

THE MINISTER FOR AGRICULTURE: I know he is jealously regarded by officers and departments in all the other States. In the Press I have dealt with such matters as production goals and what we hope to achieve, and I do not wish to reiterate those statements. I do, however, wish to touch on some items of research. The outbreak of possible swine fever to which I have referred shows that we should not at any stage relax our work in veterinary research, soils research and other activities of that kind. However, we have of necessity had to curtail much of our research programme, though fortunately not all. Otherwise in this State this year we would have had serious outbreaks of such diseases as red water and pleuro, both of which have occurred but have been rigidly controlled and are not worrying us at the moment. Research in connection with mineral deficiencies is continuing, and excellent work is being carried out both in regard to stock and crops.

As I have already mentioned in this Chamber and through the Press, the curtailment of superphosphate supplies cannot be avoided. I do not wish to repeat the figures I have already given except to point out that from the 1939-40 figures of 264,690 tons, which is taken as a base for rationing, we will this year be down to 120,000 tons. The prospect for next year is for a quantity not approaching that. One of our worries is to keep the fertiliser factories moving to ensure deliveries to the country in time. It is a very serious problem and, unless farmers and institutions co-operate with the railways, the position will be very acute before January. We are going to be extremely short of the commodity, speaking in a general sense. I do not wish to prolong the introduction of these Estimates, realising that I have spoken at considerable length.

The Premier: A lot of us would like to hear you prolong it.

THE MINISTER FOR AGRICULTURE: There are probably many subjects upon which members would like information. In reply to questions or to the general debate I will not be just willing, but anxious to supply information to any member requiring it.

Progress reported.

House adjourned at 6.26 p.m.

Legislative Assembly.

Wednesday, 4th November, 1942.

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

QUESTIONS (3).

POST-WAR RECONSTRUCTION.

As to Bunbury Harbour Improvements.

Mr. WITHERS asked the Minister for Works: 1, Owing to the need for important works for post-war reconstruction, has he given consideration to the request for plans for an improved Bunbury harbour scheme? 2, If so, are any such plans now in existence; if not, will they be available in the near future? 3, Will the Government give consideration to this work being put in hand when hostilities cease?

The MINISTER replied: 1, Yes. 2, Preliminary outline plans only. Further action is held up owing to there being no staff available. 3, Yes.

CIVIL DEFENCE.

Local Authorities and A.R.P. Expenditure.

Mr. SAMPSON asked the Minister for Mines: 1, On what basis or understanding is it determined that certain areas are not considered to be vulnerable to enemy intrusion? 2, Is there any precedent or reason to support determination that, while some local authorities receive a refund of half payments made in connection with Civil Defence expenses, in other cases refund is quite unjustified? 3, Will he take steps to ensure that further consideration is given to repayment of 50 per cent. to all local

authorities that have done what was considered desirable and necessary?

THE MINISTER FOR THE NORTH-WEST (for the Minister for Mines) replied: 1, Vulnerable areas are fixed by the military authorities. 2, Refunds of half-payments to local authorities are only granted on works first approved by the Civil Defence Council. 3, Answered by 2.

FIREBRICKS.

As to Cost, etc.

Mr. SAMPSON asked the Minister for Railways: 1, Is he aware that firebricks previously transported by road to Perth and metropolitan districts from Glen Forrest, were charged at the rate of 10s. per ton, including all handling expenses? 2, As there is now no local carrier available to transport firebricks, and the aggregate charge by the railways and otherwise, in handling and rehandling, amounts to nearly 20s. per ton, will he give consideration to a revision of the rate charged? 3, Is he aware that numbers of users, including munition workers, have already suffered inconvenience because of delay? 4, Will he look into the matter of the transport of firebricks and instruct that action be not delayed until a truck load is ordered and available, thus making it possible for those who are awaiting firebricks to secure supplies?

The MINISTER replied: 1, No. 2, Railway freights are based on mileage and the tariff is uniform throughout the State. Rail freight from Glen Forrest to Perth on truck lots is 8s. 10d. per ton with a four ton minimum. Smaller quantities are carried at slightly higher rates. 3, No. 4, Small quantities are accepted as tendered and despatched on the same day.

MINISTERIAL STATEMENT.

Gas-Producers.

THE MINISTER FOR WORKS: At this stage I desire permission to make a statement in respect of the question raised yesterday concerning the approval given for the fitting of gas-producers on certain vehicles. I regret that I was unable to be present, but the House should know the facts. Early in September of this year, the Ford Motor Company received four Davey gas-producers for fitment to eight or ten horse-power vehicles. These units had been forwarded by the company's head office at

Geelong. One was fitted on the front of a ten horse-power van, owned and used by the company, and submitted to the police traffic authorities for approval. The police traffic inspector was not prepared to pass the front fitting on the light vehicle, and the company was advised that it was necessary to get the approval of the Minister for Works. The Traffic Branch of the Public Works Department pointed out that under Ministerial ruling the front fitting could be approved provided the Police Traffic Branch was satisfied regarding visibility, safe steering and appropriate distribution of the weight of the unit.

There is nothing specific in the traffic regulation prohibiting the front fitting of units, but the traffic licensing authority must, of course, be satisfied as to safety. Some time ago the Minister for Works authorised front fitting on vehicles other than cars, subject to the police being satisfied regarding visibility, steering and distribution of the weight of the unit—thus following the practice in all the other States. The Police Traffic Branch also raised the question of the thickness of the metal in the generator. The company was then referred by the Public Works Department to the testing authority and a report—a copy of which I have here—was submitted by Professor Blakey, Dean, Faculty of Engineering. This report was forwarded to the Director of Industrial Development, whose advice is sought by the department in regard to general matters relating to gas-producers. A copy of the director's report is also here.

Special attention is directed to the statement in the report that this particular unit is authorised in all States of the Commonwealth by reason of its having been granted a certificate by the South Australian approving authority. This is in pursuance of the provisions of National Security Rule No. 115, issued in May, 1941. It was stated by Mr. Seward—

Mr. SPEAKER: Order! The member for Pingelly.

The MINISTER FOR WORKS: The member for Pingelly; it is the same person. It was stated by him that up-draft generators on gas-producers had to be made of one-eighth inch steel for a height of 12 inches. It should be pointed out that under a regulation made under the Traffic Act and gazetted on the 10th July, 1941, provisions were prescribed dealing with this matter.

This tends to indicate how their actions come home to members. The regulation was at one time enforced, and it read as follows:—

No producer gas equipment shall be fitted to or used on any vehicle unless the materials and workmanship comply with the Standards Association Code for gas-producers for motor vehicles.

That particular provision was disallowed by this House in the following September as a result of a motion moved by the present Leader of the Opposition. The requirements of the Australian standard specification, including that referred to by the member for Pingelly, were therefore deleted from the regulations in force in this State, and no other regulation has been approved in lieu thereof. The National Security Rule does not provide for the adoption of the standard or any other particular code.

In special cases, therefore, the testing authority—the University—is referred to and the advice of the Director of Industrial Development obtained. Ministerial decision is then given. It should be made clear that in the case of the Davey units which were under discussion, only five are in the State and they are being used by the two firms concerned. They have been fitted to their own vehicles and were not imported for sale in this State. They were not put on the market at all. In view of the discussion that took place in the House yesterday, it would seem that I am supposed to have over-ruled the law and the regulations; but, as I have pointed out, the particular regulation that required the use of plates one-eighth of an inch in thickness was disallowed by this House. I remember at the time it was urged that the enforcement of the regulation would impose a hardship on manufacturers in outback centres, and the member for Murchison pointed out that the necessary material was not available.

Mr. Marshall: Neither tradesmen nor material.

The MINISTER FOR WORKS: That is so. However, the regulation providing for the use of that thickness of steel plates was disallowed. I find now that although I referred this matter to Professor Blakey, who is the authority respecting standards in this State, the regulations did not require me to do so. I have ascertained that a certificate having been issued in South Australia, that certificate holds good throughout the

Commonwealth. The professor referred the matter back to me with suggestions regarding certain improvements, in which respect Mr. Temby, of the Industrial Development Department, concurred. The officials of the Police Department were satisfied as to the visibility aspect relating to the gas-producers that were fitted to the motor vehicles concerned. In the circumstances, I approved of the fittings. I did not grant that approval willy-nilly, nor did I go outside the regulations. In fact, I insisted on more than was provided for, and the firms could have defied me and fitted the units to their vehicles without effecting any improvements at all.

It is just as well that the facts should be known. I was really over-cautious. I endeavoured to protect the manufacturers of Western Australia against unfair competition. I endeavoured to maintain the standards originally contemplated and, as the gas-producers were not put on the market, there could be no question of unfair competition. I have outlined the position. The papers relating to the matter are here, including reports from Professor Blakey and Mr. Temby, the departmental authority. In each instance I gave my approval only after those reports had been presented. As I have already mentioned, the producers could have been fitted to the firms' motor vehicles without my approval as they complied with the standard prescribed in South Australia, and there is nothing embodied in any of the regulations to indicate that there is any particular standard which is enforced in Australia. Standards have been set up, but there is no law requiring them to be enforced. The truth is that I did something outside the law, but to say that I broke the law is quite wrong. I was cautious in insisting on more than the law prescribed before I granted my approval. I am glad of this opportunity to state the facts to the House.

BILLS (3)—FIRST READING.

- 1, State (Western Australian) Alnnite Industry Partnership.
Introduced by the Minister for Industrial Development.
- 2, Congregational Church (Lands) Amendment.
Introduced by the Minister for Lands.
- 3, Business Names.
Introduced by the Minister for Justice.

BILL—BUSH FIRES ACT AMENDMENT.

Read a third time and transmitted to the Council.

MOTION—TRAFFIC.

St. George's-terrace Bus Stands.—Lapsed.

MR. J. HEGNEY (Middle Swan) [2.32]:
I move—

That, in the opinion of this House, the re-establishment of bus stands on the north side of St. George's-terrace is inimical to the safe working of traffic at the intersection of Barrack-street and St. George's-terrace, and should be immediately discontinued.

On yesterday's notice paper some of the reasons in support of the motion were set out. They do not appear on today's notice paper: in the interests of economy, I agreed to their deletion. I raised this question at the commencement of the present year when the new buses obtained by the Government to provide a transport service between the city and Como were in sight, and the matter of fixing a stand for them had to be arranged. In December, 1941, the Traffic Branch wrote to the Transport Board as follows:—

The Tramway Department is desirous of adding five buses to the transport service to and from Como and Canning Bridge, which will necessitate allocating extra stands in St. George's-terrace, east of Barrack-street.

As the present position of the stands will not permit of such additions without encroaching on the frontage of Government House, I recommend that all bus stands at present on the south side be moved to the north side, allowing for a space for entrance to the Treasury Buildings.

The additional stands (two) for tramway buses would not cause additional space beyond Pier-street.

The route to and from the Causeway would be reversed; starting from the Treasury Buildings, proceed along St. George's-terrace easterly to the Causeway; and returning to destination route from the Causeway via Riverside-drive, thence to St. George's-terrace, turning east to the destination, which is the correct traffic movement.

(Sgd.) S. Campbell, Inspector.

The Transport Board, under date the 2nd January, 1942, wrote to the Perth City Council in the following terms:—

I am attaching hereto copy of a letter which has been received from the Police Traffic Department in connection with the proposed transference of the omnibus stand from the south side to the north side of St. George's-terrace, east of Barrack-street. The Transport Board would be pleased to know whether your council is in agreement with the alteration.

The Perth City Council, under date the 27th January, 1942, replied to the Transport Board as follows:—

With reference to your letter of the 2nd inst. in respect to proposal of Tramway Department to add five buses to the transport service to and from Como and Canning Bridge, and suggesting that all omnibus stands at present on the south side of St. George's-terrace, east of Barrack-street be moved to the north side, allowing for a space for entrance to the Treasury Buildings, I beg to advise that this matter has been submitted to the council, but after full consideration the council considers that the existing stands are the most suitable and is unable to agree to their transfer to the northern side of St. George's-terrace for the reasons set out hereunder:—

1. Omnibuses entering the city via Riverside Drive would have to cross the tramline adjacent to the foot of Barrack-street, thereby creating a danger point at this intersection.

2. There would be considerable traffic congestion in Barrack-street between the Esplanade and St. George's-terrace, which would result in the wastage of fuel caused by the stopping and starting of the buses and, in addition, the buses would have to contend with vehicular and pedestrian traffic cutting across Barrack-street at its junctions with Riverside Drive and the Esplanade.

3. The tramline on the western side of Barrack-street between St. George's-terrace and the Esplanade is so close to the kerb that it will not permit with safety the passage of buses between the trams and the kerb in this section.

4. It would be necessary for the buses to make a right-hand turn at the corner of Barrack-street and St. George's-terrace, which is considered highly undesirable from a traffic point of view.

5. It is understood that one of the reasons for desiring the change is that the approach on to the Causeway and Riverside Drive is contrary to all traffic laws. From information supplied it appears that during the past four years there has been only one bus collision at this point, in spite of the fact that during that period approximately 150 buses per day proceed eastwards along Riverside Drive to the Causeway.

6. In the opinion of the committee the existing stand on the southern side of St. George's-terrace could be extended eastwards to accommodate the new service proposed to be provided by the Government.

There are two points in the traffic chief's recommendations that I wish to stress. He gives as one reason for the change from the southern to the northern side of St. George's-terrace that he did not want to encroach on the frontage of Government House. A second reason is that the traffic today does not flow in the right direction—that is the privately-owned buses entering St. George's-terrace from the east and then turning to

the left and going out that way create a flow of traffic in the wrong direction. They should enter the city by the other route and make a right-hand turn in order to leave the city. Two reasons for the change were submitted. The matter has been discussed by the traffic authorities over a period of years. You, Mr. Speaker, will recollect that you and the members for Canning and Swan, together with myself, waited by way of deputation on the then Chairman of the Transport Board, Mr. Munt, on the 28th October, 1935. We were supported by Mr. Orr of the Gosnells Road Board, Mr. Rowe of the Belmont Park Road Board, Mr. Edwards of the Melville Road Board, and representatives of other local authorities such as those of Guildford, Midland Junction, Belmont, Armadale, Kelmscott, Serpentine-Jarrahdale and Canning.

In 1935 the bus stands were on the northern side of St. George's-terrace. The deputation put up a case why the stands should not be transferred from that position to the south side. Some of the arguments used were that the proposed site would be dangerous, having regard to the right turn into Victoria-avenue, for women and children crossing the intersection twice instead of only once as hitherto. To women with children and parcels especially there would be danger. As that stand had existed on the north side for a number of years, people were accustomed to it and regarded it as the most suitable. I may say that a very strong case indeed was put up by the deputation. Each member stated his point of view, and mentioned that the public were opposed to the change. However, we had no success. I urged that the matter should be reconsidered. I said that whilst I did not wish to oppose the authorities at that stage, possibly the question could be postponed for some time, pending reconsideration.

Mr. Munt, replying to the deputation, was at some pains to explain that a survey of traffic into Perth had been made, with the result that it was considered that the time had arrived when attention should be given to regulating that traffic, especially at intersections. He stated that the matter had had the board's attention for some time, and that it had got in touch with other authorities interested, such as the Transport Board, the Perth City Council, and the traffic authorities, and that a com-

mittee comprising members of each section had been appointed to go into the question of altering the traffic flow as suggested. This committee, he went on to say, had recommended transference from the north side to the south. Mr. Munt also informed the deputation that there was then on the Minister's table a by-law passed by the Perth City Council which would receive the Minister's assent and finally that of the Executive Council in the ordinary course, but that the Minister was prepared to withhold that regulation until the matter had been further considered.

The regulation did receive further consideration at the hands of the same authorities, and as a result it was urged that a deputation should be appointed by the delegation to go into the question with representatives of the Perth City Council, the Transport Board, and the traffic authorities. After giving further full consideration to the subject, they decided to adhere to the regulation they had made. The final regulation was—

Buses operating to and from the east of the city: Considerable thought has been given to the starting and terminal points of those omnibuses operating between the city and district east thereof. Under present conditions it is obvious that many disabilities and much confusion exist, and it is agreed that a much better arrangement would be to abolish the existing stand for these buses on the north side of St. George's-terrace, between the old P.O. buildings and Pier-street, and provide a stand in lieu thereof on the opposite side of the roadway.

This scheme, it was pointed out, would eliminate the right-hand turn which was dangerous to traffic at that point. As the buses came up, considerable inconvenience was caused by their having to labour behind trams. The making of the right-hand turn was definitely against the flow of traffic in 1935. Mr. Munt stated that a census of motorcars and other motor vehicles operating in the city showed that a considerable increase had occurred. After giving weighty consideration to all the points submitted, he said, it was decided to transfer the bus stands to the south side. Mr. Munt informed the deputation that he proposed to send a copy of the notes of proceedings to the Perth City Council and the Commissioner of Police, with a view to their considering the position in the light of criticisms passed on the proposed change. The committee was set up, and finally the Transport Board was unable to agree with

the deputation's recommendations. Mr. Hawkins, representing the Transport Board on the committee, was asked to reply. I quote the report—

Mr. Hawkins said the points raised by the deputation had been the subject of much serious consideration by the committee. The opinion of the Traffic Department was quite contrary to that expressed by the deputation. I have already stated that some very able men put up the case in opposition; but Mr. Hawkins, in replying, said—

After long discussion the committee was of the considered opinion that for the sake of the travelling public, and for their convenience, it would be much better for the buses to depart from the south side.

Further, Mr. Hawkins stated that the Traffic Department had had the deputation's idea in mind long before the Transport Board came into the picture. He said that the Traffic Department had given due consideration to this problem, and that it had done so long before the Transport Board came into the picture. He also said—

The proposals were made in the best interest of the public, and that what was in the best interest of the public the bus proprietors must carry out.

I agree, having in mind the organisation of traffic in the metropolitan area. Mr. Hawkins also said—

If I thought there was any more danger to the public in proposing this scheme, I certainly would not have voted for it.

Then the final recommendation was made which I have already quoted and which appears on the notice paper of yesterday's date. This is not a question between Government-owned services and privately-owned services.

Mr. Cross: Do you think the private bus owners have been lobbying members to take the matter up?

Mr. J. HEGNEY: I tell the member for Canning that no private bus proprietor has seen me. I only know one, Mr. Nankivell, whom I saw once a year ago. I give the lie direct to what the member for Canning is inferring. I say quite frankly that no bus proprietor has seen me, although some may have seen the member for Canning. The question is not one of the Government-owned bus as against the privately-owned bus. It is purely a question of the bus stand.

I was associated with the deputation and, when the committee made its decision, I bowed to its decision, because the members

of the committee were experts on traffic questions and were paid to do that job. I am a layman. The weight of evidence was against the proposal and I accordingly withdrew my opposition. For seven years the buses have stopped on the south side. Now we have the new bus service. I come into the matter because I am representing workers residing at Belmont, Rivervale and Redcliffe. The member for Guildford-Midland represents workers residing at Guildford and districts adjacent thereto. Under the present arrangement those workers must cross the intersections. They must proceed to Government House and walk across the road in order to catch the bus; but the elect of South Perth and Como can get the bus at the corner of Barrack-street and the Terrace.

Mr. Cross: What is wrong with that?

Mr. J. HEGNEY: Nothing, as far as the electors of South Perth are concerned. There is, however, a great deal wrong with it so far as concerns the workers whom I represent. That is why I come into the picture, having regard to the development of traffic in the city area. What concerns me is that we have a department which, on the weight of evidence and the information available, decided seven years ago upon a certain course of action, and now it has arrived at a different decision.

Mr. Cross: The department has had a lot of experience since then.

Mr. J. HEGNEY: I will answer that statement in a moment or two. The opinion now is that the traffic should be transferred from the south to the north side. I am not parochial or hidebound and I say that if there is need for a change, then the change ought to be made. I am not opposing a change if sufficient evidence and proper reasons are advanced to show that the decision arrived at in 1935 was wrong, and that the experience gained since then is also wrong. But we have not had that evidence nor have we been supplied with those reasons. Mr. Munt, a member of the Transport Board at that time, was a capable administrator, and the Traffic Department at the time also strongly condemned the right-hand turn and urged a change. But a change has been made to suit the convenience of one section of the community; the people whom I represent, however, are surely entitled to the same consideration as is shown to people residing in other suburbs. Under the Municipal Corporations Act the

Tramway Department has authority to fix a bus stand.

Mr. Cross: The department should not have that authority.

Mr. J. HEGNEY: The procedure in 1935 was for by-laws to be passed dealing with these matters. The by-laws required the approval of the Executive Council. That procedure has, however, been altered, because I understand the Minister has told the Perth City Council to make its own decisions and to publish them in the "Government Gazette," after which they would have the force of a by-law. There are too many authorities altogether coming into the picture. It is time we had some authority set up to make proper recommendations in this connection. At present, we have the Traffic Branch making decisions, the City Council making decisions under the Municipal Corporations Act, and the Transport Board also making decisions in regard to routes over which private buses are to travel. We find, too, that the chief of the Tramway Department, Mr. Taylor, also has authority to fix bus stands. That is very bad from the point of view of administration and the effect is to nullify the traffic laws. It is wrong and should be altered. One competent authority should be charged with the duty of deciding what is to be done by both Government-owned and privately-buses.

My object is to secure a change so that patrons of privately-owned buses should receive equal consideration with patrons of Government-owned buses. For that reason I strongly oppose the proposition put forward by the Traffic Department. It is wrong for the Traffic Department to take such action unless it has sound, solid reasons for doing so, and I have not heard of any. The people have got used to the change. Now they have to make two crossings at the intersection of St. George's-terrace and Barrack-street where formerly they made only one. From the commonsense point of view the left-hand turn is the correct one, the right-hand turn being detrimental to the flow of traffic at the intersection. There may be a lessening of traffic in the city at the moment, but in view of the considerable amount of traffic at the outbreak of the war there is no doubt that the proposal embarked upon in 1935 was a sound and reasonable one. Because of that, it was wrong of the administration to dis-

turb the position, which should be altered at the earliest possible moment.

I have already pointed out how this change is discriminatory, inasmuch as people living in Como can catch the Government-owned bus without making any change at the intersection at all, whereas those travelling to other parts have to go across the road. That position cannot be altered unless the City Council makes a recommendation, but in the light of its recommendation to the Transport Board in reply to the traffic chief's advice on this matter earlier in the year there is not much hope of its doing that. Some years ago a Traffic Advisory Board was established to advise on these matters. It consisted of representatives of the Traffic Branch, the Transport Board, the Tramway Department, the R.A.C. and the City Council. I think that Mr. Rattray of the Public Works Department is the chairman or secretary. The committee's job was to deal with these questions and to make recommendations with respect to the development of traffic in the city area, but it got no chance to express an opinion on this proposition. It was not consulted, but was ignored. It is unwise to ignore a body set up by the Government—I believe it was established by the late Mr. McCallum—to consider these problems. It is wrong to disregard such a body which is competent to give expert advice to the Government or the Minister. In this instance it appears that while the Traffic Branch made some recommendation the final say was with Mr. Taylor, the Manager of the Tramway Department. Mr. Taylor is a capable engineer, but his opinion about the development of transport in the city area might not be the correct one. No one man should be permitted to make decisions of this kind.

I received this information as a result of a deputation that waited on the Minister for Railways. The deputation was from the City Council, which desired to discuss the matter and urge that a change be not made. The Minister informed the deputation that Mr. Taylor had made up his mind on the matter and that was the end of it. In my opinion it was wrong to leave the decision to Mr. Taylor. The deputation went to the Minister to try to arrange for the question to be further considered, and the information supplied by the Press was that the only assurance the Minister gave the deputation was

that he would ask the Tramway Department to collaborate with the council in future projects. Why ask the Tramway Department to collaborate with the City Council in future projects if there is no need to do it now? The decision having been made, the Tramway Department is not bound to do that. Why ask it to do so in future? If the Tramway Department is the authority to make such decisions, why should it collaborate with the City Council? I urge that the matter be decided by a proper authority. At present it appears that there are too many authorities endeavouring to deal with the question, which has an important bearing on the flow of traffic.

Although only a layman, I claim to have a deal of commonsense, like most members. This proposal inaugurates the right-hand turn, which tends to create congestion at the intersection. The traffic chief recommends the introduction of the right-hand turn and says it is in conformity with the proper flow of traffic, but what strikes me is that during peak periods of traffic nobody is allowed to make a right-hand turn out of a two-way traffic street. Why? Evidently the department realises that between the peak period from 4.30 p.m. to 6.30 p.m. it is necessary to prevent the right-hand turn in order to minimise congestion. If it is proposed to transfer this bus stand from the south side to the north side I want to know from a responsible authority whether it is proposed to transfer the trolley buses and omnibuses back to the north side, near Foy and Gibson's, from which they were previously moved to the south side of St. George's-terrace.

MR. SPEAKER: We are only discussing the other bus stand at present.

MR. J. HEGNEY: This is very relevant to the point. I do not propose to deviate from the question of bus stands. I am drawing an analogy. It is said that the right-hand turn is the proper one. If that is so the logical conclusion is that the traffic stands in other parts of the city should be altered accordingly. Some years ago the omnibuses were on the north side but were transferred to the south side opposite Foy and Gibson's. The left-hand turn was inaugurated and adhered to, and I do not doubt it will be retained because it is the commonsense one. Having regard to the development of traffic in this city it would be unwise and wrong to permit the re-estab-

lishment of bus stands on the north side of St. George's-terrace. Should it be necessary for Government buses to operate between the city and Como, they can take up their stand on the south side without losing any of the patronage that is accorded to them. If there is any need for the establishment of that fleet of buses, there should be sufficient patronage to warrant their continuance on the south side. If those buses were given a stand alongside where the Belmont service operates, they would get ample patronage, just as is the case with the other buses.

In a matter of this sort it is not a question of who owns the bus services. All are entitled to fair treatment. When it is necessary for a service to be established because of the demand, the buses will be patronised no matter where they stand. I do not think that ordinary traffic conveniences should have been violated in order to provide an easy stand for persons who live in one part of the metropolitan area to the disadvantage of those living in another part. That is why I oppose the change that has been made. The Minister for Railways was wrong in allowing Mr. Taylor to make this change and establish bus stands where he now has. Having once been established where they were, those stands should have been retained. Practical experience has shown that the people who use those buses have got used to the south side. There is no doubt that a great deal of congestion has been brought about by the action which has been taken.

I put it to the Minister that an excellent stand could be found near the Bank of New South Wales, where the left-hand turn could be made. That would solve the difficulty if there really is no room for buses near Government House. Possibly there could be a re-ballot of stands. I am credibly informed that owners of private buses were summoned before the Traffic Department with a view to balloting for stands, and that they were informed a change was to take place. I also understand that the first six places were to be allowed to the Como buses, and that patrons of other private buses had to walk further along the street. If the Government has to provide buses, it can compete satisfactorily with private services. No discrimination should be made so far as the people are concerned. Let the whole thing be done

in the Australian way; let those concerned draw for the stands.

Mr. Marshall: Let them toss up a penny.

Mr. J. HEGNEY: If they drew for positions, everyone would be satisfied. That would be a fair way to do it. Lots should be drawn for the stands. If the Government buses lost on the draw and had to go behind the line, and if there was any warrant for the establishment of that service, I am sure it would still be well patronised.

Mrs. Cardell-Oliver: That would not be drawing for places; that would be a matter of priority, of getting there first.

Mr. J. HEGNEY: People in other parts of the metropolitan area are dissatisfied because of the discrimination, and feel that they are not being treated fairly. Whilst I represent the workers of Belmont who use the present inadequate service, one that is heavily overtaxed, I am going to raise my voice to see that they get a fair deal. Apart from the discrimination that has been shown, I think it unwise that a change should be made. It is bad administration. I hope the Government will revert to the stands that used to be the starting points. I have probably placed sufficient facts before the House to warrant members in agreeing that a wrong has been done, and that the whole question should be reconsidered.

Mr. SPEAKER: Is there a seconder to the motion? As there is no seconder, the motion lapses.

Motion lapsed.

MOTION—LICENSING ACT.

Liquor Trading Hours.

Debate resumed from the 16th September, on the following motion by Mrs. Cardell-Oliver:—

That in the opinion of this House the Government should take immediate action to prohibit the sale of alcoholic drinks—spirits, beer and wine—on licensed premises between the hours of 10 a.m. and 11 a.m. and 2 p.m. and 4.30 p.m.

to which the following amendment had been moved by Mr. Thorn:—

That all the words after “alcoholic” be struck out and the words “(a) liquor on licensed premises within 25 miles of the General Post Office except during the hours between 11 a.m. and 7 p.m.; (b) alcoholic liquors in bottles or other containers being sold on or taken away from any licensed premises after 5 p.m., and further, that the penalty for sly-grog selling shall be imprisonment without the option of a fine” inserted in lieu.

Mr. SPEAKER: The amendment moved by the member for Toodyay is before the Chair.

THE MINISTER FOR LANDS (on amendment) [3.17]: Am I permitted to speak on the question of hours on this motion? An amendment has been moved to delete all the words after “alcoholic,” and that amendment would remove from the substance of the motion the point I wish to discuss.

Mr. SPEAKER: The words proposed to be struck out are “drinks—spirits, beer and wine—on licensed premises between the hours of 10 a.m. and 11 a.m. and 2 p.m. and 4.30 p.m.” The Minister will be entitled to discuss any of the words proposed to be struck out.

The MINISTER FOR LANDS: I had the privilege of representing the Premier at the Premiers' Conference at which one of the matters considered was in relation to liquor trading. During the conference, the Western Australian point of view was expressed, as was also the point of view of the Premiers of the other States, on liquor reform, and suggestions were advanced regarding liquor reform as affecting the various States. The Prime Minister made very clear the matters over which he wished the State to have jurisdiction, and he also made clear the point upon which the Commonwealth would be insistent if the matters were not decided by the States and the Commonwealth had to decide them. For instance, the Prime Minister stated that he considered there were some things which might be better left to the Commonwealth, and others which probably should be left to the discretion of the States. He said—

I suggest that the general restrictions should apply to such matters as mixed drinking in lounges; the serving of liquor to women in public bars and to girls under 21 years of age; the sale of bottled liquor to troops; the drinking of liquor in parks and public places other than hotels; liquor in railway carriages; the provision of more military police and their greater co-operation with the civil police; penalties for the breach of regulations, including the suspension of licenses to apply to both parties; the penalties for having intoxicated persons on licensed premises.

The Prime Minister mentioned also other points as appropriate matters for Commonwealth and general decision and application. The Prime Minister went on to say he considered, in regard to the restriction of hours and the prescribing of hours, that

that should be a matter for the decision of the States, subject to the condition that there should be no extension past the existing hours. He made it perfectly clear that while he was prepared to leave to the discretion of the States the fixing of hours to suit their circumstances, it was to be a condition of that agreement that the States would abide in general conference by the decision that there should be no extension of existing hours.

Mr. Thorn: The hours were already reduced.

The MINISTER FOR LANDS: That was pointed out to the Prime Minister, who was in the Chair, as also were other factors obtaining in Western Australia prior to any restrictions. That is to say, Victoria, for example, made much of the point of how difficult it would be if there were varying hours in different parts of the State. It was shown by the Western Australian representative that according to circumstances the goldfields and the North-West differed from the country hours, and the country from the metropolitan or goldfields hours. But in spite of that it was the expressed desire of the Prime Minister that there should be no extension beyond the existing amended hours, and that was an undertaking given. So that in respect of this motion, and to which there are two suggested amendments, we must recognise what this State has agreed to with the other Premiers in regard to the Commonwealth's wishes. In short, on this particular point it has been agreed that there shall be no alteration made to the existing hours by the States, unless by agreement at some future Premiers' Conference. The Prime Minister pointed out that if the States were not prepared to agree to the proposal the Commonwealth would consider not allowing them to exercise their jurisdiction in regard to liquor control.

Hon. N. Keenan: Why not?

The MINISTER FOR LANDS: The representatives of all States made it clear that varying circumstances and conditions obtained in each State. For example, I pointed out that Albany might be considered to have a climate somewhat similar to Geelong or Launceston, but that the North-West and metropolitan area had entirely different climates from that of Albany, and that therefore, it might at the discretion of the States be necessary to alter the existing hours. The position is that even if an

extension beyond the hour of six o'clock is agreed to by this motion, the existing hours will not be altered at the present time.

MR. NEEDHAM (Perth—on amendment): I intend to oppose the motion.

Mr. SPEAKER: Order! The amendment is before the Chair at the moment.

Mr. NEEDHAM: If the opportunity arises I intend to move an amendment should the one moved by the member for Toodyay be defeated. The original motion goes from one extreme to the other, and for that reason I think it should be amended. The Minister for Lands has intimated that a certain agreement was entered into between the Premiers of the States in connection with the trading hours for the sale of liquor. That being so, that agreement—

The Premier: It was a compromise arrived at after an exhaustive survey of the position.

Mr. NEEDHAM: The Premier can call it what he likes, but the existing trading hours in other States are at different times from those in Western Australia. In the first place the trading hours in this State were from 9 a.m. to 9 p.m. As a result of war hysteria and being stamped by expressions of opinion from certain quarters, the authorities decided to close at 6 o'clock. That took three hours off the usual trading hours. Another hour was later deducted so that now the trading hours amount to eight. If the motion of the member for Subiaco is agreed to the hours will be reduced to 4½, which is preposterous! It is my intention to move the amendment standing in my name on the Notice Paper, the result of which would be that the trading hours in this State would be from 11 a.m. until 7 p.m. They are reasonable hours. If the House agrees to that amendment it would not mean an increase in the trading hours.

Mr. SPEAKER: Order! The hon. member is not in order in discussing his amendment until we get to it.

Mr. NEEDHAM: I will discuss the amendment moved by the member for Toodyay. His amendment is to delete certain words and insert others for the purpose of prohibiting the sale of alcoholic liquors in bottles or other containers, etc. I do not think that the sale of bottled liquor should be stopped!

Mrs. Cardell-Oliver: Why not?

Mr. NEEDHAM: It denies to people, who are working very hard and doing everything

possible for the prosecution of the war, the opportunity to get a bottle of beer or to have a drink at all. If the sale of bottled beer is to be stopped everyone should be in the same boat. Men of certain nations, who are in uniform, can get bottled beer at any time during the trading hours whereas Australian soldiers are not permitted to do so. That, to my mind, is a reflection on the Australian soldier. I do not know whether it is the Government or the military authorities who are responsible for the matter, but the Australian soldier is placed in an invidious position. No citizen who works from 7 a.m. until 5 p.m. should be deprived of the opportunity to get a bottle of beer or a drink. It is for that reason I am advocating that beer or alcoholic liquor, either in containers or not in containers, should be obtainable between the hours of 11 a.m. and 7 p.m.

I have already pointed out that four hours have been taken off the sale of alcoholic liquor in the metropolitan areas. That is as a result of war hysteria. One would think that this community is anything but a sober one. Such is not the case. We are a fairly sober community. The average citizen in this State is a moderate drinker. I admit that in the early stages of the struggle in which we are at present engaged a few regrettable instances occurred. Had proper control been exercised those instances would probably not have occurred. We must remember that at that time there was a big movement of troops in this State and convoys were passing through with troops going to different theatres of war. That state of affairs has all changed. Today there is not that movement of troops, and therefore not the same need for the restriction of trading hours. Had the precautions, taken later on, been taken in the earlier stages of the war those regrettable instances would not have occurred.

The whole responsibility of preserving order at that time was left to the civil police, who had to deal with a difficult position. Later on we found, when the hours of trading were reduced, that the assistance of the military police was obtained to cope with the situation. I do not consider that the advent of the military police had the effect of preserving the better order that has latterly been apparent. I think the explanation lies more in the fact that not so many troops have been passing to and fro, in con-

sequence of which there has not been the same opportunity for disorder. The extension of the hours of trading rather than their restriction would not in any way impair the war effort.

Mrs. Cardell-Oliver: It would mean that more money would be spent.

Mr. NEEDHAM: That is a very moot point. The member for Subiaco desires to cut down the trading hours by practically one half, whereas I am desirous of continuing the trading hours except that I would like one hour taken off the morning period and added to the time for trading in the afternoon. People of leisure have the opportunity to get the refreshments to which they have been accustomed at any time between 10 a.m. and 6 p.m.

Mrs. Cardell-Oliver: But if they do that, they are traitors to the country.

Mr. NEEDHAM: The hon. member can have her own opinion on that point.

Mrs. Cardell-Oliver: At this time, they are traitors.

Mr. NEEDHAM: The hon. member will not deny my statement. I will leave to her the choice of designation as to what those people may or may not be. I repeat that people of leisure can obtain whatever refreshments they desire at any time between 10 a.m. and 6 p.m., whereas the men who are really the backbone of industries engaged in the supplying of equipment to the Fighting Forces have not the opportunity to secure the liquor they have been accustomed to. The workers of this State are temperate, but they have been accustomed to a glass of beer or of some other alcoholic refreshment at the end of their day's work. For some time past that opportunity has been denied them, and if the member for Subiaco's motion is agreed to the position will be made worse. It will not help the war effort one iota but will bring about a state of affairs worse than the first.

I can visualise men who are engaged in munition shops, factories and elsewhere, working all sorts of hours and often overtime, being denied the opportunity to secure a drink, whereas those not engaged in essential operations and those who are not doing any war work at all will be able to secure refreshments at any time they may desire. I know the contention will be raised that the Prime Minister has said there can be no alteration in the existing closing hours. When the matter was last reviewed he stipu-

lated that the then closing hour in all the States would have to continue. In Tasmania hotels close at 10 p.m. and therefore enjoy longer trading hours than do hotels elsewhere. That position is unfair to all the other States, and particularly to Western Australia. I do not desire to press the matter further at this stage except to say that I oppose the motion, and when the amendment moved by the member for Toodyay is disposed of I shall move a further amendment.

HON. N. KEENAN (Nedlands—on amendment): I regretted very much to hear the statement made by the Minister for Lands in his contribution to the debate, because he is a man I look upon as being essentially not only capable but on all occasions willing to take up an independent attitude when such an attitude is called for. Certainly the time is coming when an independent attitude will be called for in respect of many matters that today are allowed to pass as being sufficiently dealt with by the mere nod of the Commonwealth Government, a mere expression of its wishes. I hope I am just as loyal a supporter of the war as is any other member of the House, and when I say that I find myself sometimes considerably irritated by actions by the Commonwealth Government, it is not to be supposed that I am disloyal to our war effort.

Mr. SPEAKER: I hope the hon. member will connect his remarks with the motion.

Hon. N. KEENAN: I shall, because I assume that what the Minister for Lands said was relevant or you, Mr. Speaker, would not have allowed him to make them respecting the matter conveyed to Ministers from the Eastern States. I propose to connect my remarks intimately with the motion. I was observing that I do not want for one moment to be supposed to be slack or lax in my desire to help the war effort but, unfortunately, I see steps being allowed because they are said to be steps necessary for the war effort, yet in my opinion they have nothing whatever to do with it. Unfortunately that practice is being tolerated. Here we have one instance. It is undoubtedly the right, and the sole right, of the State to fix the hours of liquor trading so far as civilians are concerned, and only to the extent that the defence powers given to the Commonwealth Parliament permit, can that power be in any way restricted.

For instance, hotels within a certain mileage of military camps could be effectively closed by the Federal authorities; and so civilians would be deprived of their right to a drink, notwithstanding that the State Government and the State Parliament were prepared to give them that right. Unless it can be brought in under the heading of "defence," there is no ground for interference on the part of the Commonwealth with the authority of the State Government and the State to fix the hours during which civilians can be served with intoxicating liquor. It is obvious that that is so. If it were not so, the Commonwealth Government by merely expressing its wishes, as it did in this instance, could impose total prohibition upon the people and could say that it did not want people to have liquor at any hour from midnight to midnight. It is obvious that that must be logically correct if the Commonwealth Government can say that the trading hours must be curtailed by one, two or three hours. Of course the mere fact of putting it that way shows how absurd is this claim.

Not merely is it a matter of exercising that right but we yield to the Commonwealth, without question, the governing of the sale of liquor so far as the Defence Forces are concerned. It applies not merely to the person or the soldier but it extends at the same time beyond that, and the locality may be in question. It extends to that degree to an interference with the rights of civilians. Otherwise we remain the only authority, and I for one would not for a moment consent to this abandonment of our powers, which has brought about such a position that the public regard us with a certain measure and perhaps a deserved measure of contempt. I am not permitted to refer to other matters on the notice paper, but bearing on the question we are discussing, I may indicate that in my opinion a proper amendment to the existing law would be to empower the State Government to fix the hours of trading in each locality and provide different hours to suit the requirements of civilians in different localities.

The Premier: That is the position in the State at the moment.

Hon. N. KEENAN: That is not the position. The position is that we have an Act of Parliament on the statute-book and it must be altered. Under the Act it is an offence for a licensee not to supply liquor

at the behest of any customer within certain hours, and those hours are entirely different from the hours that have been proclaimed and are now in force by reason of Commonwealth dictation. That is the point I wish to deal with. I would give the State Government the absolute power so far as civilians are concerned and would regulate the hours in such a manner as would suit the requirements, and the just requirements, of different localities.

It is absurd, as I believe the Minister for Lands remarked, that we should have the same hours for all hotel trading at Albany as we have at Onslow, Marble Bar or Kalgoorlie, or indeed at any place where work is carried on under conditions that naturally produce a greater degree of thirst and certainly require a more generous allowance of liquor to assuage it. If it were possible I should like to see the further discussion of this motion adjourned until the Bill which appears in my name on the notice paper is before us. The provisions of that measure might possibly meet the views of members and I think would satisfy the member for Subiaco. I rose at this stage only to protest against the view stated by the Minister, which I thought so astonishing, that because the Commonwealth has butted in, no matter what its right, its direction has to be accepted as the law without question of interference and regardless of the duty, not the right, of this Parliament and of this Government to rule the people of Western Australia.

MR. CROSS (Canning—on amendment): I wish to speak briefly and moderately, too. I think that the greater proportion of our people believe in temperance. It is entirely wrong for a man to be intemperate in anything.

Mr. Sampson: The light breaks through.

Mr. CROSS: It is intemperate to try to close hotels in a State like Western Australia during the major portion of the day. This sort of thing merely leads to sly-grogging and to people obtaining liquor under the lap. Under National Security Regulations and on the pretext of doing something to win the war, the Commonwealth authorities have restricted the hours of hotel trading. This has imposed a hardship upon some sections of the community. Under the present restricted hours, there are hotels in my area whose business has been practically ruined

without any consideration for the heavy taxation they have to bear. They have been compelled to close at 6 p.m. whereas the closing hour was 9 p.m. Those were the three hours in which they did nearly all their trade. Notwithstanding this restriction, they still have to pay the same overhead charges; there has been no reduction in their rents or license fees, and some are running at a heavy loss.

Mr. J. Hegney: Are you speaking for the publicans or for the breweries?

Mr. CROSS: Never mind! Speak for yourself!

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

Mr. CROSS: I believe in fair play for all. Some of the workers residing in my electorate have to work long hours; some of them work seven days a week, and when they return from their work, they cannot get a drink. The lounge lizard can get a drink at any time whereas the worker cannot. Let us consider what is happening in the Eastern States. In Sydney the hotels are said to close at 6 p.m. To all appearances they do, but people may be seen leaving the hotels at 6.30 p.m.

Mr. SPEAKER: I do not think that has much to do with this motion.

Mr. CROSS: This reduction of hotel trading hours has been brought about ostensibly to further the war effort, but there is no uniformity amongst the several States. In Queensland hotels are open till 9 p.m., and the member for Perth told us that in Tasmania they are open till 10 p.m. If uniform hours had been prescribed for all the States, there might have been some force in the argument that has been employed. I will not support the motion, but will support the amendment to strike out certain words with a view to giving a fair crack of the whip to workers so that, after they have toiled for long hours, they may be able to get a drink before they go home.

I am surprised at the action of the member for Subiaco in moving her motion. She wants to deprive the people of all their rights under the guise of doing something to further the war effort. I am afraid that if she and others who think with her go too far, we shall have happening here what occurred in the United States of America under prohibition, whereas the real aim of Parliament should be to prescribe trading hours that will lead to greater temperance

amongst the people, and so enable them to exert their full efforts to win the war.

Mr. Thorn: I agree with that.

As to Adjournment of Debate.

HON. W. D. JOHNSON (Guildford-Midland): I move—

That further consideration of Order of the Day No. 2 be postponed until Order of the Day No. 6 has been dealt with.

Mrs. Cardell-Oliver: On a point of order! I would like to know, Mr. Speaker, whether those members of the House who have shares in breweries or in any other liquor interest—

Mr. SPEAKER: Order! That is not a point of order. It is not for me to decide whether any member has shares in a brewery.

Mrs. Cardell-Oliver: I wish to know whether such members can vote on this question.

Mr. Cross: The member for Subiaco need not worry about me. I have no such shares.

Mrs. Cardell-Oliver: On a point of procedure, Mr. Speaker! I wish to know whether members of this House who have shares in breweries or any other alcoholic liquor interest of any kind can vote on or discuss this question.

Mr. SPEAKER: In answer to the member for Subiaco, if a member has shares in a brewery, that is not sufficient. He must be pecuniarily interested. If the member for Subiaco will look up the definition of "pecuniarily interested" she will see that a member holding shares in a brewery is not barred.

Mrs. Cardell-Oliver: Then God help this House!

Motion (adjournment) put and passed; debate adjourned.

BILL—LICENSING ACT AMENDMENT (No. 2).

Second Reading.

HON. N. KEENAN (Nedlands) [3.56] in moving the second reading said: I have sent for the principal Act, to which I shall refer. I did not anticipate that this Order of the Day would be reached so soon. The Bill I am introducing is a short one, and in a moment I shall refer to the particular sections of the principal Act with which it deals. It is only a war-time measure, and intended only to apply to war-time conditions. Very shortly put, its purpose is to give power to the Governor, which means

the Governor-in-Council, to prescribe the hours during which drink may be supplied on licensed premises, and to prescribe hours for each locality which in his opinion are suitable for that locality.

The Bill first proposes to amend Section 118 of the principal Act. That is really a consequential amendment, but has to appear first in the Bill because the section comes first in the statute. Section 118 is a section which imposes a penalty for refusing refreshment and, as it stands today and as the law is today, a publican is liable to a penalty of £50—by the term "publican" I mean any licensee holding either a general publican's license or a hotel license or a wayside license or an Australian wine and beer license—if such publican or holder of any such license refuses to supply liquor, meaning intoxicating liquor, to any customer who tenders him the proper price within definite hours prescribed by the Act. In other words, again as the law stands, this means between the hours of 9 a.m. and 9 p.m. in the metropolitan area and the hours of 9 a.m. and 11 p.m. in the goldfields area. I propose—of course as a natural corollary to the principal amendment which I am proposing—to make the publican liable for such refusal only during the hours which under this amending Bill may be prescribed by the Governor-in-Council.

As I have said, that is a consequential amendment of the principal Act, and is relevant to the principal amendment, which appears in Clause 4 of the Bill. I may state shortly that the amendment in question will provide for the term of the war, and for six months after the war, the right to the Governor-in-Council to determine from time to time, and to reconsider and re-determine as circumstances arise, the hours during which intoxicating liquor may be sold or offered for sale, and also what part of the licensed premises may be used and at what hours. For there is, of course, a considerable difference between allowing the supply of liquor in certain parts of the hotel or licensed premises and allowing it generally. There are strong objections to what is known as lounge-lizarding, and of course I desire Parliament to deal with that feature.

The third amendment I propose is to Section 112 of the principal Act, which at the present moment provides that no liquor is to be sold on Sundays and certain other days, and by Subsection (2) prohibits the

sale of any liquor to any bona fide traveller except if the liquor is not drunk in the public bar of the licensed premises. All that goes by the board when we prescribe in which particular part of the hotel only, liquor is to be served and at what hours. Consequently I propose in this Bill, as regards Section 122, that the provisos to paragraphs (1), (2), and (4) of Subsection (2) are to be repealed, for the purposes only of the war, and that a proviso to that effect shall be inserted as Subsection (5). It is a short measure, but will give the Government of the State the right which I think it necessary to give it at the particular time through which we are passing. The Government should have power, if necessary, from month to month to fix the hours during which liquor may be sold and to prescribe the conditions under which it may be sold.

It should not be necessary for the Government to seek from time to time an amendment of the principal Act which, as the Premier rightly observes, is the law of the land today, but cannot possibly be, for the time being, a law that is enforceable or a law that can be tolerated, because in some places it certainly would be not only improper but highly undesirable to allow the sale of liquor during the hours the Act now prescribes. This Bill will enable the State Government to meet the Commonwealth Government in every way in which it is proper to meet it. It will enable the State Government to say to the Commonwealth Government, "If you wish the hotels at Northam to be closed, because of the proximity of military camps to the hotels, or if you wish the hotels at Geraldton, for instance, where there are military camps—"

The Minister for Works: Be careful!

Hon. N. KEENAN: I am certain that the first consideration of the Premier is to keep the Military Forces from temptation or unnecessary temptation.

The Premier: It is not right, for censorship reasons, to refer to military camps as being near certain towns.

Hon. N. KEENAN: Is that what I have to be careful about?

The Minister for Works: Yes.

Hon. N. KEENAN: We are coming to the stage when it will be exceedingly difficult to speak at all without first having interviewed the censor. It may be that we are coming to the time when we will appreciate what an absolute, unqualified, unmitigated ass

the censor is. If it were relevant matter, I could quote an incident which appeared in the Press the other day. A lady who wrote to her son was haled before the Police Court over a matter that no one of common-sense could say would be of use to the enemy.

Mr. SPEAKER: Is this in the Bill?

Hon. N. KEENAN: No, Mr. Speaker, unfortunately it is not but it might prevent a repetition of such a disgraceful incident. I shall not detain the House. The purpose of the Bill is to give the Government of the day—whatever Government it may be—during this war and only for war purposes, power to do what I think is absolutely necessary for the Government to do, and then to take the responsibility for it as a State Government, and not pass it on as having been ordered by the Commonwealth Government, I move—

That the Bill be now read a second time.

On motion by the Minister for Lands, debate adjourned.

MOTION—LICENSING ACT.

Liquor Trading Hours.

Debate resumed from an earlier stage of the sitting on the following motion by Mrs. Cardell-Oliver:—

That in the opinion of this House the Government should take immediate action to prohibit the sale of alcoholic drinks—spirits, beer and wines—on licensed premises between the hours of 10 a.m. and 11 a.m. and 2 p.m. and 4.30 p.m.

to which the following amendment had been moved by Mr. Thorn:—

That all the words after "alcoholic" be struck out and the words "(a) liquor on licensed premises within 25 miles of the General Post Office except during the hours between 11 a.m. and 7 p.m.; (b) alcoholic liquors in bottles or other containers being sold on or taken away from any licensed premises after 5 p.m., and further, that the penalty for sly-grog selling shall be imprisonment without the option of a fine" inserted in lieu.

Amendment (to strike out words) put and passed.

MR. THORN (Toodyay) [4.5]: I move—

That the words proposed to be inserted be inserted.

Am I in order in referring to the remarks of the Minister with respect to trading hours?

Mr. SPEAKER: The hon. member is in order in discussing anything contained in

the amendment. I notice the hours of trading are mentioned.

Mr. THORN: My remarks will be brief, but I wish to refer to the Minister's statement with respect to trading hours and the request made by the Prime Minister at the conference. If the Prime Minister desires that trading hours should be restricted, why does he not put forward a proposal that would apply to all the States? Already we have lost three hours of trading, from 6 p.m. to 9 p.m. Not long ago the trading hours in Brisbane were extended to 9 p.m., whilst in Tasmania the closing hour was 10 p.m. Why does not the Prime Minister fix uniform trading hours throughout Australia? The matter is one for the State Government to deal with, and I hope it will take unto itself power to deal with the trading hours of liquor in this State. I am entirely in accord with the remarks of the member for Nedlands, who suggested it would be wise for the Government to have power to fix trading hours for various parts of the State. What will be the position in this capital city in midsummer, with daylight saving? Actually, hotels will close at 5 p.m. in the heat of the day, when the workers are ceasing their labours.

Mrs. Cardell-Oliver: That is only in the metropolitan area.

Mr. THORN: The Government should have power to say that for a fixed period, say for two months, the trading hours shall be so-and-so in the city or in any other area affected by the heat. In my opinion that is a reasonable way to deal with the trade. What is the liquor trade for?

Mrs. Cardell-Oliver: To make people drunk.

Mr. THORN: The member for Subiaco is getting worked up again, I am afraid.

Mr. SPEAKER: Address the Chair! Never mind the member for Subiaco.

Mr. THORN: We are not here to cater for the boozier. We are here to cater for the moderate, reasonable and sensible person. That is the way in which we should view this matter. We should use common-sense. I am not concerned with the man who is always hanging round a hotel and has nothing better to do; but I am concerned about the moderate drinker requiring refreshments after the labours of the day.

Mr. North: The average person.

Mr. THORN: Yes.

THE MINISTER FOR LANDS (on amendment): This is a very unusual subject for me to express an opinion about. I am in accord with many of the sentiments expressed by the member for Toodyay. I am also in agreement with some of the sentiments expressed by the member for Nedlands. But I wish to disabuse his mind from his seriously impressed line of thought that any member of this Government would agree willingly without argument to the unreasonable nod or beck and call of the Commonwealth Government. I want to get that very clearly into his mind.

In support of his argument, the member for Nedlands made use of a very peculiar line of reasoning. I endorse entirely his comment in regard to there being no doubt whatever that his loyalty, his ultra loyalty, could in no way be impugned. At the same time, though he stated his case well as to the attitude we should adopt in this Chamber, I think his expression on that point was certainly not in accord with the requisite spirit and the necessary attitude that the present circumstances demand from all citizens of the States and the Commonwealth. It was quite unnecessary for the member for Nedlands to suggest that there should be such a breach between the citizens of the State and the Commonwealth if we differ from the Commonwealth's point of view on a matter that the Commonwealth considers of paramount importance to the war effort.

I remind the hon. member that it was not merely because of abuses alleged against the Army that the Commonwealth found it necessary to take action, but because of the wave in civil life generally. The very essential action taken in all States on this matter was prompted by the existence of difficult circumstances for which both the civil and the military populations were responsible. It is quite idle for the member for Nedlands to try to dissociate civilians from responsibility in failing to assist in maintaining morale. The morale of the civilian population is a very important factor. Its behaviour is very important in regard to the war situation and the conduct of hostilities. If the Commonwealth found it necessary to argue with the States on the point of hours or any other aspect of the liquor trade, it was within the prerogative of the Commonwealth at that time. Although many things may be and are done today under the guise of war necessity, let us be fair in our analy-

sis of this subject in this Parliament. Is there one person present who would say that there were not abuses at the time of the serious discussion of this matter?

The Premier: At the time the order was made, too!

The MINISTER FOR LANDS: There were serious happenings in every city of the Commonwealth. Let us view the matter from that standpoint. I repeat that so far as any member of this Government is concerned, if the Commonwealth nods unreasonably there will be no agreeable answer to its nod. But if the Commonwealth considers it necessary to take extraordinary powers in respect to a certain matter is it not in an attitude of conciliation and compromise that we should approach the subject? The Commonwealth conference concerned lasted for six or seven hours, during which the States expressed their particular viewpoint. The climatic circumstances of Marble Bar, the North-West, the Goldfields and elsewhere were explained. It was also pointed out what effect daylight saving, with its long hours of sunlight would have. It was explained that six o'clock would not be an appropriate hour for the closing of hotels in the summer-time.

In spite of everything, all the States were prepared to enter into this argument in a spirit of conciliation. Queensland immediately promised to change from nine o'clock to six o'clock closing, with the opportunity of review later. I understand that it is probable this matter will be discussed during the course of a few weeks, again to meet the existing circumstances in all the States. I think the point of view of Western Australia will again stand good, that six o'clock is not an appropriate hour in summer-time, under all our circumstances, to close hotels. But again, Western Australia, although strongly presenting that point of view will, I think, be ready to agree to a reasonable demand by the Commonwealth, if that demand involves the retention for the State of the authority the hon. member suggests we would allow to be frittered away. Let us disabuse our minds of the point he endeavoured to make. I would support the amendment if it were at this time within the province of the Government to conform to the words that are in the preamble to the motion. The motion makes it incumbent on the Government to consider giving effect to the proposal immediately.

Mr. J. H. Smith: Do you not think that is right?

The MINISTER FOR LANDS: I regret that the hon. member was not in his seat when the matter was discussed earlier. If he had been, he would have had a clear understanding of the point I am making. By an understanding between the Premiers of the States, until the matter is again reviewed it is not within the province of the Government—if it keeps its promise—to alter the hours. So I intend to oppose the amendment, not because I am in entire disagreement with the sentiments of the mover, but because of the position in which we are situated.

HON. N. KEENAN (Nedlands—on amendment): I have risen to add only a few words to the debate. Those few words will deal with the comment made by the Minister for Lands on what was said by me on the principal motion. I do not for one moment wish it to be mistakenly understood that I would like any attitude of antagonism to be taken up by the State Government towards any wish expressed by the Commonwealth Government. I would like every wish expressed by the Commonwealth Government to be given the fullest and, if possible, the most favourable consideration.

The Premier: I have found myself in disagreement with the Commonwealth lots of times.

Hon. N. KEENAN: I know. But one moment! If the Premier had not been so hasty, I would have added that when a suggestion by the Commonwealth Government does not deserve agreement a firm and polite refusal should be made; but a firm refusal above everything else. What I strongly object to, and what I think was conveyed to the House by the Minister was, that in the matter of the fixing of hours the Commonwealth Government said, "These are to be the hours." The States were allowed to make a protest but that ended the matter. My point of view is that the Commonwealth should make a proposal in a matter which the State is entitled to determine, and although every consideration should be given to the proposal, and although, if it is at all reasonable, it should be conceded and given effect to, it must remain with the State to determine the point. That is all I wished to convey and in saying that I am conveying, I believe, the sentiments of the great majority of members in the Chamber, in-

cluding the Premier, who, I know, is also entirely averse to the Commonwealth dealing with State matters.

The Minister for Works: So is the Minister for Lands.

MR. NEEDHAM (Perth): I move—

That the amendment be amended by striking out the words, "alcoholic liquors in bottles or other containers being sold on or taken away from any licensed premises after 5 p.m."

That would make the hours of trading from 11 a.m. to 7 p.m. and necessitate the imprisonment of a person who sold liquor in an illicit manner. I do not want to repeat what I said previously, but I take this opportunity to move the amendment and if, as the Minister for Lands has said, the matter of trading hours is essentially one for the Commonwealth Government under our present war conditions, surely the question of when a person should have a bottle of ale or other alcoholic liquor is one for this Parliament and this State to decide. I repeat that the opportunity should be given to those men who are maintaining our troops at the fighting front to have a glass of ale or whisky in moderation, according to their tastes.

Mrs. Cardell-Oliver: The men cannot get food at the front, let alone drink!

Mr. NEEDHAM: The hon. member, like many other people who lack an even temperament, goes from one extreme to the other. I know quite as well as the hon. member can tell me from what the troops at the front suffer.

Mrs. Cardell-Oliver: They suffer from want of food!

Mr. NEEDHAM: The very fact that she would deny these things to the men supporting the troops at the fighting front by making the necessary equipment for them, does not make her case any better.

Mrs. Cardell-Oliver: That is a lie!

Mr. NEEDHAM: If the hon. member were a lady I would not bother to ask for a withdrawal.

Mrs. Cardell-Oliver: I ask for a withdrawal of that statement. The member for Perth does not know the meaning of the word "lady."

Mr. SPEAKER: What words does the member for Subiaco want withdrawn?

Mrs. Cardell-Oliver: The words "if she were a lady."

Mr. SPEAKER: I think the member for Perth might withdraw that remark.

Mr. NEEDHAM: I understand that according to previous Speakers there are no ladies in Parliament, but only members.

Mr. SPEAKER: I think the member for Perth should withdraw the statement.

Mr. NEEDHAM: I withdraw the remark. I ask the member for Subiaco to withdraw her statement that I was a liar.

Mr. SPEAKER: The hon. member must withdraw.

Mrs. Cardell-Oliver: I did not say the member for Perth was a liar. I said that it was a lie.

Mr. SPEAKER: The hon. member must withdraw.

Mrs. Cardell-Oliver: I will withdraw the statement, but not the fact that he said it.

Mr. SPEAKER: The hon. member must withdraw unconditionally.

Mrs. Cardell-Oliver: What must I withdraw?

Mr. SPEAKER: The statement that it is a lie.

Mrs. Cardell-Oliver: What must I withdraw? I am blown if I know! I will get out and you can have the place to yourself.

Mr. NEEDHAM: If this amendment is carried it will be of benefit to those men who are doing their best for the war effort.

MR. SAMPSON (Swan—on further amendment): The words proposed to be struck out should be deleted. I fail to see that any offence is committed when a bottle of beer is purchased after 5 o'clock. To restrict the sale of bottled liquor to 5 p.m. would make for great inconvenience. We are going to extremes in regard to the selling hours of drink. The amendment of the member for Toodyay is a reasonable one, but it will be improved by that of the member for Perth. It is difficult to understand this frantic desire to make drinking illegal after certain hours—for instance, after 6 o'clock at night. That is wrong.

Mr. SPEAKER: Order! We are not discussing drinking hours at the present time.

Mr. SAMPSON: If it is wrong to buy a bottle of beer after 5 o'clock is there any justification for buying it at all? I think there is. I propose to support the amendment moved by the member for Perth because it is a useful one and the sale of bottled liquor within reasonable hours, as proposed by the amendment, is justified.

MR. MARSHALL (Murchison—on further amendment): I oppose the amendment. I have on previous occasions adopted a similar attitude. Nothing lends itself more to a form of mass consumption of alcoholic liquor than the system or policy of the bottle or jug trade. My opinion is that quite a lot of concessions are secured on the plea that it is wrong that members of the community should not have a drink when they feel thirsty, or that workers after a hard day's toil should not be permitted to have alcoholic refreshments if they so desire.

Mr. SPEAKER: Order! We are discussing the amendment to strike out the words from "7 p.m." and onwards dealing with alcoholic liquors in bottles or other containers.

Mr. MARSHALL: That is the point with which I am dealing. We get these concessions by virtue of that plea. If there is anything in that argument, then the consumption of such liquors should take place on the licensed premises and no liquor should be carried away in containers. The principle of carrying liquor away from licensed premises is one that has lent itself more to innocent people becoming victims of alcoholic liquor than anything else of which I know. Some members will argue that the lounges in hotels assist to a large extent in the downfall of young people. But the taking of alcoholic liquor in containers from licensed premises is, in my judgment, the principal ground on which many innocent young persons, and women in particular, have ultimately become victims of strong drink.

Liquor is taken away in containers, frequently in fairly large quantities. In all probability if we could prevent the continuance of that practice we would materially reduce the consumption of alcohol. If a man or woman is thirsty and requires refreshment, there are licensed premises and lounges available for their patronage. That should be quite sufficient. Unfortunately, once liquor is taken away in containers, mass drinking often results. By that means innocent ones are confronted with temptation, and all too often such people are intimidated. A bottle may be handed to an individual and, if he refuses to drink, he is intimidated. He is jeered at if he should refuse the invitation. That is a step in the wrong direction. As this is merely an expression of the opinion of the House, I

hope the amendment moved by the member for Perth to the amendment submitted by the member for Toodyay will not be agreed to. I do not wish to deny to any individual reasonable opportunities for drinking. If he is thirsty, let him have a drink by all means, but when it comes to taking liquor away from hotels in containers for consumption in the home or in public parks, the trouble commences.

I have previously mentioned to members one of the most disgraceful scenes I ever saw in the city, and it was due to the practice of taking liquor away from hotels in containers. Innocent young women and young men are endangered. I have seen people standing in the highways and drinking out of bottles, thereby setting a bad example to innocent little kiddies of school age. Such children become accustomed to it, and tend to accept the practice as quite ordinary. Let people who want to drink have as much as they like, but the liquor should be consumed on licensed premises. In the interests of the young and innocent, we should restrict the sale of liquor in containers. If people want liquor they will go after it. I suggest that altogether too many young people visit licensed premises as it is. While the motion will not have any effect on that phase apart from the hours of trading, we should, as much as possible, confine drinking to hotel premises and prohibit liquor being taken away in containers.

MR. SEWARD (Pingelly—on further amendment): I support the amendment moved by the member for Toodyay and oppose the further amendment of the member for Perth.

Mr. SPEAKER: We are discussing only an amendment on the amendment moved by the member for Perth.

Mr. SEWARD: That is so, and I am opposing it. Members will readily admit that the member for Toodyay has given careful consideration to this matter, and I strongly support his attitude. Dealing with this problem during an earlier session, I drew the attention of the Minister for Railways to the unfortunate incidents we saw all too frequently when travelling by train, which incidents were solely attributable to the sale of bottled liquor. So unsatisfactory was the position at that time that it was almost impossible for women to travel by train. I do not blame the soldiers generally. The trouble was probably caused by one or two

young fellows. Several times I saw them entering the carriage with twelve or more bottles of beer. They would get supplies at Chidlow, a further supply at Spence's Brook, and again at a station 30 miles further along the track. That was quite unnecessary. The bars were open at the various refreshment rooms, and the men could have obtained all the drink they required and were entitled to procure. Nevertheless, it is not desirable to allow the consumption of alcohol in almost unlimited quantities.

I related on a previous occasion the incident of a soldier nearly breaking his arm through trying to climb in through a window after he had procured his liquor. We should stand by the soldiers and not deprive them of the opportunity to buy liquor in moderation, but we must conserve their interests. The point has been raised that if we prevent the sale of liquor in containers, civilians will not have the right to take liquor home. I agree with that. If we prevent soldiers from obtaining liquor, we should be sufficiently courageous to set an example to the men and refrain from taking liquor from hotels after 5 p.m. The great point there is that if we allow the sale of liquor to continue till 6 p.m., then as that hour approaches there will be a rush to get as many bottles as possible, and an orgy of drinking will follow. For these reasons I hope the House will reject the amendment proposed by the member for Perth, and accept that submitted by the member for Toodyay.

Amendment, on amendment, put and negatived.

MR. McDONALD (West Perth—on amendment): I support the amendment. I am not entirely wedded to the hours of 11 a.m. to 7 p.m., but I am attracted by what appears to me the obvious justice in this country of increasing the hours of trading from 6 p.m. to 7 p.m. I regard the liquor laws in Perth as more stringent than those applying in the other capital cities of the Commonwealth. As we are a semi-tropical city in a latitude about similar to that of Cairns—

Mr. Hughes: Of Sydney.

Mr. McDONALD: We are level with Newcastle, and well north of Sydney. It is a consideration that under the regulation as it now stands we close hotels in Perth at 5 p.m. on a summer afternoon. That is getting nearly as ridiculous as the brown-

out regulation which compelled motorcars to have hooded lights when travelling through Kalgoorlie where no street lighting restrictions prevailed. The Minister for Lands acted properly in informing the House of the provisional agreement arrived at by the State Premiers with the Prime Minister at a recent conference, but I feel that a principle is involved in what he said, which is of no small importance. I hope the House will regard the amendment to the motion not merely as something within its province but something that is its absolute duty, if it is to retain any semblance at all of the remnant of sovereign powers that still remain vested in the State.

The motion says that in the opinion of the House trading hours should be so-and-so. It is highly proper that we, the Parliament of this State, in a matter that is within our ordinary jurisdiction—and I think this still is regarding civilian consumers—should express our definite opinion to the Prime Minister at any conference as to what trading hours should obtain in this State. I am sure that the Minister for Lands will consider that point of view and that the Government, if it considers these hours to be right, will support the motion. The passing of the motion will not in any way embarrass the Government; in fact, it will support the Government representative when he goes to Canberra if he can say that Parliament has given these hours consideration.

I agree that this State should give the most serious consideration to any expressed wish or suggestion by the Commonwealth Government, regardless of whether it lies within or without the defence powers it has exercised, but I feel at the same time that we have to draw a definite line. If the consumption of alcoholic liquor by civilians comes within the defence jurisdiction of the Commonwealth Government, I can see no limit whatever to Federal jurisdiction. If the consumption of alcoholic liquor by Tom Jones, living in Hay-street, East Perth, is a matter affecting the defence powers of the Commonwealth Parliament, then food, clothing, and everything else I could mention and everything over which this State Parliament still has jurisdiction, would equally come within the defence powers of the Commonwealth. If we concede one of those things, logically we concede the lot, and there will be nothing at all left to us. If we are to preserve the Federal nature of the Constitution, we must claim the right to

exercise our legitimate powers side by side with the Commonwealth Government, and this is one power we should most certainly retain and exercise.

When the Commonwealth Government, from want of knowledge of Western Australian conditions, suggests or threatens the imposition of regulations which are wholly inapplicable, it is time for this Parliament on behalf of the people of the State, to take a strong stand. I regret to observe from time to time a dictatorial note in the statements of Commonwealth Ministers. This is not consistent either with the remaining sovereignty of this State or even with the freedom of the people of this State. The other day Dr. Evatt, speaking in relation to the referendum proposals, said that all opposition would be swept away. I do not like that term. Nor do I like any indication by the Commonwealth Government that in matters that lie within the province of this State, an abrupt indication of its will or wish is to be accepted without question by our people and by the Parliament that represents the people of this State. I hope, therefore, that this discussion will prove to have been of some value. The Premier has told us that he has had occasion to stand up to the Commonwealth Government in matters where it has not been reasonable or has not considered the conditions in this State. I hope the State Government will have further encouragement to stand up to the Commonwealth from the fact of knowing that it has behind it the opinion of this House, and will insist upon the Commonwealth's leaving the legitimate exercise of our own powers to the Parliament that knows best how to exercise them.

Amendment (to insert words) put and passed.

MR. MARSHALL (Murchison): I support the motion as amended, but I should like the Minister for Lands to inform the House whether it is going to get us anywhere if we pass it. If there has been an understanding amongst the Premiers that trading hours for hotels shall not extend beyond 6 p.m., it will be a waste of effort to discuss the pros and cons of extending the hour to 7 p.m.

Mr. Thorn: Let our Premier get a new understanding.

Mr. MARSHALL: But if there is a provisional arrangement that the 6 o'clock closing hour will remain in force only for a

given period or until the matter is further considered, we might get somewhere.

Mr. McDonald: That is so.

Mr. MARSHALL: Bearing in mind the introduction of daylight saving, we should have made the hour even later than 7 p.m., because that is actually equivalent to 6 p.m. standard time. We have to consider the climatic conditions of this State. I believe they are comparable with those in Queensland, and there the hotels are open until 10 p.m.

Mr. Thorn: I think they were open till 9 p.m., but the Minister said they are not open till that hour now.

Mr. MARSHALL: These are matters on which we should be informed. It is hard to get particulars of the closing hours elsewhere. The climatic conditions in Western Australia warrant greater consideration being given to our people. From what I said on the previous amendment, it might be thought that I am inclined to be a prohibitionist. That is not so. If I had my way hotels would be permitted to trade during a much longer period than the law of the State provides. I do not believe we can make people good by passing laws or by imposing prohibition.

Mr. Thorn: Quite right!

Mr. MARSHALL: The limitation of trading hours under the existing law has in the main been responsible for what I may describe as the mass consumption of liquor. On scores of occasions I have seen men rush from theatres to a hotel, swallow three or four pots of beer and carry away in bottles all they could manage, whereas, if the hotels had been open till after the picture shows were over, they would probably have had one or two drinks and then gone home.

Mr. Berry: America learnt that lesson after 16 years.

Mr. MARSHALL: Once prohibition is imposed, many people begin to think they have been missing something and indulge more freely than before. If liquor were to be had at any time, people would be more moderate in their drinking. Under existing conditions people do themselves great harm, because the quantity of liquor they consume in a given time is much greater than they would otherwise drink. If we are assured that the passing of the motion will be regarded as an intimation to the State's delegate to the next conference, that this House desires the closing hour to be extended till 7 p.m.—

The Minister for Works: If you read the motion, you will find that it is intended to express the opinion of the House.

Mr. MARSHALL: But it would be of little use expressing that opinion if the Commonwealth Government adopted the attitude, "You can express what opinion you like and your delegate can come here and express what opinion he likes, but we will not budge beyond 6 p.m."

The Minister for Works: We got somewhere by conferring on the matter of black-out conditions.

Mr. MARSHALL: Yes, and it might be possible to achieve something in this instance. In my opinion, anyone who wants alcohol should be able to have it. I would not try to make people good by law. That only makes them worse. It forces them into the position of buying liquor in quantities and thus bringing about mass consumption.

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

BILL—JUSTICES ACT AMENDMENT.

Second Reading.

MR. McDONALD (West Perth) [4.52] in moving the second reading said: This is a Bill to amend Section 30 of the Justices Act, 1902-1936, which is to be found in the sessional volume of statutes printed in the year 1936. The Bill has a certain indirect association, if I may be allowed to mention the fact, with the measure which is the subject of the next following Order of the Day. Section 30 of the Justices Act provides that when two or more justices are present at the hearing of a matter and do not agree, the decision of the majority shall be the decision of the justices or of the court, and that if they are equally divided in opinion the case shall be re-heard. There is a proviso that when two justices only are present and acting in company with one another and do not agree, and if one of such justices is a police magistrate or resident magistrate, the decision of the police or resident magistrate shall prevail.

As the position stands now, if there are three or more justices none of whom is a police or stipendiary magistrate, the majority decision prevails. If, however, one justice on the bench is a police or stipendiary magistrate, then if there is only one other justice present, he being an honorary justice,

in the event of difference of opinion between them the decision of the police or stipendiary magistrate prevails over the opinion of the other, the honorary, justice. But if there are present on the bench three justices of whom one is a police or stipendiary magistrate and the other two are honorary magistrates, then the ordinary provision of the Act applies and the two honorary justices can over-rule the police or stipendiary magistrate and the decision of the two honorary justices will prevail over the opinion of the stipendiary magistrate.

The Bill seeks to provide that when a police or stipendiary magistrate is present on the bench, then whatever may be the number of honorary justices who are also sitting, the opinion of the police or stipendiary magistrate shall prevail and be the decision of the court. So that if there are sitting on the bench a stipendiary magistrate and two or three honorary justices, and the stipendiary magistrate comes to one decision and the two or three honorary justices come to an opposite decision, then the decision of the stipendiary magistrate will prevail.

Mr. Hughes: If the stipendiary magistrate is there, justices cannot sit.

Mr. McDONALD: They can sit, but only in an advisory capacity. They will be in a consultative capacity, and the decision of the court will be the decision of the stipendiary magistrate.

The Premier: The honorary justices assist to decide whether the defendant is guilty or not.

Mr. McDONALD: The honorary justices will assist the stipendiary magistrate by their opinion, and no doubt in many instances that will fortify the stipendiary magistrate. The honorary justices will be able to consult with the stipendiary magistrate and point out to him any considerations which may affect the guilt or innocence of the accused; and no doubt the representations and advice of the honorary justices will carry weight with the stipendiary magistrate.

The proposition of the Bill is not a very alarming one when one comes to consider that in actual practice, when a stipendiary magistrate sits in the court, it is seldom that one finds more than one or two ordinary justices also present. As it is now, under the existing law, if there is only one honorary justice present, the opinion of the stipendiary magistrate prevails, but if there are two honorary justices present the idea is to

extend that provision and provide that the opinion or determination of the stipendiary magistrate shall prevail even though there may be two or more honorary justices who have arrived at a different opinion. But actually in practice, I think I am right in saying, it is seldom that more than one or two honorary justices sit with the stipendiary magistrate. Very often only one honorary justice sits with him; and perhaps I may say—the member for East Perth will correct me if I am wrong—that on the great majority of occasions no honorary justices at all sit. So that in the vast majority of cases the decision rests entirely with the stipendiary magistrate, there being no honorary justices present at all. But this Bill seeks to say that even if one or more honorary justices may be sitting upon the bench, the decision will still rest with the stipendiary magistrate in the same way as is the usual practice when he is sitting in judgment alone.

The intention of this measure is to ensure that decisions in the courts where stipendiary magistrates sit shall if possible be more consistent in their quality, particularly in relation to penalties. It has to be remembered that although these courts deal with minor offences, at the same time they deal with human lives and characters and liberties; and the decision of a court of minor jurisdiction may be most important to a man or woman or young person, because it is the first occasion on which he or she appears before a court. The decision will be far more important to such persons than the decision of a superior court in the case of a man who may have fallen foul of the criminal law before and may be a hardened offender. We appoint stipendiary magistrates under a special Act of Parliament passed in 1930. They are men who must have a certain legal qualification; they must be barristers, or solicitors, or must have passed a certain examination. They are men selected for their character and their ability, and are beyond any question. They are given security of tenure. They cannot be removed except on an address from both Houses of Parliament, based on misbehaviour or incapacity; and they are entitled, if they remain of good behaviour and good ability, to retain their office until they are 70 years of age. So we have set up a body of men of integrity and of qualifications and ability to perform this responsible duty in our inferior courts. We have given them independence of judgment.

The idea is that we should not allow it to be possible for the decision of those men to be over-ruled by any two honorary justices who may happen to step on the bench, either usually or for a particular occasion. The honorary justice may be a most deserving citizen, but he may have been appointed only a month or two before and may know little about law and little about human nature. He may know little or nothing about the difficult question of weighing evidence which affects the liberty and character of people brought before the courts. The idea is that it will be safer, since we have appointed and set up this body of independent qualified stipendiary magistrates, to prevent any possibility of a miscarriage of justice, simply because two honorary justices may arrive on the bench and over-rule the considered and informed opinion of the professional and regular stipendiary magistrate.

There is nothing particularly novel about such a proposal as this. It is only doing generally what has been done for a long time in certain specific pieces of legislation. Under the Illicit Sale of Liquor Act, 1913, any charge for the illicit sale of liquor must be heard before a stipendiary magistrate. A similar provision is contained in the Police Act Amendment Act, 1902, dealing with the illicit possession of gold. If my recollection is right—I have not looked at those Acts since last year—it is the magistrate alone who deals with offences of that kind. When those Acts were put on the Statute-Book, there was no such Act as the Stipendiary Magistrates Act, 1930; there was no body of regular magistrates guaranteed security of tenure and not removable from office except at the request of both Houses of Parliament.

Now we have built up that body of stipendiary magistrates as the responsible, although junior, branch of our judiciary, this Bill seeks to ensure that they will be able to deliver their findings in the courts over which they preside without being over-ruled by two or more justices who, possibly with the best motives, may sit on the bench and take a different but not so informed or responsible a view as that of the regular stipendiary magistrate. Of course, should the stipendiary magistrate be unable to sit, or if in country places a stipendiary magistrate is not available, then the honorary justices would sit as his deputies and discharge their important functions and the ordinary rule as to majority decisions would apply;

but this Bill provides that where the services of a stipendiary magistrate can be obtained, his decision is to be the determining factor, and the justices who are present will sit in an advisory or consultative capacity.

Mr. Fox: The magistrate need take no notice of them.

Mr. McDONALD: The magistrate, I think, will give—and does give—every consideration to the views expressed by any honorary justice sitting with him; but the magistrate is nearly always a man of many years' experience in weighing evidence, and when he makes up his mind, according to his ability and his conscience, then, of course, he must stick to it. He would not allow himself to be diverted or weakened by suggestions made by someone else with whom he did not agree. This Bill, it is submitted, will place the administration of our lower courts—as they are called—upon perhaps a more regular and consistent basis. The Bill contains nothing more than that principle. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—CRIMINAL CODE AMENDMENT (No. 1).

Second Reading.

MR. McDONALD (West Perth) [5.8] in moving the second reading said: This Bill is precisely similar to a Bill brought down last year after having been passed in another place. It seeks to amend Section 211 of the Criminal Code Act, 1913. The short effect of that section is that any person who, being the owner or occupier of any house, room, or place, knowingly and wilfully permits it to be open, kept, or used as a common betting house by another person, or who has the use or management, or assists in conducting the business of a common betting-house, is guilty of an offence, and is liable on summary conviction to imprisonment with hard labour for six months, or to a fine of £100. Shortly, the part I have just read—Subsection (2) of Section 211—aims at making responsible the owner or occupier of premises upon which betting is conducted.

It will be noticed that Subsection (2) of Section 211, which I have just read, makes it an offence if an owner or occupier knowingly and wilfully permits premises to be used as a common betting-house. The Bill proposes in the first place to delete the words “knowingly and wilfully” in line 2 of Subsection (2) of Section 211. In the second place it is proposed to add in Subsection (2) two definitions, firstly of “occupier” and secondly of “owner.” These definitions will be seen in the Bill. They are rather long but the object is to make responsible, apart from the occupier and owner, people who are agents and trustees or who are otherwise responsible for the premises, or who receive rents from the premises, or can be said to be people who have the supervision and control of or are actively concerned with the premises.

The object of the Bill is to strike out the words “knowingly and wilfully” in relation to the use of premises as a betting-shop, and also to make it clear what people can be brought in as offenders under this section, by extending the definition of owner and occupier to include people who control the premises. This section is the one mainly used in prosecutions for starting-price betting, and the aim of the Bill is to assist the police authorities to administer the law in a more effective way. There is nothing in the measure that affects the principle of the present law. It does not seek in any way to amend the law of starting-price betting in regard to its basic principles. All it seeks to do is to facilitate the proof of offences by owners and occupiers of starting-price premises. It is more a procedural Act, in the sense that it removes from the prosecutor—namely the Commissioner of Police or his subordinates—the obligation to prove that the owner or occupier knowingly and wilfully permitted the premises to be used as a betting-shop. It has been suggested that to prove that an owner or occupier knowingly and wilfully permitted the premises to be so used places upon the prosecution a very difficult burden of proof, and if these words are removed the proof will be made very much easier, and owners and occupiers of betting shops, who now escape through difficulty of proof, will be able to be brought to book and made to incur proper responsibility.

Although the words “knowingly and wilfully” are by this Bill removed, it is still

necessary, in order to succeed with a prosecution under this section, that it should be proved that the owner or occupier of the premises permitted them to be used as a betting shop. To my mind that would involve the prosecution in proving that the owner or occupier had knowledge that the premises were so used because, unless he had that knowledge, he could hardly be said to have permitted the premises to be used as a betting shop. I make that reference in case it might be thought that by taking out these words we may be exposing owners and occupiers to an unfair risk of being prosecuted and perhaps convicted under circumstances under which they should not have been so prosecuted and convicted.

I do not think there is any reason to apprehend any real danger to innocent people. In fact, as a matter of practice, what would happen under this section as amended by the Bill is that when a keeper was convicted of starting-price betting, the owner or occupier—assuming that he was not the keeper—would be immediately notified by the police. They would point out to him—informed him by letter or in some other way—that the premises of which he was owner or occupier had been mentioned in the Police Court, and so-and-so had been convicted of keeping a starting-price shop in those premises. If the owner or occupier allowed the premises to continue in the occupation of a man who had been convicted as a keeper, or allowed them to continue to be so used, then of course he would make himself liable to prosecution under this section as amended.

There are three ways in which starting-price betting shops can be dealt with under the existing law and, as I said, this Bill does not seek to alter the principle of the existing law. The owner may be prosecuted, the keeper may be prosecuted, and the punter may be prosecuted. In actual practice, the owner is never prosecuted. I think there was a prosecution some years ago on the gold-fields. Apart from that, I have never heard of any prosecution. We all know that owners in some, or many, cases are people who know perfectly well the use to which the premises are being put and, by virtue of that use, they are able to draw much higher rents because the betting business carried on in their premises is so much more profitable than ordinary trading business. They have the knowledge, and in some cases

they participate, perhaps in many cases, in the profits made from the conduct of a business which is prohibited by law.

This Bill has been made of some importance because for a number of years the Commissioner of Police, in his annual reports tabled in this House, and under the heading of gambling, has complained that his legislative powers have been insufficient to enable him properly to deal with this evil. Last year in his annual report the Commissioner said—

I cannot too strongly draw attention not only to my remarks but also to those of my predecessors extending over a number of years regarding the S.P. betting evil, which is increasing, despite the attention of the department and the fines inflicted. If Parliament is unable to see its way to legislate, then no more can be done than is being done now to keep this rampant evil in check.

Whatever our views may be as to starting-price betting, it is called by the Commissioner of Police in his report of last year "a rampant evil." Again in his report of this year, tabled only two or three weeks ago, the Commissioner says—

Once again I draw attention to the evil of starting-price betting shops which is certainly not decreasing. Until legislation is passed to enable more stringent measures to be taken against S.P. shops, very little if anything can be done to cope with this evil.

By this Bill an attempt is made to strengthen the hands of the Commissioner of Police against owners and occupiers, and as far as my own view goes I would like to see him deal promptly with the owners, who have had exemption so far. I will not say they have been intentionally exempted. I do not know about that; but, in fact, they have had exemption, and they are apparently people who are participating in the profits, and doing so with the knowledge of the kind of business that is conducted in their premises. So this Bill enables us to meet, as best we can, the demand by the Commissioner of Police, that his hand be strengthened by the Legislature to enable him to deal with this S.P. betting evil.

Mr. Marshall: What will happen if the owner is also the occupier?

Mr. McDONALD: It will be so much the better; we will get him with both barrels! There is another reason why this Bill comes at what I might call an opportune time. I do not intend to delay this House long on a matter which has so often been debated here, but I think it was in 1937 that a Royal Commission in South Australia presented a

report on starting-price betting. That was some two or three years after a measure had been passed in that State to legalise certain premises for the use of S.P. betting. In 1937 the Bookmakers' Association, through its witnesses, admitted to the Commission that in the preceding year the gross profit of all the S.P. bookmakers from S.P. betting had been £540,000. That was the gross profit out of which they had to pay rent, salaries and fines—no, they do not pay fines in that State.

Mr. Marshall: They are heavily taxed.

Mr. McDONALD: They did not, out of that sum, have to pay their losses. It represented their gross profit subject only to rent, salaries and other incidental expenses. The Commission, in its report, stated that it regarded the £540,000, which was admitted by the S.P. bookmakers to be the gross profit in one year, to be too little; it considered that amount to be a considerable understatement of the total profit for that year. Even if we assume that the figure supplied by the S.P. bookmakers in South Australia was correct for the year 1936 and work on a comparative population basis, it would mean that something between £300,000 and £400,000 a year is lost or paid in this State by punters to maintain the S.P. bookmakers.

Mr. Marshall: You have to remember that in Adelaide the S.P. bettor is betting on the course as well, and on dog-racing, too!

Mr. McDONALD: Some difference may arise there, but if we are to arrive at any figure from the evidence given before the Royal Commission in South Australia, we are compelled to realise that S.P. betting must cost the punters in Western Australia a sum which would be anything between £200,000 and £400,000. If the money is not punted on the dogs it will be on the horses. At this time when money is so much demanded it is not consistent with our national obligations, nor is it consistent with the views of a great section of our people—

Mr. Watts: Especially of the Prime Minister.

Mr. McDONALD: Yes. His words yesterday were of the strongest and most vigorous quality. It is not consistent with all these considerations that we should fail to listen to the appeal of the Commissioner of Police for added powers to deal with what he calls, "this rampant evil," which is so costly to our country at a time when we need all the money we can get. I wish to add just a few

more words to this effect: This small Bill will not cure starting-price betting any more than the Criminal Code will cure murder or thieving. All we can do by law is to minimise offences against the law to the fullest possible extent.

We will never, in a human society, entirely stamp out crime, but by proper laws and the enforcement of them, we will keep crime and offences down to a minimum, and that is what we feel we should do at the present time and what I hope will be achieved, to some extent, by this Bill. As I said before, it does not alter the law regarding S.P. betting. It is, therefore, not a controversial matter. It simply accepts the law as it has stood, unaltered by Parliament, for many years. All it does is to make easier the means of proof when a prosecution is launched against the owner or occupier. It is a Bill which is worthy of the serious consideration of the House. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

—

In Committee.

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

MOTION—STATE CIVIL REQUIREMENTS.

To Inquire by Select Committee.

Debate resumed from the 14th October on the following motion by Mr. McDonald:—

That a Select Committee be appointed to inquire into any existing or threatened shortages in the supply of essential requirements for civil consumption in this State, and as to the allocation to this State of a fair quota of the Australian production of such requirements, and as to the shipping and other transport services for the carriage of such supplies to this State, and to report thereon to this House.

THE MINISTER FOR LANDS [5.28]: I can quite understand the motive that prompted the member for West Perth to move in this direction, but I intend to speak against the motion as it is at present constituted, and later to move an amendment which will, I think, have the desired effect and reach the objective sought by the hon. member. In the main it is most essential that this House, and all the citizens of this State, should have the fullest information as to the availability of commodities required

for the civil population, and to have the satisfaction of knowing that those commodities will be here as and when necessary. I submit, however, that it is quite unnecessary for the attainment of the objective to move for the appointment of a Select Committee. The individuals in this State who have the information the hon. member seeks, who have access to records and documents and have themselves the information, would be disrupted in their normal avocations and services if a Select Committee were appointed to obtain that information.

In addition, let us consider for a moment just the effect of the appointment of a Select Committee and the unnecessary dislocation that that would involve. When one is appointed, it is necessary for the Clerk of the Legislative Assembly or the Clerk-Assistant to act as secretary of the committee. It is necessary for "Hansard" to take a record of the proceedings and for the typists to be employed in typing that record. The printing of the evidence and the committee's report follows, and if witnesses are called certain fees can be claimed together with fares, should the witnesses have to travel from distant parts. I think that in all the circumstances, while it is appropriate for the House to know all that is desired by the member for West Perth, the appointment of a Select Committee to obtain that information is quite unnecessary. It is important, for example, that with regard to the supply of essential requirements for civil consumption in this State and for the allocation to this State of a fair quota of Australian production of such requirements, the members of this House, and through them the general community, should be assured on the position.

It is also necessary that members should be kept quite up-to-date regarding what is done with reference to shipping and other transport services for the carriage of such supplies as are necessary for State requirements, and to shipping priorities and transport services generally for the conveyance of necessary commodities. That applies not only to foodstuffs but to all requirements of civilians, which are also important to those in military life as well. I suggest that the best way of overcoming the difficulty—I realise that the member for West Perth moved the motion at a time when the position was much more serious from his point of view than it is today—would be to adopt

another course. I know that after moving his motion he mentioned to me that he had had no opportunity of informing the Government of his intention to do so, as it were, on the spur of the moment. I suggest to him that he accept the amendment I move as follows—

That the words "a Select Committee be appointed to inquire into any" be struck out and the words "the appropriate Ministers have prepared immediately and as thoroughly as possible a review of the" inserted in lieu.

There are many officers associated with the departments dealing with this subject who could, without dislocation to their normal and continuous circumstances, prepare very full and complete reports that could be made available to this House. At that stage it would be a proper time—if it were shown from the reports that there was not sufficient recognition of the needs of the State in various directions, that there was any laxity or anything had been overlooked or it could be shown that the State's requirements were likely inadequately to be met—to take definite action in respect of any direction in which the arrangements appeared to be weak.

Mr. McDonald: When does the Minister think such reports would be available?

The MINISTER FOR LANDS: I should say within a fortnight, which would be much more prompt than would be possible if the Select Committee were appointed, the investigation carried out and the report submitted to Parliament. In many instances, it is in the ordinary process of the officers' work that the information sought is available and which would have to be furnished to the Select Committee in the course of its investigation. I suggest that the most appropriate action to take at this stage is not to appoint a Select Committee, but to secure the information desired by way of a report or reports from the appropriate Ministers.

MR. WATTS (Katanning—on amendment): I oppose the amendment. I cannot understand why the Minister objects to members of this House concerning themselves in matters that are the subject of the motion submitted by the member for West Perth. What is the reason why the Minister contends it would be more advantageous to this House and the people of the State if reports were presented by departmental officers per medium of the Ministers concerned, instead of the information being procured

as a result of inquiries by members of this House, appointed by the House itself, acting on behalf of the people. I have always contended in matters of this kind, and particularly throughout the war period, that members of Parliament should be taken more into the confidence of the Ministers of the Crown and Government officials than they are. I know that if I were to go to the department presided over by, say, the Minister for Lands or that controlled by any other Minister and I asked specific questions or sought definite information, I would receive courteous and sufficient replies. But the circumstances are that there are many matters that do not come under one's notice until brought to one's notice from outside. They are matters that require investigation; they are matters on which we should be informed.

Members of Parliament should make their own inquiries and, as far as possible, follow their own line of investigation. I frankly admit that I do not like the proposal to delete the provision for the appointment of a Select Committee, and I think members would be better advised if they adhered to the motion as moved by the member for West Perth. Let us, as members of Parliament, satisfy ourselves as to the circumstances existing here by comparison with those operating in other States. When that is done let us come before the members of the House as a Select Committee and report exactly what we have found. We might find that there was some cause for complaint or criticism—possibly our inquiries might lead us to a reverse decision—concerning the actions of the departmental officers who, the Minister suggests, should make the report to Parliament. That is the last and possibly the most important reason why members of this House should make the inquiry so that civil servants, faithfully though they may have been, who have been responsible for the work done and consequently are responsible to this House, should submit the required information to members of this Chamber who may be appointed for the specific purpose. I oppose the amendment.

MR. SAMPSON (Swan—on amendment): I am very disappointed at the Minister's attempt to amend a useful motion in the manner suggested. If successful, the result would be the breaking down of an old custom whereby members representative of all

parties could give consideration to a subject submitted to it by motion of the House. There would appear to be a deeply-rooted disinclination on the part of the Government to allow any person other than a member of the Cabinet to engage in any effort that is being made. Unfortunately, one cannot escape the implication, because if a Select Committee were appointed, each Party would be represented on it, and surely the Minister is not inclined to doubt the capacity of members who would be elected to such a committee.

Time after time we have been told that the officers of the departments are overworked. Yet, almost without hesitation, the Minister recommends that this work also be done by senior officers of the departments. That is what it amounts to. I cannot imagine that Ministers themselves would undertake this work and so it would be shifted on to the shoulders of senior officers. But would that be effective? Could senior officers expect people in a position to give advice to come along and give it to the same unlimited extent as they would to a Select Committee? The motion would be productive of useful results. It envisages the future and puts up a helpful proposition, and those who have spoken so often about the new order should welcome it and not be sidetracked by the subtlety of the Minister who, while being quite sincere, must realise that the amendment would have the effect of bringing about the utter annihilation of a most useful motion.

HON. N. KEENAN (Nedlands—on amendment): If I understood the Minister aright, his objection to an inquiry by a Select Committee is based on the ground of expense.

The Minister for Lands: Not so!

Hon. N. KEENAN: I understood the Minister to say that in the first place he objected on the score of expense. Some civil servant would have to be in attendance as secretary, and "Hansard" would have to be present to take shorthand notes of the evidence. The Minister is wrong in his statement regarding the necessity for printing the report of a Select Committee. That is always the subject of a separate motion when the report is presented to the House. If the whole of the subject matter can be made clear to members without the need for printing the report, I take it that the House would not order the printing.

The Premier: It would be very derogatory to defeat such a motion. It would amount to saying that it was not worth printing.

Hon. N. KEENAN: There have been instances where the report has not been printed. How often has the Premier had experience of a report not being printed?

The Premier: Very seldom.

Hon. N. KEENAN: I can recall a couple of instances. One involved matter of such volume that the printing of it might not have been justified, but here is an inquiry the report on which I cannot imagine would be of any great volume. Here is an advantage that cannot be attained by other means—anyone with relevant evidence may appear before a Select Committee. No doubt the Minister would make all proper inquiries before making or tabling a statement dealing with the matter, but his sources of information would be official sources. He would not invite any person who had knowledge of these matters to come along to his office and tell him of them. He would get his officers to make official inquiries. Yet the very burden of the motion is to get information from the general public dealing, amongst other things, with the allocation to this State of a fair quota of Australian production, and ensure that it is fairly and evenly distributed between the civilian population and the Military Forces and between one State and another.

The Minister for Lands: You could get very little information on those points outside of official sources.

Hon. N. KEENAN: One can get information on the point of the allocation of production for civilian and military use from one's own household. Perhaps the Minister is not aware that two days ago there was in the metropolitan markets a very large quantity of potatoes which had gone rotten because, on the day they were brought in and piled up, they were earmarked for military use and not one of them was taken away. The Minister will not get such information as that from official sources.

The Minister for Lands: Yes, we will.

Hon. N. KEENAN: Such information is obtainable from one's housekeeper.

The Minister for Lands: But I could get more reliable evidence.

Hon. N. KEENAN: It might be more reliable or it might be equally reliable. That is only an illustration. There are many matters bearing on these delicate questions that

public information alone can solve. Dealing with the question of the allocation of production between the various States, I read in the newspaper that the Minister had informed the House—I was not in my seat when the statement was made—of the expected crop from the potato digging now in progress in this State and of the allocation of the crop. Unless what appeared in the Press is incorrect, the greater portion of them was going east.

The Minister for Lands: Fifty per cent.

The Premier: About 3,000 tons.

Hon. N. KEENAN: The difference is slight. I was under the impression, only from past experience, that in Australia this is the time when potatoes come in from digging all over the continent. For instance, digging, at Ballarat, at Warrnambool—is not Warrnambool the great potato-growing centre of New South Wales?

Members: Of Victoria!

The Minister for Lands: There is a very important point, that we can use only 4,000 tons until our next crop is harvested.

Hon. N. KEENAN: Will the public requirements be completely supplied by 4,000 tons?

The Minister for Lands: Practically so.

Hon. N. KEENAN: Civilian and Army?

The Minister for Lands: Yes.

Hon. N. KEENAN: These are all questions with which a Select Committee would deal. I am entirely opposed to the striking-out of the words. Their excision would take the whole virtue out of the motion. It would deprive the Select Committee of the opportunity for evidence to come forward from the public, the members of which would state their case; and that is the essential end of the motion.

MR. BOYLE (Avon—on amendment): I desire to compliment the Minister for Lands on his proposed contribution to the austerity campaign by moving an amendment in opposition to the granting of a Select Committee. An interjection by the Premier I was indeed pleased to hear, for it cleared up a dark suspicion which has existed in my mind for a period of about four years. The hon. gentleman said that the refusal to print the evidence taken by a Select Committee was derogatory to that committee. I know that is true, because there was a Select Committee known as the Select Committee on Education, whose report of evidence was

not printed. That evidence was given by responsible people.

Mr. SPEAKER: I point out to the hon. member that that has nothing to do with this motion.

Mr. BOYLE: I merely seek, Sir, to rebut the Minister's statement as to the expense of a Select Committee. The Select Committee on Education sat for seven weeks, at a cost to the State of £17 10s.; and the Government refused to allow the evidence presented to the Select Committee to be printed, and rejected its recommendations in addition. Therefore I am glad that the Premier has, after a lapse of four years, straightforwardly intimated to the House that his Government's action was derogatory to that Select Committee's investigations. The amendment moved by the Minister for Lands, if we carry it, will throw us back on to statements prepared by officers of the various departments. I have nothing to say against those officers; they are good men, and do their work; but why should they be called upon to do work of this sort?

The Premier: They would be called on.

Mr. BOYLE: I do not agree with that view. The Select Committee would have the right of a Parliamentary Select Committee to summon witnesses. That right would not be given to departmental officers. It has been said that these witnesses could not give evidence with regard to water supplies; but they might be able to give a lot of information. I hear of many anomalies whose removal would do good to the civil and military population. Therefore it would be well if we exercised our powers as a Parliament and authorised the appointment of a Select Committee. I oppose the amendment, because it represents a mere effort to turn the well-meant and well-phrased proposal of the member for West Perth into nothing more or less than a departmental inquiry, which would probably go the way of all such inquiries.

The Minister for Lands: That is spoken with your usual generosity!

Mr. BOYLE: The Minister for Lands accuses me of lack of generosity, but the responsibility is a big one to throw on to civil servants. The Minister would accept no responsibility.

The Minister for Lands: I accept responsibility for everything I bring to this House.

Mr. BOYLE: Yes, the Minister does; but at the same time he proposes to delegate

this inquiry to public servants. I do not like to see the Minister become heated over the matter.

The Minister for Lands: I am not heated.

Mr. BOYLE: The fact of my not happening to agree with the Minister is no offence to him. I have had one experience with the hon. gentleman in regard to a Select Committee when he was Minister for Education.

Mr. SPEAKER: Now let us get back to the motion.

Mr. BOYLE: I support the motion, but am opposed to the amendment, and hope that the House will agree with me in that opposition.

MR. McDONALD (West Perth—on amendment): I know the Minister desires to ease the situation, but he does not quite conceive what I have in my mind. For that reason I oppose his amendment. We have had no Select Committee this year, if my recollection is right; therefore we have not overdone that. As regards expense, we have no need for "Hansard." The judges of the Supreme Court, even with a man's life at stake on a capital charge, take down the evidence in longhand. The chairman of this Select Committee will be quite able to take the evidence given before him in longhand. The question of a secretary need not worry anyone. I will supply a secretary who is a qualified shorthandwriter and typist. The question of printing can be decided later. Printing may not be needed. I hope the report of the Select Committee will be one which will say in a few words, "After hearing the business community and the consuming community and those responsible for supplies, we are pleased to say that everything has been done which can be done; and we have no recommendations." Such a report need not be printed at all.

However, I desire to put this other view to members. The supply of food and essential requirements to farmers, workers, and men, women and children in hospitals at a time when those supplies may be cut off, is a matter of the first consequence to this State. If there are shortages, the blame will probably fall on Parliament—not merely on the Ministry, but on all members who will have to face their constituents in their districts and be asked, "What is the good of you people in Parliament if you cannot make inquiries and foresee shortages which could be guarded against?" I am not say-

ing that the Minister for Lands and his colleagues are not doing all they can, but this is a matter of the first importance, possibly a matter of life and death. At all events, it represents the difference between equilibrium and chaotic conditions. I regard this as something of a test.

I do not know what members feel, but if we are never to have a Select Committee, never to make an inquiry of our own, but must always take what the Ministry—however capable its members may be—tell us, however justly and honestly, if we must always take what civil servants put up, then I think we are stultifying ourselves. We have responsibilities as members of Parliament, and if we are to do nothing, make no inquiries ourselves, but merely take, like schoolboys, what is told us, then I think we are not of very much use. That may be a personal view; other members may have different views. But we have had no Select Committee this year. Here one could be appointed that would cost practically nothing. It affects a matter vital to the people of the State, a matter that has caused much anxiety to commercial interests and people responsible for supplies. I think—I may be completely wrong—that the matter is essentially one on which members are justly entitled to inform themselves by their own inquiry. If members take that view, then the amendment will be defeated. If not, I will be saved quite a lot of work and will find consolation even in defeat.

Amendment (to strike out words) put and a division taken with the following result:—

Ayes	..	..	..	17
Noes	..	..	..	13
Majority for	..	..	..	4

AYES.

Mr. Coverley	Mr. Needham
Mr. Cross	Mr. Nulsen
Mr. Fox	Mr. Tonkir
Mr. Hawke	Mr. Triat
Mr. W. Hegney	Mr. Wittecock
Mr. Johnson	Mr. Wise
Mr. Leaby	Mr. Withers
Mr. Marshall	Mr. Wilson
Mr. Millington	

(Teller.)

NOES.

Mr. Berry	Mr. North
Mr. Boyle	Mr. Sampson
Mr. Hughes	Mr. Seward
Mr. Keenan	Mr. Watts
Mr. Mann	Mr. Willmott
Mr. McDonald	Mr. Doney
Mr. McLarty	

(Teller.)

PAIRS.

AYES.	NOES.
Mr. Holman	Mr. Abbott
Mr. Pantou	Mr. Hill
Mr. Rodoreda	Mr. J. H. Smith
Mr. Raphael	Mr. Stubbs
Mr. Styanta	Mr. Thorn
Mr. F. C. L. Smith	Mr. Warner

Amendment thus passed.

THE MINISTER FOR LANDS: I move—

That the words proposed to be inserted be inserted.

HON. W. D. JOHNSON (Guildford-Midland—on amendment): I support the amendment and desire to take this opportunity to bring under the notice of Ministers the special feature of Western Australia's isolation. The Minister for Works today, when dealing with the importation of gas-producers, pointed out the special advantage that one firm would enjoy by having an agency in the Eastern States and then sending over to its branch here special equipment for cars to be used in the business. That is our difficulty today in Western Australia. The Minister, by his illustration, helps me in regard to the point I desire to make. Purely Western Australian concerns have no resident representatives in the Eastern States, and therefore have nobody on the spot to purchase and acquire essential goods for distribution in Western Australia. A concern in Western Australia that has a branch in eastern Australia and can buy its own requirements, plus quantities for sale here, is in a good position. Its representatives can purchase goods immediately they are available in the factory and can attend to their speedy transport to this State.

Members may say that that expedites delivery, but it penalises Western Australian activities, because the big concerns in this State that are purely Western Australian are handicapped to that extent. Within the last fortnight certain interests in Western Australia have had their representatives touring eastern Australia in order to ascertain what can be done to better the organisation for the purchase of essentials required by this State. These men have gone as far afield as Newcastle to make investigations. As far as I know, they contacted Canberra. They certainly contacted all the big manufacturers who supply commodities that at present are not being made in Western Australia. There is no question about the advantage of acquiring goods on the spot at the factory, and this is faci-

tated if one is armed with a bank draft. The member for West Perth raised this very point in a letter which he read and which appeared in "Hansard." It set out that a special manufacturing concern had excused the non-delivery of goods on the ground that it could not obtain permits to despatch them to Western Australia; shipping was not available. The Western Australian firm immediately got busy and arranged for the shipment. On the manufacturer being notified, he had to admit that he had sold the goods elsewhere and so they were not available.

When we investigated we found out where the trouble was, and I suppose we can put ourselves in the other fellow's place. There is a manufacturer with a product ready and a buyer comes in. He is right on the spot and takes delivery immediately. There is no responsibility on the part of the manufacturer to attend to delivery, or to have all the trouble of doing the shipping and attending to those details that the manufacturer is called upon to attend to for Western Australia, as distinct from what he has to do for Sydney or Melbourne where the sales are effected. It would be all right if we could get somebody resident in the various States to buy but that would be penalising the local consumers, because these costs have to be added. I think the whole matter requires just a little bit of close investigation on the part of the responsible Ministers.

Mr. Seward: That is sound reasoning for the appointment of a Select Committee.

Hon. W. D. JOHNSON: No. I think the Ministers could do it if they went into the matter, and I am raising my voice in this particular case because I know what I am speaking about. I received a report only within the last 48 hours with regard to one particular officer who went East, and got what he was told when he left here there was no chance of his getting. That shows the advantage of being on the spot. We have to try to overcome the difficulty and to make people in the Eastern States realise our isolation and our disability, and appreciate the fact that there are Western Australian concerns which are purely Western Australian, that they do not maintain an organisation in the Eastern States and that if they did so it would impose a special penalty on the consumers in this State.

If the matter is approached in that spirit, I believe the Commonwealth Ministers will realise the special circumstances and will certainly do better than is being done at the present time. I am prepared to admit the statement of the Minister for Industrial Development, which was again emphasised this afternoon by the Minister for Lands, that the position is better today than when the member for West Perth moved his motion. At the same time, a good deal more requires to be done before we can say that we are on anything like a comparable buying basis with concerns in the Eastern States that are right on the doorstep of the factories. The letters the member for West Perth read were a striking illustration of the disability we suffer because of our isolation, and I trust that as a result of this motion there will be a bigger improvement even than has taken place during the last few weeks.

Amendments (to insert words) put and passed.

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

House adjourned at 6.14 p.m.

Legislative Assembly.

Thursday, 5th November, 1942.

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

BETTING, CLOSING OF S.P. PREMISES.

Point of Order.

Mr. Needham: On a point of order! If a member, after making use of an of-