have already given my reasons on several occasions.

Mr. THOMSON: We should view these matters in a spirit of compromise, and I regret the Minister has not seen fit to explain the attitude he adopts. While we and the members of the Legislative Council are supposed to have control of legislation, we are not permitted to amend Bills at all. In my opinion, the amendments are reasonable. When the Bill was before us we questioned the practicability of the retrospective clause, for some of us have had experiences of water supplies having been provided in districts, and although rates have had to be paid year after year, no water has been supplied. Such a provision as that suggested by the Council might help considerably in determining what are "reasonable requirements," and it might help to prevent the Government from extending activities into districts where there was a danger of reasonable supplies not being provided in catchment areas. The Minister should give reasons for asking the Committee to disagree with the Council's amendment. Some of us here tried to have this very clause inserted in the Bill. The Minister then said the practice in the past had been to levy on the whole district, including those people who had their private water supplies. But this is not dealing with a reticulation scheme; it is dealing with a standpipe scheme. One may be three miles away from the scheme, and may have spent a great deal of money in providing his own supply. Yet the Minister says it does not matter, that if such a man is within three miles of a standpipe he must pay. I do not regard that as reasonable, and I hope the Minister will accept the Council's amend ment.

The Minister for Railways: It is a great safeguard to have that provision.

Mr. THOMSON: It may be a safeguard, but it is not of much advantage to those who know what it is to be without water.

The Minister for Railways: You are not rated.

Mr. THOMSON: But it is quite possible that we shall be rated if a supply is put in, even if put in without our request. It may be done to assist the Railway Department, and still all those in the district would have to pay. I hope the Minister will be reasonable towards this amendment.

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

Ayes	.. .. ..	16
Noes	.. .. ..	15
Majority for	..	1

AYES.

Mr. Corboy	Mr. Millington
Mr. Coverley	Mr. Munsie
Mr. Cowan	Mr. Rowe
Mr. Cunningham	Mr. Sleeman
Mr. Kennedy	Mr. A. Wansbrough
Mr. Lamond	Mr. Willcock
Mr. Marshall	Mr. Withers
Mr. McCallum	Mr. Panton

(*Teller.*)

NOES.

Mr. Angelo	Mr. Sampson
Mr. Brown	Mr. J. H. Smith
Mr. Davy	Mr. Stubbs
Mr. Doney	Mr. Taylor
Mr. Griffiths	Mr. Thomson
Mr. Latham	Mr. C. F. Wansbrough
Sir James Mitchell	Mr. North
Mr. Richardson	(*Teller.*)

PAIRS.

AYES.	NOES.
Miss Holman	Mr. J. M. Smith
Mr. Wilson	Mr. Barnard

Question thus passed; the Council's amendments further disagreed to.

Resolution reported, and the report adopted.

Request for Conference.

The MINISTER FOR AGRICULTURAL WATER SUPPLIES: I move—

That a conference be requested with the Legislative Council on its amendments to the Water Boards Act Amendment Bill, and that at such conference the managers to represent the Legislative Assembly shall be Mr. Willcock, Mr. Lindsay and the mover.

Mr. TAYLOR: I am going to oppose the motion for the reason that we are adopting the method of conference to pass almost all our legislation. It is absolutely a negation of parliamentary institutions that questions in dispute should be discussed in camera in a dark room. Nobody outside of that room knows what happens in there, or what has influenced the decisions of the conference. Parliament should discuss all matters in the open light of day. By no stretch of imagination can one say that conferences are carrying out the true principles of parliamentary institutions. Managers at conferences are there for an endurance test. We have had conferences sitting for as long as 26 hours. Is that how our parliamentary institution ought to be conducted? It is a direct negation of the true principles of Parliament. When three managers from this place meet three managers from another place it becomes an endurance test, and nobody outside the conference knows what arguments are there used. The House is not apprised of those arguments, because our managers are not permitted to give them to us. It is nothing short of a scandal. I will protest on every occasion that a conference is proposed, unless I think there is ample justification for it. There is no justification at all for a conference on this Bill. I am not prepared to whittle away the privileges of Parliament and leave three managers from this place and three from another place to decide legislation that will affect a large section of the community. It is an improper thing and politically immoral.

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

BILL—HEALTH ACT AMENDMENT.

In Committee.

Mr. Lutey in the Chair; the Minister for Health in charge of the Bill.

Clauses 1 to 5—agreed to.

Clause 6—Insertion of new section after Section 20:

Mr. THOMSON: This deals with the appointment of local sanitary boards. The clause really carries into effect the present Act.

The Minister for Health: No.

Mr. THOMSON: What provision is being made with regard to the sanitary depot at Mt. Lawley? The proximity of such a place must depreciate the value of the surrounding property. I hope the Minister has taken care to protect the ratepayers. What redress would a house owner have if a new sanitary site were started close to his dwelling?

The MINISTER FOR HEALTH: The sanitary site is now under consideration. The clause does not alter the powers of the department, but merely facilitates the handling of sanitary business in small areas. It is essential that every community should have some form of sanitary conveniences, but under the Act they can only get these by the appointment of a local board of health with the accompanying secretary and medical officer. The clause provides for the establishment of sanitary boards to conduct only sanitary operations under the direction of the department. This will decentralise the administration of the Health Department.

Hon. G. TAYLOR: These powers are very necessary. I presume if a progress association were in existence it would carry out the duties of the sanitary board.

The Minister for Health: It could do so. A local health board would have to impose a health rate, whereas the sanitary board would only levy a sanitary rate.

Hon. G. TAYLOR: The provision is a wise one.

Clause put and passed.

Clause 7—Amendment of Section 25:

Mr. SAMPSON: What justification is there for the inclusion of this rather peculiar clause?

The MINISTER FOR HEALTH: The Act is peculiar, but the clause is simplicity itself. If a health board in the interests of the community is instructed by the Commissioner of Public Health to do certain things and it refuses to do them, it ought to be held liable.

Mr. Thomson: You have the necessary power under the Act.

The MINISTER FOR HEALTH: And it takes seven months to do anything. The Act is ridiculous. This provides a simple method of getting to the point and giving us what was intended by the Act.

Mr. Thomson: Why was it necessary to embody these provisions in the Bill?

The MINISTER FOR HEALTH: We want to be in a position to take immediate action.

Mr. Thomson: What kind of thing might be ordered to be done?

The MINISTER FOR HEALTH: Perhaps the hon. member will give reasons why the clause should not be inserted. Its inclusion in the Bill is necessary in the interests of the administration of the Act.

Mr. THOMSON: Section 25 of the Act means that a local authority may direct the health inspector to make such recommendations as are necessary to put into order the sanitary conveniences of the district. If the local authority considers that the inspector was unduly severe in his actions or his recommendations, would he, under this clause, be able to stand out against the local authority and override it? I would like to know the departmental reasons for the inclusion of the amendment.

The MINISTER FOR HEALTH: It has happened that a local authority's secretary has never been instructed or has been disinclined to make an inspection, or keep a district in anything like a state of sanitation. We have five or six departmental inspectors visiting country districts and if a place is found to be in an insanitary state due notice is given to the local body that there must be a cleaning up. Invariably the promise is made that this will be done, but after the lapse of some weeks a letter reaches the department to the effect that the insanitary condition still prevails. The inspector returns to the locality and finding what was reported, to be correct, he takes certain action under the Health Act. It is reasonable that where people agree to accept responsibility under the local Health Act, it should be their duty to see that the cleaning up process takes place as quickly as possible. The clause in question will make the local bodies realise their responsibility.

Mr. SAMPSON: The clause sets out that "if any local authority shall refuse." A local authority may refuse in all good faith. The clause seems to me to be drastic and it does not appear to be the right attitude to take up that those who constitute a health board shall, in circumstances that may arise, be guilty of an offence. They may be acting in all good faith when they refuse. This is a new principle and is not calculated to encourage men to undertake work on local boards.

The Minister for Health: When a qualified man tells a local body what is required, why should that local body refuse to carry out the instructions?

Mr. SAMPSON: The provision is drastic all the same and savours of a schoolmaster attitude towards local authorities and will certainly not lead to the best results.

Mr. NORTH: I support the clause. There has been far too much defying of Government in matters of health. During the last few years there have been many instances where the Commissioner of Health on attempting to do what was right by the community was openly defied by local authorities. I have seen the same attitude adopted towards departmental inspectors. There has always been the feeling that the local authorities knew best.

Mr. Thomson: That attitude may have been the cause of the expense.

Mr. NORTH: But in such instances where on the one hand we have an authority like the Commissioner of Health, his instructions ought to be carried out to the letter. Any clause designed to give greater effect to that principle and which will over-ride local feeling will receive my support.

The Minister for Health: Where it is thought costs have been excessive, there is the right of appeal.

Mr. NORTH: The question of costs in matters of health should not over-ride a vital principle. Why should the arrogance of a local authority be considered before the ex-

pert knowledge of the head of the department?

Hon. G. TAYLOR: The member for Swan surely does not wish to pit the knowledge of a member of a local board of health who of course is a layman, against that of the Commissioner of Health. I take it that the clause will not be put into force except by the authority of the Commissioner of Health. He will see that the local bodies are notified that they must carry out any work that is in the interests of the health of the community Then if they refuse to do so the proposed new section will apply, and rightly so. Notwithstanding the long experience the member for Swan has had of local bodies, I am afraid he still has something to learn.

Mr. THOMSON: This clause brings in what may be termed an innovation. We find under Section 4 of the principal Act that where a local authority has made default in enforcing or carrying out or complying with the provisions of the Act, the Commissioner may compel the local authority to carry out the order, and if it should not be obeyed its performance may be enforced by writ of mandamus, etc. Thus in the parent Act the Commissioner has ample power to deal with a local authority and enforce any order made by the inspector. The clause will place the responsibility on individual members of the health board.

The Minister for Health: If they wilfully refuse.

Mr. THOMSON: They may have sound reasons for wilfully refusing. The burden of giving effect to the order may be too great.

Hon. G. Taylor: It could not be too great a burden in a matter of health.

Mr. THOMSON: But it might inflict undue hardship. On the question of costs, an aggrieved person has the right of appeal under Section 35, but under this provision there is no right of appeal. The parent Act contains sufficient power. To make such refusal or neglect an offence against an individual member of a board is too drastic.

The Minister for Health: Only if he wilfully refuses.

Mr. THOMSON: I admit it is difficult to prove wilful negligence.

The Minister for Health: Suppose a majority passed a resolution refusing to carry out an order, they ought to be liable.

Mr. THOMSON: Why render them liable to a penalty if they honestly believe that the order sought to be imposed is unjust? The clause should be postponed pending consultation with the Crown Law Department on the question of providing for an appeal.

Mr. MANN: The clause provides that if any local authority "shall refuse or wilfully neglect" to carry out any provision. We should stipulate wilful refusal. A wilful act is something done with a direct intention to do wrong. A board might adjourn a proposal for further consideration but that would not constitute wilful refusal.

The Minister for Health: It would not be refusal at all.

Mr. MANN: It would, because they would be refusing to give effect to the order for the time being. Officials may not apply to the administration of the measure the common sense that the Minister himself would bring to bear. The insertion of "wilfully" before "refuse" would afford some safeguard.

The MINISTER FOR HEALTH: I do not agree that the refusal should be wilful. Good reasons may be given for the non-observance of an order that would not come within the category of wilful refusal. If the members refuse, that is all that is required. No local health authority should have the right to refuse to carry out an order made by the Commissioner of Health.

Mr. MANN: An officer of the central board may not be in touch with local affairs in a country district, but the local board might realise that the order could not apply to that district. Yet the members of the board would be liable to conviction, and there would be no appeal. Everything depends upon the refusal being wilful.

Hon. G. Taylor: Do not you think it right to punish for wilful neglect?

Mr. MANN: Yes, and also if they wilfully refuse, but the refusal should be wilful.

Hon. G. Taylor: The members of a board might refuse to do something by wilful neglect.

Mr. MANN: But wilful refusal differs greatly from mere refusal.

Hon. Sir James Mitchell: It is a wrong principal, anyhow.

The Minister for Health: If the Commissioner should not have the say in health matters, who should?

Sitting suspended from 6.15 to 7.30.

Mr. SAMPSON: I appreciate the difficulty which faces the Minister and the department, and I also appreciate the

efforts made to overcome that difficulty. The method adopted, however, is not in my opinion right. It might just as reasonably be argued that members of Parliament should have a charge levelled at them when something considered to be necessary is not done by them. The clause proposes a new principle. Nothing of the kind is contained in legislation relating to municipalities and road boards. The clause is autocratic, and savours of the big stick. The Minister might be good enough to withhold the submission of the clause and give further consideration to achieving the desired end without the use of intimidating methods. Under Section 211 of the Act every person who in any way, directly or indirectly, does certain things—and this would include members of health boards—commits an offence and is liable to a penalty not exceeding £50, and in the case of a continuing offence to a penalty of £5 per day.

The Minister for Health: That is for committing an offence.

Mr. SAMPSON: It might be argued that in refusing or wilfully neglecting to do a certain thing, obstruction of the Commissioner is committed, and hence there would be an offence under that section.

Mr. J. H. SMITH: The clause is too drastic. The Minister has always shown himself sympathetic, but this proposal amounts to intimidation. Moreover, there is no line of demarcation drawn between the metropolitan area and country districts, and the clause will create many hardships in the country. For instance, milk cannot be sold without a license and without taking certain precautions. Some purveyors of meat in country districts charge fabulous prices. A farmer with a fat sheep or two to sell finds that the local butcher cuts him down to the lowest point. Such a farmer might decide to kill a sheep or two and carry the meat round the town, which he does in a clean and healthy manner. In such circumstances the butcher can cause the farmer to be penalised. Many local authorities are now assisting the Minister and the Commissioner to carry out their duties.

The Minister for Health: Hear, hear!

Mr. J. H. SMITH: The local inspectors do their job thoroughly. Through Bridgetown runs a brook which becomes stagnant in winter, being smothered with blackberries. Lots of the blackberries are on private land, but there are also lots of them on reserves and on the railway which runs through the town. Are private persons to be penalised while blackberries grow unchecked on the reserves and along the railway line? The Commissioner of Public Health already has wide powers, and controls local health authorities. The Minister should define where the measure is to apply —say, in thickly populated centres. I oppose the clause.

Clause put, and a division taken with the following result:—

Ayes	20
Noes	14
Majority for ..	6

AYES.

Mr. Chesson	Mr. Munsie
Mr. Corboy	Mr. North
Mr. Coverley	Mr. Rowe
Mr. Cowan	Mr. Sleeman
Mr. Cunningham	Mr. Taylor
Mr. Kennedy	Mr. A. Wansbrough
Mr. Lambert	Mr. Willcock
Mr. Lamond	Mr. Withers
Mr. Marshall	Mr. Panton
Mr. McCallum	(*Teller.*)
Mr. Millington	

NOES.

Mr. Angelo	Mr. J. H. Smith
Mr. Brown	Mr. Stubbs
Mr. Doney	Mr. Teesdale
Mr. Latham	Mr. Thomson
Mr. Lindsay	Mr. C. P. Wansbrough
Mr. Mann	Mr. Davy
Sir James Mitchell	(*Teller.*)
Mr. Sampson	

PAIRS.

AYES.	NOES.
Miss Holman	Mr. J. M. Smith
Mr. Willcock	Mr. Barnard

Clause thus passed.

Clause 8—Insertion of new section after Section 29; Appointment of inspector for group of health districts:

Hon. Sir JAMES MITCHELL: Unless districts agree to the group system, I presume they will not pay any part of the inspector's salary.

The Minister for Health: If there was a district without a group, the department ought to have power to compel inspection by a group inspector.

Hon. Sir JAMES MITCHELL: Is it intended to compel districts to form themselves into health groups? It is good that

districts should be grouped. In such a case the department will pay half the salary of the inspector, and that is right too.

The Minister for Health: This provision will do away with the necessity for full-time departmental inspectors making periodical visits.

Hon. Sir JAMES MITCHELL: The Minister takes power to make the appointment without consultation with the local authorities, who are to pay one-half the salary. That seems to me wrong.

The Minister for Health: Would you suggest that if there were 10 local authorities concerned, it would be necessary to secure the unanimous consent of these authorities before we could make an appointment?

Hon. Sir JAMES MITCHELL: Not necessarily, but it is fair that those who pay shall have something to say in calling the tune. The Minister will make his own appointment at the expense, to the extent of 50 per cent. of the local authorities.

The Minister for Health: Even so, it will not cost them as much as it does now.

Hon. Sir JAMES MITCHELL: In the bigger centres such as Northam, there would be a full-time inspector.

The Minister for Health: A centre like Northam would probably stand on its own.

Hon. Sir JAMES MITCHELL: But the Minister might determine that York and Northam must be grouped as one health district, and he might appoint an inspector.

The Minister for Health: I suppose the clause would give the Minister that power, but that would not be done.

Hon. Sir JAMES MITCHELL: I realise it would be difficult to consult all the local authorities, but some effort should be made to consult them when an appointment is being made. Does this mean the creation of more staffs at various country centres?

The Minister for Health: No. There will be fewer health inspectors, but more effective inspection.

Hon. Sir JAMES MITCHELL: While I agree with the principles embodied in the clause, I think it would be better if provision was made so that the local authorities would be consulted, but I do not quite see how the clause could be amended in that direction.

Mr. THOMSON: I do not like the wording of Subclause 1, wherein it sets out that the Minister may make these appointments "whenever he shall think fit." The Government's proposal represents a decided improvement upon the present system. As an old road board member, I realise how the visit of an independent health authority, from outside the district, is appreciated. I think the subclause would be improved if the word "fit" were altered to "necessary."

The Minister for Health: I have no objection to that; it means the same thing.

Mr. THOMSON: Then I move an amendment—

That in line 2 of Subclause 1, "fit" be struck out and "necessary" inserted in lieu.

Amendment put and passed.

Mr. J. H. SMITH: I think the Minister has lost sight of one point. At one time, there were health boards as well as road boards, but to-day they are combined.

The Minister for Health: Not always. For instance, the Perth Road Board is not a health board.

Mr. J. H. SMITH: There are isolated instances where it is not so. The Minister's proposal to group districts is a good one, but I suggest that the Minister might consider the advisability of the inspectors to be appointed being paid by the State alone. Many of the local boards of health have small revenues. Could not the Minister waive the clause and pay the whole of the expense?

The Minister for Health: No, I could not agree to that.

Mr. J. H. SMITH: I will not oppose the clause, because I realise it represents a step in the right direction.

The MINISTER FOR HEALTH: I have always been of the opinion that health inspectors should be controlled by the Health Department. It is not right for a small local authority to appoint a health inspector who will be wholly under their jurisdiction, because in many instances that inspector will be working for people whose premises he will have to inspect. The best results cannot be obtained under that system. As for the expense involved in the group system, I am satisfied that it will not cost as much as the present system, and it will probably be cheaper. Under Section 29 of the Health Act, we have power to group upwards of three local health authorities in the metropolitan area. The health inspector attends meetings of the health au-

thorities in his group and collects their quota of his salary from them. That could not be done under the Bill where one health inspector might be in charge of a group containing a much larger number of districts. It could not be expected that the official would attend all meetings of health authorities throughout his district and collect his quota from them. Under the Bill, the various health boards will pay their quota to the department.

Mr. Latham: Will the local health authorities prosecute on the recommendation of the health inspector?

The MINISTER FOR HEALTH: The inspector will do the prosecuting, but he will probably confer with local authorities.

Mr. Latham: But who will actually take action?

The MINISTER FOR HEALTH: Either the inspector or the local board of health, on the advice of the inspector.

Mr. J. H. SMITH: In the event of any water holes or pools becoming polluted by dead carcases, would the local authorities have power to act without first going to the inspector?

The Minister for Health: Yes.

Mr. J. H. SMITH: Then the people would merely report to the local authority, and the local authority could act.

The Minister for Health: That is so.

Mr. LATHAM: Most of the objection to this will come from road boards. A municipality that has a fully qualified health inspector appointed under the Health Act will be loth to abandon that position. I am wondering whether it is likely that the inspector of, say, the York Municipal Council would be appointed inspector for the whole group. If so, probably a good deal of the objection now raised would be overcome.

The Minister for Health: The only thing is, he could not be town clerk at the same time.

Mr. LATHAM: To-day he is town clerk and health inspector too. Then, of course, if you are going to take away his salary, probably he will find difficulty in making it up in other directions. The employment he gets besides his municipal work helps him to make up his salary. Still, I do not suppose it is any use raising objections.

Clause, as amended, put and passed.

Clauses 9 and 10—agreed to.

Clause 11—Insertion of new section after Section 59:

Mr. SAMPSON: It is provided that the distance over which one may be compelled to connect up with a sewer is 300 feet. I am afraid that is too great a distance. Under the clause it may easily be considerably more than 300 feet to the actual house, for the distance is measured from the sewer to the nearest point of the block. Consequently, a hardship might easily be imposed on the owner of the property in the excessive cost entailed in connecting up. I think the Minister should agree to the deletion of "300 feet" and the insertion of "150 feet."

The MINISTER FOR HEALTH: I cannot agree to that. This clause is exactly the same as the provision in the Sewerage and Drainage Act, relating to the metropolitan area. I do not think that has worked any great hardship, nor do I fear any hardship under this.

Mr. Davy: Is not a connection to a sewer a more expensive thing than a connection under Section 59? Of course 300 feet is provided in the Health Act.

The MINISTER FOR HEALTH: And so, too, in the Sewerage and Drainage Act. In country districts it may mean a little more expense than in the metropolitan area, but only by reason of the extra cost of freighting the material over a longer distance. To-day there is power to compel one to sewer up to a distance of 300 feet. Where the local authority has the right to instal a sewer, they ought to have the right to compel everybody within 300 feet to connect up.

Clause put and passed.

Clauses 12 and 13—agreed to.

Clause 14—Amendment of Section 83:

Mr. THOMSON: I should like to know from the Minister what it is that makes this necessary. The original Act provides that no person shall undertake any work necessitating the employment of workmen without first providing sanitary conveniences for the use of such workmen. The clause provides that any such person shall, if required by the local authority, collect and dispose of the nightsoil and rubbish within the land occupied or controlled by him. Why should that provision be necessary when you have in the Act provision for the installing of sanitary conveniences? To me the clause seems quite unnecessary.

The MINISTER FOR HEALTH: There is every necessity for the proposed new section in the Act. At present it is compulsory that the owner shall provide sanitary conveniences for the use of the workmen. All that the clause provides is for the collection and disposal of the nightsoil and rubbish within the land occupied or controlled by the employer. At present it is quite possible for the employer to provide sanitary conveniences that are utterly unsuitable. We want proper conveniences to be supplied, and the disposal of the nightsoil properly attended to.

Clause put and passed.

Clause 15—Amendment of Section 86 and repeal of Section 87:

Mr. THOMSON: This provides that charges under this section may be levied in respect of premises whether those premises are rateable or not. Is that necessary?

The Minister for Health: Yes, it is very necessary.

Mr. THOMSON: It seems possible under Subclause 5 that some central country district may be charging a sanitary rate of 6d. and be inclined to charge a 9d. rate for the outer portion of its area.

The MINISTER FOR HEALTH: I have no desire to penalise people. I may perhaps be able to illustrate the position by referring to Southern Cross. While it is possible to run a system for Southern Cross at a certain rate, the same rate should be exceeded in the conduct of the arrangements at Bullfinch, which comes under Southern Cross. Under the Act, the local authority is obliged to charge a flat rate, but under this clause the rate may be varied to suit the circumstances.

Clause put and passed.

Clauses 16 to 18—agreed to.

Clause 19—Amendment of Section 118:

Mr. SAMPSON: I move an amendment—

That after the words "provided that" in line 1 of the proviso, the words "with the consent of the Commissioner" be inserted.

It is altogether too drastic to allow a local authority to compel a house-owner to remove his dwelling without being given any opportunity to renovate it. Legislation of this kind might easily impose great hardship upon many people.

The MINISTER FOR HEALTH: On the contrary, the amendment itself would create hardship. When a home is condemned as being unfit for human habitation, the suggestion for improvement comes from the local authority. The owner then has the right of appeal to the local court. If the amendment were carried, the Commissioner would have the final say.

Mr. THOMSON: The clause might inflict great hardship upon people. I know of a workman who has been given six months in which to vacate his house, failing which he has to suffer a penalty at the rate of 40s. a day.

The Minister for Health: This power will be used only in the case of a building that is unfit for human habitation.

Mr. THOMSON: The expenditure of a little money might rectify the whole trouble. Section 55 to which this clause relates does not nearly cover the situation. It gives the local authority power to direct the owner as to the manner in which a building may be made habitable.

The Minister for Health: In many instances that is impossible.

Mr. THOMSON: Now it is proposed to remove any chance the owner may have of effecting alterations.

The Minister for Health: If the local authorities ask for renovations, they must be responsible for stating what is required.

Mr. THOMSON: They should prove that they have the qualifications to enable them to condemn a property, by suggesting what alterations are necessary. If the responsibility is thrown upon the owner to prove that the house is habitable, he will suffer a hardship.

The Minister for Health: How is the house to be repaired?

Mr. THOMSON: The proviso will give the local authorities power to declare that a house is not habitable, and must be pulled down. There is no appeal against that decision.

The CHAIRMAN: The question before the Chair is the amendment moved by the member for Swan.

Mr. SAMPSON: At an earlier stage the Minister showed a disinclination to believe in members of the Health Board.

The Minister for Health: Never once.

Mr. SAMPSON: By implication.

The Minister for Health: No.

Mr. SAMPSON: There is in the clause a possibility of a charge being made against

members of the Health Board because something might not be done and a home is to be condemned by a local authority without any right of appeal.

The MINISTER FOR HEALTH: Where a health authority condemns a house as being unfit for human habitation, he should not be too much concerned about the individual who wants the house to remain as it stands.

Mr. Thomson: It may be all he has.

Mr. Latham: Old age pensioners may be living in such places.

The MINISTER FOR HEALTH: Does the hon. member know of one of those houses that has been condemned? How is the commissioner to give a decision about a house 300 or 400 miles away that has been condemned by a local authority? If the amendment is carried, the commissioner will be obliged to see the house for himself or send someone there to inspect it.

Mr. SAMPSON: I might be permitted to add the words "or inspector appointed under this Act" so as to get over the difficulty just referred to by the Minister. Thus the owner would know that no local prejudice operated in connection with the condemnation. The department exercises a good deal of care in the appointment of inspectors, and the inspectors understand the Act.

Amendment put and negatived.

[*Mr. Panton took the Chair.*]

Hon. G. TAYLOR: I would like an explanation of the proposed proviso. Under the parent Act an owner may pull down the house or renovate it, but under the Bill he will have no alternative but to pull it down. A man may have a house that may be capable of renovation and that renovation might make the place meet all the health requirements. If it were removed altogether it might be outside the financial reach of the owner to replace it. The Minister should consider that aspect of the question. We must have some consideration for the person who is not financially capable of standing that expense, especially when renovation might meet the position. I admit that the provision will make the Act more workable, but there is a possibility of inflicting hardship upon people who will not be financially equal to the obligations imposed by the proposal.

Mr. THOMSON: I move an amendment—

That the following proviso be added:—"Provided further that any person aggrieved shall have the right of appeal as provided in Section 35 of the principal Act."

That will rectify the present unsatisfactory position.

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

Clause 20—agreed to.

Clause 21—Amendment of Section 136:

Mr. LATHAM: Who is going to determine that bedsteads, bedding and bedclothing are unsuitable and must be removed from the premises?

Hon. G. Taylor: A single bed would be no good to a married couple.

Mr. LATHAM: Perhaps the hon. member is qualified to speak on that. I should not like the job of an inspector or of a boardinghouse keeper.

Clause put and passed.

Clause 22—Amendment of Section 137:

Mr. SAMPSON: I move an amendment—

That after "parent" the words "grandparent, niece, nephew, uncle, aunt" be inserted.

Mr. Marshall: Why not include Matthew, Mark, Luke and John?

Mr. SAMPSON: If they are brothers, they will be included. I assume it is an oversight that blood relations were not included.

The Minister for Health: It is not an oversight.

Mr. SAMPSON: If they are excluded, injustice may be done.

The MINISTER FOR HEALTH: The amendment is unnecessary and, if it is insisted on, will defeat our object. We have not yet experienced difficulty with Britishers, but in boarding houses occupied by Greeks or Italians all of them claim to be blood-relations.

Mr. Mann: I think you might include the grandparents.

Hon. G. Taylor: So long as you keep out the mother-in-law, I do not mind.

The MINISTER FOR HEALTH: If a widower married a widow, both having a family, and the husband was the licensee, it would be only fair to include——

Mr. Latham: His family, her family and their family?

The MINISTER FOR HEALTH: The wife's children would be included, but if the wife was the licensee of the house, the husband's children would not be included. I have no objection to the inclusion of "grandparent."

Mr. SAMPSON: I ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. SAMPSON: I move an amendment—

That after "parent" the word "grandparent" be inserted.

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

Clauses 23, 24 and 25—agreed to.

Clause 26—Amendment of Section 165:

Mr. THOMSON: During the outbreak of swine fever inspectors condemned some animals, which, after having been slaughtered, were found not to be suffering from swine fever and the owner was put to serious loss. The clause does not go far enough. I want to safeguard the owner from possible serious loss. That actually happened during the recent outbreak, and unfortunately there was no redress. It is no satisfaction to the owner to know that the department made a mistake. Though I have no amendment ready. I consider that the proviso does not go far enough. What is the use of appealing to justices of the peace against the health inspector's decision? Without expert evidence such an appeal could not avail the owner. In any case, no redress is provided for him in the parent Act; and that is unjust. If an inspector makes such a mistake as I have described——

The Minister for Health: This clause does not deal with that aspect.

Mr. THOMSON: If the local authorities are wrong, they should pay the owner's costs.

The Minister for Health: No Act in the world provides that.

Mr. Latham: Let us have a change then.

The Minister for Health: Really this deals only with abattoirs.

Mr. THOMSON: Numerous small dairy farmers keep pigs, kill and dress them, and send them to market.

The Minister for Health: The carcases have to be branded by an inspector.

Mr. THOMSON: That is so. But the inspector can go on any farm to inspect, and can cause the owner considerable loss. In such circumstances the owner should have redress.

The MINISTER FOR HEALTH: The clause does not deal with swine fever or rinderpest, but with stock killed for human consumption. A difficulty which has arisen is the meaning of "such officer" referred to in the section. I want "the inspecting officer" substituted for "such officer." The medical officer is also referred to, but the medical officer does not see the stock. The owner should have the right to call expert evidence to prove that the inspecting officer is wrong, and this clause gives him the right.

Hon. Sir JAMES MITCHELL: There ought to be redress for the man whose stock is wrongly condemned by the inspector.

The Minister for Health: The ordinary local inspector could not condemn stock or a carcase unless he was qualified as a meat inspector.

Hon. Sir JAMES MITCHELL: These inspectors are qualified before they are appointed, though of course they are not medically trained. If a wrong is done to the owner, he should be recompensed. All these measures are hard upon owners, while protecting officials who make mistakes. The officials should not be protected in such circumstances.

Clause put and passed.

Clause 27—Amendment of Section 168:

Mr. SAMPSON: I move an amendment—

That the following proviso be added:—"Provided that if the owner shall forthwith give notice in writing to the officer that he intends to submit the matter to the determination of justices, then the provisions of paragraph (2) of Section 165 shall apply."

The opportunity of giving notice and submitting the matter to the determination of justices is provided in Section 165, and the same opportunity should be provided in Section 168. No inconvenience would be caused. Food products could, at all events in certain cases, be held during the period of the appeal.

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

Clauses 28 to 30—agreed to.

Clause 31—Insertion of new section after Section 201:

The MINISTER FOR HEALTH: In view of representations made and from what I have ascertained on looking into the matter, I was convinced that the provisions of the clause in the Bill were too harsh. That being so, I move the following amendment—

That Clause 31 be struck out, and the following inserted in lieu:—

Clause 31.—Strike out Section 201a, and insert the following in lieu thereof:—

"201a. If any person shall, for the purpose of promoting the sale of any artificial food for infants, advise the mother or any person in charge of any child under the age of six months to use any particular kind or description of artificial food for the purpose of feeding such child in preference to natural food, such person shall be guilty of an offence against this Act:

"Provided that this section shall not apply in the case of a duly qualified medical practitioner, or nurse approved by the Commissioner."

Mr. BROWN: While the amendment proposed by the Minister is certainly an improvement on the clause in the Bill, I think it is still rather drastic. Everyone who has had experience in the feeding of infants knows that what will suit one child, will not suit another. Hundreds of children have had to be put on the bottle.

The Minister for Health: The amendment will not deal with bottle-fed babies at all.

Mr. BROWN: Doctors are not always available in the bush and that may lead to difficulties. We know that when women meet they discuss their babies, and should one advise another to put her child, who has not been getting on very well, on to a certain food, that woman will become liable under the provisions the Minister now proposes.

The Minister for Health: Not at all.

Mr. BROWN: I am afraid the amendment will mean much hardship among women in the country areas.

The Minister for Health: That is not so.

Mr. DAVY: The amendment is not nearly so offensive as the original clause, but still it seems rather ridiculous in its wording. Apparently the Minister proposes to allow any medical practitioner or approved nurse to turn himself or herself into an advertising agent for a particular brand of artificial food.

The Minister for Health: Not at all.

Mr DAVY: That is what the amendment says most clearly. It is to be an offence for any person to advise a mother to use any particular kind of artificial food for the purpose of promoting the sale of that food. On the other hand, that will not be an offence if it is committed by a duly qualified medical practitioner or by a nurse approved by the Commissioner. Does the Minister suggest that any doctor would give such advice for the purpose of promoting the sale of a particular food?

The Minister for Health: No, his advice would be tendered for the sake of doing the child good.

Mr. DAVY: Let us ignore the proviso. Two things are necessary to constitute the offence. One is the giving of advice by a person to a mother, and the second is that the advice so tendered shall be for the purpose of promoting the sale of an artificial food for infants.

The Minister for Health: That is so.

Mr. DAVY: Then what is the object of the proviso?

The Minister for Health: I want to give the medical man and the nurse who is approved by the Commissioner, the right to give that advice.

Mr. DAVY: I submit it would be a most outrageous thing if the Minister were to endeavour to take away that right.

The Minister for Health: But I am not.

The Minister for Justice: Do you think that any medical officer would prostitute his profession to the extent of turning himself into a publicity agent for the sale of artificial foods for infants?

Mr. DAVY: No, hence my reason for endeavouring to ascertain the object of including the proviso. I suggest it be struck out because it is quite unnecessary.

The Minister for Health: I am not wedded to the exact wording of the clause, and if you think it will improve the position, let us move to strike out the proviso.

Mr. DAVY: I move an amendment on the amendment—

That the proviso to the amendment be struck out.

Mr. GRIFFITHS: There was a good deal if horse-sense in the remarks of the member for Pingelly. My wife has repeatedly said that very often the advice of the old dame regarding children's ailments is of more use than the recommendations of a doctor.

Hon. Sir James Mitchell: The amendment will not prevent the old dame giving her advice.

Mr. Davy: Do you say that the old dame's advice would be tendered for the purpose of promoting the sale of any artificial food for infants?

Mr. GRIFFITHS: No.

Mr. Latham: But is it suggested that she would do so?

The Minister for Health: That has often been done. Don't make any mistake about that.

Mr. LATHAM: If that is so, the proviso should not be struck out. It is all very well in the city where doctors and conveniences are available, but the position is different in the country districts. It should not be made an offence for a woman to come along and give advice to a mother regarding suitable food for her child.

Mr. Sleeman: But that would not be for the purpose of promoting a sale!

Mr. LATHAM: I do not like the clause as drafted.

The CHAIRMAN: We are dealing with the deletion of the proviso.

Mr. LATHAM: It is difficult to separate the amendment from the clause. If the proviso be struck out, what a stupid thing the clause will be! If a person in all good faith gives advice, who is going to say that person is not assisting some commercial firm?

Hon. G. Taylor: The onus of proof is on the Crown.

Mr. LATHAM: I do not know that the proviso means what the member for West Perth, with his legal knowledge, has explained to the Committee, but I do not want to restrict the giving of sound advice to mothers in the country, where there are not so many doctors and nurses as are to be found in the metropolitan area. Only the other day I saw a woman with eight children and a young baby 49 miles from a doctor.

The CHAIRMAN: That has nothing whatever to do with the amendment.

Mr. Davy: How could the proviso help her?

Mr. LATHAM: It widens the sources of useful advice that she might get. We should not strike it out. I do not want it to be left doubtful whether it is against the law to advise a mother to give her child certain food.

Mr. J. H. SMITH: I disapprove of the Minister's amendment.

The CHAIRMAN: We are dealing, not with the Minister's amendment, but with the amendment moved by the member for West Perth.

Mr. MANN: It occurs to me that this proposed new clause has been drafted for the purpose of dealing with one firm that employs a number of qualified nurses to tour, not only the metropolitan area, but the whole State.

The Minister for Health: I assure the hon. member it was not drafted for that firm at all.

Mr. MANN: Then I am unable to see where it can apply. There is a firm employing a number of qualified registered nurses.

The Minister for Health: Two nurses. I have seen them both.

Mr. MANN: They are very capable women. I have never heard them give any advice that led to injury to any child.

Hon. G. Taylor: Then how is it that the Children's Hospital is so full?

Mr. MANN: If the clause is meant to apply to those two nurses, I want to know from the Minister will this apply to a firm advertising its food and the manner in which it should be used?

The Minister for Health: We have already passed the clause that deals with that firm.

Mr. MANN: Then for what purpose was this clause drafted? At whom is it aimed? Who does the Minister suggest has been doing something wrong in this respect?

The Minister for Health: Various people in the metropolitan area, but not the nurses referred to by the hon. member.

Mr. MANN: If the Minister knows of cases where injury has been done, I will support the proposed new clause.

Hon. Sir JAMES MITCHELL: Everything that has happened to date will happen again after we pass this clause.

The Minister for Health: No fear.

Hon. Sir JAMES MITCHELL: One need not go to the mother of the child to give advice when he can go to the father and advise him. We shall always get into trouble while we put up this grandmotherly legislation. The clause as amended by the striking out of the proviso will do neither good nor harm. I suggest that the Minister go a bit further and advise adults what to eat.

The CHAIRMAN: The hon. member is getting away from the amendment.

Hon. Sir JAMES MITCHELL: I hope the Committee will delete the proviso.

Mr. J. H. SMITH: One must support the amendment moved by the member for West Perth, because it carries so much common sense. There are in Perth and elsewhere any number of women taking State children. Those women are mothers, medical practitioners and nurses all combined, and they know what the children require.

The Minister for Health: This clause will not interfere with them.

Mr. J. H. SMITH: But it will. If the Minister is aiming at natural feeding, why does he not provide for it in the Bill? I see no reason for the proviso, because it is not the medical practitioners nor the nurses that are likely to offend. I will support the amendment.

Mr. THOMSON: The proviso is a protection for mothers in country districts.

The Minister for Health: Would any nurse advise a mother not to naturally feed her child?

Mr. THOMSON: Recently a doctor advised a mother to give her baby a certain food. Hearing of this, the district nurse opposed it. Subsequent events proved that the nurse was correct and that the doctor's advice was unsound. So I think the proviso should remain.

Amendment (to strike out proviso) put and passed.

Mr. CHESSON: I want to be sure the proposed new clause will not penalise a mother who advises her daughter how to feed her baby. Certainly that mother's advice to her daughter could not be suspected of being given in order to promote the sale of an artificial food.

The MINISTER FOR HEALTH: I do not think the case would come under the clause. In my opinion the woman would certainly not be liable.

Mr. J. H. SMITH: In my view the mother of a family who gave advice concerning the use of artificial foods would be held responsible. I do not know why the Minister does not endeavour to induce people to revert to the old way of feeding babies.

The Minister for Health: That is what I am trying to do.

Mr. J. H. SMITH: There is no reason why the amendment should have been brought forward, and I shall vote against it.

Hon. Sir James Mitchell: It does not mean anything.

Mr. J. H. SMITH: The hon. member has not properly studied the matter.

Hon. G. TAYLOR: It is only possible to secure a conviction if it is proved that some person has endeavoured to push the sale of an artificial food. The onus of proof is on the Crown. I cannot see that anyone will be affected by this amendment, and intend to support it.

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

Clause 32—Amendment of Section 202:

Mr. THOMSON: Will the Minister explain this clause? What protection would be given to the ordinary storekeeper who had certain foods in his possession, and would not know what foreign substances they contained?

The MINISTER FOR HEALTH: All we can do now is to prohibit the sale of an article that does not come up to the required standard. It can still be adulterated with foreign substance, and we want the right to prevent that. Some time ago the Crown took proceedings against a vendor of milk which was impure. It was found, however, that the butter standard was all right and we lost the case, although the milk was undoubtedly impure.

Hon. Sir James Mitchell: You ought to amend the Pure Foods Act.

The MINISTER FOR HEALTH: This amendment will rectify the position.

Mr. MANN: I remember that milk case. The impurities consisted of dirt, and dirt was held to be not a foreign substance. Is it intended that the clause shall cover butter, in which a certain amount of preservative has been put in order to make it keep?

The Minister for Health: That is already covered.

Mr. MANN: It is not intended to cover food that is preservatised for use in the tropics?

The Minister for Health: Not under this Act.

Clause put and passed.

Clause 33—agreed to.

Clause 34—Insertion of new section after Section 272:

Mr. THOMSON: This deals with subsidising infant health centres and other places, and with the local authority spending such an amount of its ordinary revenue as it thinks fit in that direction.

The Minister for Health: The amount is limited to 10 per cent.

Mr. THOMSON: That may be the Minister's intention.

The Minister for Health: It is. We are not amending the Municipalities Act or the Road Boards Act.

Mr. THOMSON: There is no limit in the Road Boards Act. I move an amendment—

That at the end of proposed new section 272 (a) the words "and not exceeding 10 per cent." be added.

The position is that the local authorities can spend 10 per cent. under the Health Act to subsidise any district nursing system or hospital. They can subsidise any infant health centre or any other scheme having for its object the preservation of health, but the Act does not say to what extent.

Hon. Sir JAMES MITCHELL: The Minister's desire is to make provision for the spending of money upon certain other things that are not already mentioned in the Act.

The Minister for Health: Only one, the infant health centre, and I want to strike out the 10 per cent. limit.

Hon. Sir JAMES MITCHELL: I am glad I have no wish to do these things in the Minister's way.

The Minister for Health: I do not want the right to spend a penny of it.

Hon. Sir JAMES MITCHELL: The Committee will have to be careful of what the Minister introduces in the future. We pay taxes that are spent on health and other things, and more taxes than we ever paid before. Now we are to have a hospital tax and on top of it we are asked for something more.

The Minister for Health: This is not an extra tax at all.

Hon. Sir JAMES MITCHELL: Of course it is.

The Minister for Health: Rubbish!

Hon. Sir JAMES MITCHELL: I do not know how people are to pay these taxes. Anyhow, I hope the Committee will reject the clause altogether and merely provide for the subsidising of the infant health centre. Where is taxation going to stop?

The Minister for Health: I tell you this is not extra taxation.

Hon. Sir JAMES MITCHELL: In the end, in our desire to do good we do harm, I hope the Minister will agree to amend the clause by merely adding, "infant health centre."

The MINISTER FOR HEALTH: I am one of those who are prepared to trust the local authority and I want to give them the right to spend their own money in their own way. I do not want the Minister or the department to dictate to them. We have to-day the municipality of Perth paying £300 a year and I am pleased to say that when the case was submitted to the Mayor of Perth he had backbone enough to say that he was going to support the payment of the £300 a year towards the infant health centre and he did. Under the existing law he is doing something that is illegal and there are nine other municipalities and 13 road boards doing exactly the same thing, paying something illegally towards the maintenance of infant health centres. My desire is to give the local bodies the right to be able to make that contribution. Why should we say to them, "You are not to pay more than 10 per cent.?" Are we afraid that they will go mad and spend all their revenue on infant health centres.

Mr. Thomson: We limit them in other directions.

The MINISTER FOR HEALTH: To no better object could the funds of a local authority be devoted.

Mr. LATHAM: In this clause we are asked to make provision to amend the Municipal Corporations Act and the Road Districts Act. That is a wrong principle. At first sight one would think that the clause applied to health boards only, but the interpretation clause makes it clear that it applies to local authorities. While I am prepared to agree to funds being devoted to this object, I am opposed to provision being made for it in this way.

The CHAIRMAN: The question before the Chair is the amendment to limit the amount to 10 per cent.

Mr. LATHAM: To be generous to the Minister, I shall support the amendment. Ten per cent. is far and away more than will be required.

The Minister for Health: They will not spend anything like it.

Mr. LATHAM: Then why not accept the amendment?

The Minister for Health: Why not trust the local authorities?

Hon. Sir James Mitchell: We shall be relieving the Treasurer and putting the burden on the local authorities.

Mr. LATHAM: There is no doubt of that

Hon. Sir JAMES MITCHELL: The Minister made it clear that he thinks the local authorities should have the right to spend all their money for this purpose. What right have we to say that 20 per cent. of a road board's funds may be spent on health matters when it is entirely the concern of the Government to provide for them? It is a principle to which we should not agree. Why this desire on the part of the Government to escape the responsibility and place the burden on the shoulders of the local authorities?

The Minister for Health: I am not trying to escape anything, but I hope you will not ham-string or tie people in a knot.

Hon. Sir JAMES MITCHELL: They are already tied in knots. These necessary health centres should not be financed in this way. It is the duty of local authorities to attend to roads, drainage and kindred matters, but the Minister says, "Let them collect more money."

The Minister for Health: No.

Hon. Sir JAMES MITCHELL: Most of them are already in debt for the work they must do. It is a wretched proposal. While I have no objection to legalising the act of the mayor of Perth and other mayors, I do object to placing further responsibilities on local authorities. If we agree to this, there will be nothing to prevent the lopping off of other bits from the finances of local authorities for services that ought to be performed by the Government and for which we already pay taxation to the Treasury. I hope the clause will be defeated.

Amendment put and negatived.

Clause put, and a division taken with the following result:—

Ayes	.. .. ..	20
Noes	.. .. ..	15
Majority for	..	5

AYES.

Mr. Chesson	Mr. McCallum
Mr. Collier	Mr. Millington
Mr. Corboy	Mr. Munsie
Mr. Coverley	Mr. Rowe
Mr. Cowan	Mr. Sleeman
Mr. Cunningham	Mr. A. Wansbrough
Mr. Kennedy	Mr. Willcock
Mr. Lambert	Mr. Withers
Mr. Lamond	Mr. Clydesdale
Mr. Lutey	*(Teller.)*
Mr. Marshall	

NOES.

Mr. Brown	Mr. Sampson
Mr. Davy	Mr. J. H. Smith
Mr. Doney	Mr. Taylor
Mr. Griffiths	Mr. Teesdale
Mr. Latham	Mr. Thomson
Mr. Lindsay	Mr. C. P. Wansbrough
Mr. Mann	Mr. North
Sir James Mitchell	*(Teller.)*

PAIRS.

AYES.	NOES.
Miss Holman	Mr. J. H. Smith
Mr. Wilson	Mr. Barnard

Clause thus passed.

Progress reported.

BILL—STATE TRADING CONCERNS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR WORKS (Hon. A. McCallum — South Fremantle) [10.30] in moving the second reading said: Tonight my mind goes back to a good many years ago, when as officer of the Trades and Labour Council I took part in a discussion which led to a deputation waiting upon the then Premier to suggest that the State should undertake the manufacture of agricultural implements. At that period Western Australia was just developing its agricultural industry, and practically no agricultural machinery was being made in the State. All such articles were being imported, and all the money for them was going outside Western Australia. The viewpoint taken was that it would be a good thing if alongside the development of the agricultural industry we could develop also the manufacture of agricultural implements within our own borders. The viewpoint taken was that the Government should undertake the manufacture of those implements, and so keep the money within Western Australia. Eventually this view was adopted, and the State Im-

plement Works were established. I am free to admit that those works have not lived up to expectations. They have not done all we thought they would do when we originally advocated their establishment. There are many reasons why they have not done all that was originally expected of them, but I do not think anything is to be gained by holding a postmortem to-night, by going back over the reasons of the failure. The outlook which should engage our attention to-night is that which we had when we advocated the establishment of the works—to see whether something cannot be done——

Hon. Sir James Mitchell: That was nationalistion of industry straight out.

The MINISTER FOR WORKS: Not at all. I will show in a moment that it was a long way from nationalisation.

Hon. Sir James Mitchell: It was the first step towards nationalisation.

The MINISTER FOR WORKS: No. The viewpoint held by those of us who advocated the establishment of the works is the viewpoint which should be held to-night. We should push forward as much as we can the manufacture of agricultural implements within our State, and we should endeavour to keep within Western Australia as much as possible of the enormous amount of money that is spent in the purchase of agricultural implements. What is suggested by the Bill is that we should link up, so far as the agricultural implement section of the works is concerned, as distinct from the engineering section, with the Westralian Farmers' Limited, and the co-operative societies of farmers throughout the State. I believe there was a somewhat similar proposition put up to, but not entertained by, a previous Government. The position I am putting up to-night is this: Here are two concerns, the Westralian Farmers and the State Implement Works, both engaged in developing Western Australian industry, both anxious that Western Australia should progress and keep as much money as possible within her borders, so that the future of the State may benefit both concerns materially. Up to now the two concerns have not worked hand in hand. For a considerable period a number of the co-operative organisations throughout the country held agencies for the State Implement Works. Of recent times, however, that has not been the case. Whilst they are both purely Western Australian concerns and are both interested in the development of Western Australia, they are competitors, they are opposed to each other, as regards the sale and use of agricultural implements. The proposal of the Bill is that those two Western Australian concerns, instead of being in conflict with and competing with one another and pushing opposition articles, should link up and assist each other in the establishment and development of a Western Australian manufacturing industry, which certainly should go in hand with the development of our agricultural industry. To show what this means to Western Australia I should mention that the State Implement Works are practically the only concern manufacturing agricultural implements to any great extent here.

Hon. G. Taylor: Do the Westralian Farmers manufacture any?

The MINISTER FOR WORKS: No. In 1926-1927 there was imported from the Eastern States £633,496 worth of agricultural implements, and from oversea £112,461 worth. In 1927-28 the imports were £738,591 from the Eastern States, and £111,154 from oversea. Thus last year almost a million sterling went out of Western Australia to purchase agricultural implements. If those machines can be economically and satisfactorily produced within our country, it will be of advantage to all of us that they should be produced here, and that the million of money earned from the development of our agricultural industry, instead of going outside our State, should be kept here in order to develop another industry, thus assisting the future of our State. The proposal is that where the Westralian Farmers and the co-operative organisations throughout the country have agencies for different lines of agricultural implements, importations from the Eastern States and from oversea, a certain agreement should be come to. That agreement is not yet completed, but there is not much doubt about our being able to complete it. The Bill is intended to give the Government power to make the agreement. Then it is provided that the Westralian Farmers have been able to so modify their agreements regarding their agencies that a considerable quantity of machinery that they now sell will be manufactured here, and that which it is found necessary to import will be brought here in parts and assembled at North Fremantle.

Hon. Sir James Mitchell: Much of that is done now.

The MINISTER FOR WORKS: It is not done now. Very little is made up or assembled here. The idea is that the expense is so great on account of heavy freights on some lines, that it will pay to do some of the assembling at Fremantle. Machines that can be economically and efficiently manufactured here will be made locally, while those that cannot be dealt with in that way will be imported as I have already indicated. Boiled down it means that so far as headers, harvesters, drills, and, I think, cultivators, and binders, are concerned, they will be imported. The State Implement Works will cease to make them.

Hon. Sir James Mitchell: Gracious!

The MINISTER FOR WORKS: On the other hand, in regard to the heavier types of machines, and ploughs in particular, which the State Implement Works have been making successfully, and in respect of which the agreements with the agents have been modified, those machines will be manufactured at the North Fremantle works. I may further explain that part of those works will be leased to a partnership that will be established between the two concerns, and the business will be on the basis of fifty-fifty between the two sections. That part of the business will be managed by a committee of six, three representatives being drawn from each side. The machines made by the implement works will be handed over to the assembling part and the machines imported will go to the assembling part and will be taken charge of by the partnership and managed by the committee I have referred to. They will be disposed of by the Westralian Farmers and dealt with through their different organisations and agencies throughout the country, who will have charge of the sales. That will mean that instead of State ploughs and other implements, which it is agreed shall be made there, being in competition with ploughs and other machinery that the Westralian Farmers are now the agents for, they will have that agency behind them. As a result, there will be a bona fide effort made to push the sale of Western Australian-manufactured articles. As time goes on and the position develops, it is considered that many articles that are now imported will be made at Fremantle.

Mr. Latham: Will the partnership apply only to the assembling and placing of the lines?

The MINISTER FOR WORKS: Yes.

Mr. Latham: And not to the manufacture?

The MINISTER FOR WORKS: No. The manufacture of those implements will still be in the hands of the State Implement Works, which will still control the engineering section. What they turn out will be handled through the partnership at a price. The State Implement Works will quote prices through the partnership as if they were in competition with the other manufacturers. On the other hand, the partnership will be compelled to give preference to the State Implement Works only if those works can produce the goods at an effective price. If the price is right and the article is right, preference will be given to the manufactures turned out at North Fremantle. The partnership will control the whole of the assembling and the agencies, through the Westralian Farmers, will undertake the sales.

Mr. Mann: Will Bagshaw's machines be assembled here instead of in South Australia?

The MINISTER FOR WORKS: Yes.

Mr. Latham: There is a big agency at present for the Case tractors.

The MINISTER FOR WORKS: The agencies of the Westralian Farmers will be taken over by the partnership.

Mr. Mann: It will be a sort of subsidiary company?

The MINISTER FOR WORKS: Yes, similar to that which was formed to deal with superphosphates.

Hon. Sir James Mitchell: What is to be the capital?

The MINISTER FOR WORKS: It will be £300,000.

Hon. Sir James Mitchell: Will each have to find half of it in cash, paid into the bank?

The MINISTER FOR WORKS: Yes, as required.

Mr. Thomson: What do you estimate the sales will be?

The MINISTER FOR WORKS: For the first year the sales should be up to about £500,000.

Mr. Thomson interjected.

The MINISTER FOR WORKS: I am not in a position to say anything about that.

The Westralian Farmers have examined the position carefully, and they consider it can be done, in view of the modifications agreed to, regarding the assembling of parts here. As a matter of fact, the Westralian Farmers were moving to establish that type of business when the proposition I have outlined was developed. Had the proposition not been gone on with, it is certain that they would have established an assembling business of their own. They were so satisfied that the cost in freight to bring the machines here was so great that it represented so much waste of money.

Mr. Latham: The handling of Case goods will be much less.

The MINISTER FOR WORKS: Yes. I think this practice has been adopted in most parts of the world.

Mr. Latham: It results in a saving of costs.

The MINISTER FOR WORKS: Yes.

Mr. Mann: Will that apply to Massey Harris goods too?

The MINISTER FOR WORKS: Yes. The State Implement Works will manufacture by agreement—the agencies have been modified to meet the situation—the following lines:—

Heavy disc ploughs; disc cultivating ploughs; dam-sinking ploughs; mould board ploughs; single-furrow garden or orchard ploughs; skim or paring ploughs; springtyne cultivators; reversible two-way disc cultivators; chaff cutters. corn crushers; poison carts and sledges; wagons and spring carts; windmills; stump-jump heavy harrows—not less than 50 per cent. of the total number ordered.

The partnership will take over the Horwood Bagshaw agency and 50 per cent of the stump-jump harrows will be placed with the State Implement Works and 50 per cent. with Bagshaws. In addition to that, the Case tractor people have agreed to a considerable proportion of their parts being made locally. That will bring a good deal of additional work to the Implement Works. I do not want to hold any post-mortem on the State Implement Works to determine what was the cause of the failure at North Fremantle, but I think it is explained by their undertaking the manufacture of too great a variety of implements. Had they confined their activities to one or two agricultural implements and perfected them, the works could then have launched out and embraced the whole field of agricultural requirements. But they started off making every different kind of implement, and they have not kept pace with the times. The machinery most complained about has been their harvesters.

Hon. Sir James Mitchell: It is not a factory: it is only a workshop.

The MINISTER FOR WORS: I do not know the difference. It is certainly the biggest engineering establishment in this State, by a long way.

Mr. Mann: Does it mean that you will have to get rid of a number of your employees?

The MINISTER FOR WORKS: It is estimated that there will be twice as many men employed as there are to-day. Under this arrangement, possibly, the number of men will be increased fourfold.

Mr. Latham: I hope you will allow the employees to do piecework.

The MINISTER FOR WORKS: That I will allow them! That is for the Arbitration Court. The men employed by the partnership will not be under the control of any Minister. The conditions of employment will be the same for them as they would be under any other employer. If the men and the management cannot agree about something, the Arbitration Court will decide it.

Mr. Thomson: Piecework would serve to reduce the costs.

The MINISTER FOR WORKS: That does not come into this. It is of no use discussing piecework as against day labour or weekly labour, for it does not enter into this. The Arbitration Court will decide that.

Mr. Latham: I think the unions decide it.

The MINISTER FOR WORKS: But you think wrongly. I have heard the hon. member say the unions stopped McKays from coming here.

Mr. Latham: Did they not?

The MINISTER FOR WORKS: No, they did not.

Hon. Sir James Mitchell: Yes, they did.

The MINISTER FOR WORKS: Nonsense! McKays have no right to say to the workers in this country what system they are to work under. Only the Arbitration Court can decide that.

Mr. Thomson: Had the unions agreed, the Arbitration Court would have agreed.

The MINISTER FOR WORKS: That is quite another point. If McKays had agreed to the wages proposed, it would have been

all right. But they did not agree to have it decided by arbitration. It will not help this case to recall what happened with McKay or to speculate as to what will happen elsewhere. What, to-night, we are out to do is to get authority for the Government to enter into a partnership with the Westralian Farmers Ltd., with their organisation of co-operative concerns throughout the country to push the sale of implements manufactured at North Fremantle and of imported implements that will be brought here in parts and assembled. It is thought it will mean the development of that industry in a way that has been impossible in the past.

Mr. Latham: The big thing is that you will be allowed to make duplicate parts for those imported machines.

The MINISTER FOR WORKS: Yes and there will be all the repairs. In addition, a whole lot of things will be done that are not done to-day.

Hon. Sir James Mitchell: What will be the limit of the liability?

The MINISTER FOR WORKS: The capital will be £300,000, and the liability will be against each of the partners.

Hon. Sir James Mitchell: Each of the partners will be liable for the lot.

The MINISTER FOR WORKS: No, the partnership will be liable. It is an ordinary partnership agreement, the same as is entered into by any private concern. It is nothing new for a Government to enter into a partnership arrangement. The Commonwealth Government have entered into more than one with private concerns. The Bruce Government have entered into arrangements with the Marconi Company, and hold 50 per cent. of their shares. Also they hold 50 per cent. of the shares of the Australian Oil Refinery people. So it is nothing new for a Government to enter into a partnership for the promotion or development of a certain industry. The basis of this partnership is quite simple, and it is hoped that it will lead to the establishment of an industry here that will keep in Western Australia a good deal of money at present going out. Not only will it afford employment to tradesmen, but it will afford to the younger generation opportunities to learn a trade. It is to be thoroughly understood that the partnership will not be compelled to buy obsolete or inferior machinery and implements at the State Implement Works. They are only bound to give preference to the State Implement Works when their machine is an efficient one and can be purchased at a price that will compete in the market with the prices of other machines for sale. The agreement is not completed. The Bill is to give the Government authority to enter into the proposed agreement.

Mr. Latham: What is the grant to be?

The MINISTER FOR WORKS: There is to be no grant. Surely the Government can be trusted to enter into an agreement. Also, surely the details of the agreement are for the Cabinet to determine.

Mr. Thomson: In accordance with Section 25 of the original Act you will have to submit that agreement for approval.

The MINISTER FOR WORKS: The Bill gives us power to enter into an agreement to lease the works. A little of the plant will have to go over with it, but not much. And in respect of the plant that is to go over, the company will agree upon a rental that will cover all charges, depreciation and other conditions.

Mr. Latham: What is to be the life of the proposed agreement?

The MINISTER FOR WORKS: Ten years. It will be open to renewal, but it is hoped that at the end of the ten years we shall have developed into a position at which the partnership will not be compelled to import, and rely on the Eastern States for their harvesters and drills and cultivators. It is hoped that by that time we shall have sufficient experience to be able to manufacture a lot of those things.

Hon. G. Taylor: The Westralian Farmers will be controlling the whole concern by that time.

The MINISTER FOR WORKS: It is only the assembling part of it that will be subject to the agreement. The manufacturing part will still be held by the State. That will not come under the partnership in any way. The agencies held by the Westralian Farmers, still have two or three years to run, and we hope to be able to make satisfactory arrangements with the lot. One of the concerns will agree to our making their implements here. Probably the partnership will have to pay a small royalty on the manufacture of those implements. But even with the payment of a small royalty we shall be able to produce those implements cheaper than they are sold here now. And it will mean that we shall be

keeping that money in the country and giving our tradesmen work in the manufacture of that article. From whichever angle the proposal is examined, it seems to me to be an effort to develop an industry. The State Implement Works have not lived up to the expectations but this is a move to instil some life into the concern by two efforts that are wholly Western Australian. The Government have given considerable support to agriculture, and now that the industry means so much to the State and seeing that agriculturists spend so much on the purchase of machines, this will link up a secondary industry whereby the requirements of the agriculturists may be manufactured in the State and the money kept within the State.

Mr. Latham: In 10 years I think it will be a bigger white elephant than ever.

The MINISTER FOR WORKS: I do not think it is possible to go back from the present position. There is no fear that less work will be done than is being done today if the co-operative movement pushes the business at all, as it is bound to do, because under the agreement it will be unable to undertake any other agency. The Westralian Farmers Limited will be bound to take the implements that the partnership have for sale and will be able to use the co-operative movement to push sales. That must result in a considerable increase of production by the implement works.

Mr. Sampson: Will you share equally in sales as well as in the manufacture?

The MINISTER FOR WORKS: A certain percentage will be paid on sales, as is the practice with most firms.

Mr. Sampson: You get 50 per cent. advantage of sales and take the responsibility of manufacturing.

The MINISTER FOR WORKS: No, the partnership will pay the co-operative concerns a commission on sales. The co-operative organisation will be used to push sales.

Mr. Thomson: Is the partnership for assembling only, and will the Westralian Farmers Limited then sell as they do to-day?

The MINISTER FOR WORKS: Yes, but we shall take over the showroom in Perth. The organisation for sales in the country will be as at present. The co-operative movement will be the channel through which the sales of the partnership will be effected, and that will do away with the duplicate branch.

Mr. Mann: It will mean that for 10 years the implement works will manufacture only ploughs.

The MINISTER FOR WORKS: No, they will manufacture the implements I have already mentioned.

Mr. Mann: Principally ploughs.

The MINISTER FOR WORKS: Yes, but not ploughs alone. They will manufacture also springtyne cultivators, disc cultivators, chaffcutters, cornerushers, poison carts, windmills, harrows, etc. The Westralian Farmers Ltd. will not be able to undertake the sale of any other windmill.

Mr. Latham: They have the agency for the sale of a windmill now.

The MINISTER FOR WORKS: They will not be able to sell other than the windmills manufactured by us.

Mr. Latham: Let us have a look at the agreement you have in your hand.

The MINISTER FOR WORKS: There is no agreement; I am holding the shorthand notes of a certain inquiry. The section of the State Implement Works set aside for the assembling of machines is the portion that will be leased to the partnership, together with the yard attached thereto and the railway siding serving that branch of the works.

Mr. Mann: From what end do you expect to get increased trade?

The MINISTER FOR WORKS: The Westralian Farmers Ltd. are at present pushing a plough opposed to the plough of the State Implement Works. When the partnership takes effect, they will be pushing the State Implement Works plough.

Hon. Sir James Mitchell: And someone else will be pushing the other plough.

Mr. Latham: No, someone will be pulling it.

The MINISTER FOR WORKS: The co-operative concerns have such an organisation to effect sales as no one else in the State possesses at present.

Mr. Latham: They also have the branches in the country.

The MINISTER FOR WORKS: That is the secret of it. The great bulk of the farmers are members of co-operative societies and deal with them. They do their business at the stores and largely buy their implements from the stores. Those stores will be the channels through which the products of the partnership will be sold. I cannot foresee other than a marked im-

provement in the quantity of work that will be done at North Fremantle, and I anticipate that a good number of additional men will be employed. It is unsound for any State to rely solely upon one industry. If Western Australia is to progress and get population, it cannot hope to develop at the rate it should if it relies solely on agriculture. It must have secondary industries working hand in hand with the primary industries if it is to get the full benefit of its progress. The local market means such a lot, and so we must develop our secondary industries as well as our primary industries. With the two concerns assisting each other and pulling together, instead of competing with each other, we should be able to make a big effort in the direction of holding the Western Australian business. That is the view the Government have taken and it has spurred us on to arrange an agreement. We now ask for authority to complete the agreement. The State Trading Concerns Act provides that we cannot lease any concern or do anything of the nature desired without the sanction of Parliament. All we ask is for power for the Government to enter into an agreement of the nature outlined. I move—

That the Bill be now read a second time.

On motion by Hon. Sir James Mitchell, debate adjourned.

BILL—LAND ACT AMENDMENT.

Second Reading.

THE MINISTER FOR AGRICULTURE (Hon. H. Millington—Leederville) [11 10] in moving the second reading said: This Bill seeks to amend the Land Act to permit of the extension of certain pastoral leases, namely, those which expire on the 31st of this month. In 1917 the Land Act was amended with a view to extending pastoral leases from 1923 to 1948, and the conditions were set out under which they could be renewed and the extensions given. The main argument used as a lever to secure the extensions desired by the leaseholders was that they agreed to pay double rents from 1918. Because of that the leases were extended in the case of those who took advantage of that opportunity. Again in 1918 an amendment was introduced to extend the time when pastoralists could apply for an extension of their leases until the close of the war, and in 1923 a further amendment was introduced extending the time until 1924. Those holding pastoral leases favoured the exemption, and pointed out that it would benefit them from the point of view of security and would in every way be desirable. Although some objection was raised at the time, the original amendment to the Act was passed, and the further extension given. A large proportion of the leaseholders took advantage of the opportunity to have their leases extended to 1948. I wish to indicate the area of the leases which are now held under the provisions of the 1948 tenure. As a fact, over 210,000,000 acres are now held under these provisions. There are still held over 4,000,000 acres by people who failed to take advantage of that legislation.

Mr. J. H. Smith: They were mislead. They thought they went on until 1948.

The MINISTER FOR AGRICULTURE: Those who did take advantage of the opportunity together hold over 210,000,000 acres, and there only remain in the divisions outside the South-West 4,077,000 acres.

Mr. Marshall: And all small holders.

The MINISTER FOR AGRICULTURE: In the Kimberley division there are 33 holders having an area comprising 1,565,000 acres; in the eastern division 21 leases comprising 316,000 acres; in the North-West 45 leases comprising 1,649,000 acres; and in the Eucla division 21 leases half a million acres. This makes a total of 120 leaseholders, and an area of 4,077,000 acres. In addition, there are 230 leases in the South-West division, from the Murchison to the other side of Mullewa.

Hon. Sir James Mitchell: They have only an annual lease, and are not affected.

Mr. J. H. Smith: They are affected.

Mr. Corboy: What are the boundaries?

The MINISTER FOR AGRICULTURE: I have given the boundaries of the South-West division covering 960,000 acres. These are not affected in the same way as are the other divisions, because they are held under conditions which do not permit of re-appraisement. They were not affected by the re-appraisement when it was agreed that the rent should be doubled, although the leases require renewal, and expire on the 31st of this month.

Hon. Sir James Mitchell: Anyone can select any part of them.

The MINISTER FOR AGRICULTURE: The holders pay £1 per thousand acres, and the leases can be renewed in the ordinary course on application. In respect of those leases in the other divisions, the holders will have to come under practically the same conditions imposed by the previous Land Act amendments, namely those of 1917, 1918 and 1923, which set out that they will have to pay double rental. They have already paid their rent, but as their leases were not re-appraised, it will mean, in the case of Kimberley where the lessees were paying 5s. per thousand acres, that they will be increased to 10s. should they elect to come under the 1948 provision. Those who do not take advantage of this amending Bill would continue only until the end of this year on the old appraisement of 5s. They have had the advantage during 10 years of paying only half the rent paid by those who took advantage of the extension to 1948.

Mr. Marshall: Did they not take the risk of their leases reverting to the Crown? It is an unfair clause.

The MINISTER FOR AGRICULTURE: They have had several opportunities since 1917.

Mr. Marshall: But they took the risk of losing their leases.

The MINISTER FOR AGRICULTURE: We now propose to give them a further opportunity. Their leases expire at the end of this year.

Mr. Teesdale: They are lucky people.

The MINISTER FOR AGRICULTURE: They will be given the opportunity to take advantage of the Act which extended the leases until 1948.

Hon. Sir James Mitchell: How will you penalise them this time?

The MINISTER FOR AGRICULTURE: They will have to be penalised to the extent that they will have to pay double the rent, and with their application will be obliged to remit the amount of rent they have not paid, plus interest. Up to the present they have paid only half the rent the others have paid. This is not a new provision because it is made in other amending Acts. The 1923 amendment imposed the same conditions. Had they taken advantage of the Act in 1923 and had their leases extended until 1948, they would have had to pay back rent with interest added in order that they might be placed on the same footing as other lessees who did so. Because they refused to take advantage of the opportunity, they have gained an advantage in rental for the time being, but it is not intended, if they desire to extend their leases to 1948, that they should retain an advantage over those leaseholders who for all these years have paid the double rent.

Mr. Marshall: They have been at an advantage in the matter of road board rates and vermin rates.

The MINISTER FOR AGRICULTURE: This Bill provides that they shall pay back rent, or the other half of the rent, plus interest, in order to put them on the same footing as those who have already come under the provisions of the 1948 extension. This measure affords them the last chance they have to take advantage of the 1917 amendment. If they fail to seize this opportunity, their leases will expire at the end of the month. On the other hand, if they wish to extend their leases until 1948, they can do so by complying with the provisions of the amending Act of 1923, and these provisions which still give them the same opportunity as they had on that occasion.

Hon. Sir James Mitchell: How would another place feel regarding this?

The MINISTER FOR AGRICULTURE: It is only common justice when we consider that pastoralists holding over 200,000,000 acres decided to come under the double rental provision.

Mr. Teesdale: You had another name for it once.

The MINISTER FOR AGRICULTURE: It is only fair that those who declined to avail themselves of the opportunity should not have an advantage over others who did. In order to hand out justice evenly we say, "You can renew your leases provided you come into line with those who have been paying the increased rental." The Bill will mean that the leases will be automatically continued until 1948 if the holders comply with its provisions. The measure is an urgent one because after the 31st December the time will have passed. If the leases are to be continued the Act must come into force on the 1st January next. As the time between now and then will not give an opportunity to leaseholders to comply with the provisions of the Bill, we propose to give them three months in which to make

up their minds, but the Act itself must come into force on the 1st January next in order that the leases may be continued. Holders in the North-West would not be aware of the passing of this Act by the 1st January, and will be given three months in which to comply with its conditions. In the meantime, they can be notified and they will therefore be aware of the opportunity that is being afforded to them. They will be able either to let their leases lapse, or take them up again under the conditions set forth in the Bill.

Mr. Marshall: I would not blame them too much for the fact of their being ignorant of the law on the 31st January. The Government might have awakened a little earlier than they did.

The MINISTER FOR AGRICULTURE: That is the provision as regards renewal and extension of proposed leaseholds, and as to leaseholders who have not up to date come under the amended law. I may add that the Land Act requires many amendments. Needless to say, the Government are not introducing controversial legislation at this stage of the session.

Hon. Sir James Mitchell: I do not doubt that; but "A merciful Providence fashioned us hollow."

The MINISTER FOR AGRICULTURE: The other feature of the Bill is a necessary amendment as to the Group Settlement Board. At present the permit to occupy a group settlement block is a document which has been issued, and which presumably is a sufficient title for the holder of a block. It is not actually a title within the meaning of the Land Act, but none the less it is a sufficient title. The document, owing to the way it is drawn up, has regard to the fact that at the time it was issued group settlements were to some extent administered by the Agricultural Bank. For instance, the holder contracts personally to reside on the block and to carry out all work required of him by the foreman in charge of the group, and at his own cost to maintain in good and tenantable repair all buildings erected by the Government on the block, and to give permission to "the general manager" and all persons authorised by him to enter unrestrictedly upon, and carry out any required work upon the said block. The point is that the permit may be revoked at any time by "the general manager."

Hon. Sir James Mitchell: We will not have it revoked by the board. We will not have that.

The MINISTER FOR AGRICULTURE: At the present time "the general manager," which of course means the general manager of the Agricultural Bank, is not administering the group settlements.

Hon. Sir James Mitchell: He can be the general manager for this purpose.

The MINISTER FOR AGRICULTURE: He is not to be. In fact, the Act does not say who "the general manager" is. It simply says "the general manager." The general manager of the Agricultural Bank cannot be in any way termed general manager so far as group settlement is concerned. The group settlements are now being administered by a board.

Mr. Mann: A temporary board.

The MINISTER FOR AGRICULTURE: By a board. The hon. member can call it "temporary" or what he likes.

Mr. Mann: But it is temporary.

The MINISTER FOR AGRICULTURE: That does not alter the position. The general manager of the Agricultural Bank was temporarily administering the group settlements, but he is not doing so now. It is provided that the Group Settlement Board shall as from its constitution on the 25th March, 1928, be deemed "the general manager." That gives an interpretation to the term "general manager" as it appears in the title to the block. Hon. members are aware that certain blocks have been abandoned, if I may use that expression, and that it is necessary the permits referring to them shall be cancelled. Someone must have authority to cancel them before the blocks can be re-allotted. For instance, there are the unoccupied blocks on the Peel Estate. Before it would be safe to put other persons on those blocks, the original permits must be cancelled.

Hon. Sir James Mitchell: Oh no!

The MINISTER FOR AGRICULTURE: Yes. It might not be possible to find the persons who have the permits.

Hon. Sir James Mitchell: You do not need to. The permit is a permit to occupy, and those persons are not occupying.

The MINISTER FOR AGRICULTURE: There is need for someone who can authoritatively cancel existing permits before such blocks are re-allotted to any other person. Then the Group Settlement Board would

have the right to place other tenants upon the blocks. I think all hon. members will agree as to the urgent desirability of pressing forward with the work of placing people upon the blocks in question.

Hon. Sir James Mitchell: We have re-settled hundreds of them.

The MINISTER FOR AGRICULTURE: Until someone has authority to place new settlers on the holdings referred to——

Hon. Sir James Mitchell: Hundreds have been re-settled.

The MINISTER FOR AGRICULTURE: At present no interpretation can be placed upon the term "general manager." The Bill proposes that the Group Settlement Board shall constitute the general manager. Then the board will be able to cancel permits and to settle other people on the abandoned blocks. The provision in the Bill merely means that the Group Settlement Board will have the authority originally vested in the general manager of the Agricultural Bank.

Mr. Thomson: That is a surprising thing.

Hon. Sir James Mitchell: We have settled a number of them.

The MINISTER FOR AGRICULTURE: The permit granted is not a title issued by the Lands Department, but is simply a permit to occupy under certain conditions. We also had advice regarding our position, and it was to the effect that the term "general manager" does not apply to the board.

Mr. Thomson: That should have been found out long ago.

The MINISTER FOR AGRICULTURE: At any rate we have found out now, and we are entitled to rectify the position. If it is asserted that the general manager of the bank is not the man to issue the permits, that is not so.

Hon. Sir James Mitchell: They are issued by the Lands Department.

The MINISTER FOR AGRICULTURE: They are issued by the Group Settlement Board.

Hon. Sir James Mitchell: No.

The MINISTER FOR AGRICULTURE: And we want the board to have the right to revoke them.

Hon. Sir James Mitchell: There is something behind this, more than appears on the surface!

The MINISTER FOR AGRICULTURE: The fact remains that the term "general manager" refers to the general manager of the Agricultural Bank.

Mr. Thomson: And you propose to extend that authority.

The MINISTER FOR AGRICULTURE: Yes, to issue the permits, and to revoke them after they are issued. We have not that authority, and we are advised it can be done in this way. It is advisable that this interpretation shall be placed on the term "general manager" as it appears on the printed forms. The permits represent a rough and ready title to the holding, although it is not provided for in the Land Act.

Hon. Sir James Mitchell: It is merely a permit to occupy.

The MINISTER FOR AGRICULTURE: Yes, and the holder enters into an agreement to comply with certain conditions, thus entitling him to remain on the land. As the general manager has the right to issue the permits under certain conditions, he should also have the right to revoke them. Now that the group settlements are controlled by the Group Settlement Board, that board must necessarily have the right to revoke permits, so that they can properly administer the scheme.

Hon. Sir James Mitchell: It is not a statutory board.

The MINISTER FOR AGRICULTURE: Has the general manager statutory authority?

Hon. Sir James Mitchell: Of course, he has.

The MINISTER FOR AGRICULTURE: His name appears in his official capacity as general manager of the bank, but the Leader of the Opposition cannot quote his statutory authority!

Hon. Sir James Mitchell: Yes, I can.

The MINISTER FOR AGRICULTURE: I asked that very question myself.

Hon. Sir James Mitchell: Why, we provide his salary under the Act!

The MINISTER FOR AGRICULTURE: It is necessary that the Group Settlement Board shall be vested with this power, and the Bill seeks to place in the hands of the board the power that was originally in the hands of the general manager. The Bill contains but two clauses. One deals with the extension of pastoral leases and the conditions under which they may be extended, and the other places the desired interpre-

tation upon the term "general manager" so that in the issuing of permits to group settlers, the authority shall be the Group Settlement Board.

Hon. Sir James Mitchell: God help the group settlers!

The MINISTER FOR AGRICULTURE: I move—

That the Bill be now read a second time.

On motion by Hon. Sir James Mitchell, debate adjourned.

House adjourned at 11.35 p.m.

Legislative Council.

Wednesday, 12th December, 1928.

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

ASSENT TO BILLS.

Message received from the Governor notifying that he had assented to the following Bills:—

1, Forests Act Amendment.

2, Bunbury Electric Lighting Act Amendment.

3, Feeding Stuffs.

4, Land Tax and Income Tax.

5, Wheat Bags.

6, Railways Discontinuance.

BILL—ELECTORAL DISTRICTS ACT AMENDMENT.

Recommittal.

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

The CHAIRMAN: Progress was reported on the following proposed new clause moved by Mr. Harris:—

3. Section 8 of the principal Act is amended by adding at the end thereof the following: "On receipt of such report the Minister shall cause the same forthwith to be published in the 'Gazette.'"

The CHIEF SECRETARY: I am opposed to the proposed new clause on the ground that there is no necessity for it in view of the announcement already made by the Government. As soon as the report is received by the Government it will be the duty of the Government, and the Government will recognise that duty, to summon Parliament forthwith. The proposed new clause is an invitation to the Government to delay taking action until Parliament meets in the ordinary course. If the report should come along in March, Parliament will be called together in March, if that is possible. So, too, if the report should come along in April or May or June or early in July, the Government will not wait until the ordinary time for the meeting of Parliament, namely, in the last week in July, but will call Parliament together forthwith. Parliament has the right to the first information in this matter. The report should not be published in the "Gazette." Parliament should be called together at once and the information given to members. Already there is provision for that, and for introducing the Redistribution of Seats Bill without delay. I hope the hon. member will not insist upon his amendment.

Hon. E. H. HARRIS: It is remarkable that the Minister should suggest that the object of the amendment was to bring about delay.

The Chief Secretary: I did not say that.

Hon. E. H. HARRIS: My object is that members of both Houses should have a copy of the report if Parliament is not going to meet forthwith on the receipt of that report. Suppose this session closes next week and the report is presented in say, six or eight weeks' time: as soon as it is available it will be sent to the Minister. The Government