

a remuneration on that basis. I do not say that those figures should be subject to a £20 quarterly adjustment. We are now dealing on a plane above and beyond petty niggling; we have to approach a question like that with a particularly broad view.

The Minister for the North-West: One of the justices wanted to know where the money would come from to increase the basic wage.

Hon. H. K. WATSON: I am not discussing the basic wage at the moment. It is well recognised that the average barrister who accepts a position as a judge makes a big financial sacrifice. I submit that he should not be required to make too big a sacrifice and that, in the interests of maintaining the principles of our Supreme Court and the standard of the men who are the justices of our Supreme Court, we should aim to have the best brains there, and should realise the great position they occupy. They constitute one of the branches of our constitutional system; and I consider that, instead of making annual adjustments of £100, £200, or some other paltry amount, we should deal with the question in a manner worthy of the cause and bring matters up to date, having regard to the standard that was established as far back as 1902.

In his recent remarks, Sir Charles Latham referred to the acquisition of or offers being made by the State Housing Commission for properties which adjoin the flats at Subiaco. I, too, am concerned and rather astonished at the apparent inconsistency of the representations and activities of the commission in connection with these matters. We find that last Tuesday some spokesman for the commission told us how extremely difficult and severe was the housing situation. It was said the commission was quite unable to house evictees, let alone persons who had been on its lists for many a day. Yet the day after that announcement, we found confirmed the belief that the commission was endeavouring to obtain quite a number of houses in Subiaco, not with a view to continuing to use them as houses, but with a view to employing them as garages for the flats at Subiaco.

The Chief Secretary: But they will not be completed for 18 months.

Hon. H. K. WATSON: The fact remains that the commission is seeking to obtain houses at present occupied by people and to convert them into garages. It is apparently making attractive proposals to the persons occupying those buildings, offering to house them wherever they like. To my mind that is inconsistent with the story which we read in the paper on Tuesday and which the Chief Secretary has given to us in recent days.

The Chief Secretary: That story deals with the present. You are talking about what will occur in 18 months.

Hon. H. K. WATSON: I am talking about inquiries, approaches, and representations that have taken place. Everyone seems to know about the matter except the Minister for Housing. That is a rather extraordinary feature. When he was questioned about it, in another place, I understand the answer he gave was that he understood someone in authority was making inquiries. But it seems that more than inquiries are being conducted, and that offers have been made to induce people to leave the houses so that they can be turned into garages.

The Chief Secretary: Not necessarily now.

Hon. H. K. WATSON: That is not a contribution towards solving the housing problem of Western Australia.

Hon. A. F. Griffith: Perhaps the Minister has been misquoted again.

The Chief Secretary: The Minister also said that in 18 months' time the housing shortage would be over. That is when these places will be required.

Hon. H. K. WATSON: I promised that I would not detain the House for more than a few moments, and I trust that I have fulfilled that undertaking.

On motion by the Minister for the North-West, debate adjourned.

BILL—JURY ACT AMENDMENT.

Received from the Assembly and read a first time.

House adjourned at 5.47 p.m.

Legislative Assembly

Thursday, 29th July, 1954.

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

QUESTIONS.

RAILWAYS.

(a) As to Footbridge, West Perth, Repairs and Lighting.

Mr. HEAL asked the Minister for Railways:

(1) Will he take immediate action to repair the southern bitumen approach and wooden planking on the West Perth railway footbridge, which is in a dangerous state?

(2) Will he also consider improving the lighting system on the overhead footbridge?

The MINISTER replied:

(1) The footbridge is in reasonably good condition and repairs considered necessary will be effected.

(2) This matter will be investigated.

(b) As to Welshpool-Bassendean Chord Line.

Hon. D. BRAND asked the Premier:

Since the reversal of Cabinet's decision on the chord railway at Belmont, can he inform the House of any progress toward the solution of this problem?

The PREMIER replied:

This matter is still receiving consideration.

EDUCATION.

(a) As to Expenditure and Classrooms Required.

Mr. HILL asked the Minister for Education:

(1) What was—

(a) the total State expenditure;

(b) expenditure on education;

(c) per capita expenditure on education;

(d) expenditure on new school buildings

for the years 1930, 1935, 1940, 1945, 1950, 1953-54?

(2) What is the number of classrooms required in—

(a) the metropolitan area;

(b) the balance of the State?

The MINISTER replied:

(1) The details are as follows:—

Year.	Total State Expenditure.	Expenditure by Education Department on Education.	Per Capita Expenditure on Education.	Expenditure on (i) School Buildings.
	(a)	(b)	(c)	(d)
1920-30	£ 10,268,510	£ 692,672	£ s. d. 1 12 0	£ 65,440
1934-35	9,493,525	812,703	1 7 0	63,115
1939-40	11,266,768	772,656	1 12 7	85,986
1944-45	13,949,340	838,944	1 16 2	(ii) 80,620
1949-50	25,787,203	2,079,781	3 12 8½	(iii) 403,998
1953-54	43,248,519	4,751,275	7 10 0	Not yet available

(i) Expenditure on new school buildings is not available. The expenditure on buildings shown includes additions, maintenance, repairs and furniture.

(ii) Approximately 60 per cent. of this total represents expenditure on construction and additions to school buildings.

(iii) Approximately 73 per cent. of this total represents expenditure on constructions of and additions to school buildings.

(2) (a) Metropolitan, 189; (b) country, 80. Treasury approval has been given already for 76 of these.

(b) As to Shelter Shed, South Kalgoorlie School.

Mr. McCULLOCH asked the Minister for Education:

(1) As I was informed by the then Minister for Education on the 14th August, 1953, that he was "pleased to advise that an estimate was being obtained for the removal of a shelter shed from Brown Hill

school to South Kalgoorlie school," would he advise whether this estimate has been obtained?

(2) Is he aware that there are 370 children attending the South Kalgoorlie school, and that there is only one small shelter shed available?

The MINISTER replied:

(1) An estimate has been received for the removal of the shelter shed from Brown Hill to South Kalgoorlie and this work is included in the building programme for 1954-55.

(2) Yes.

(c) As to Schoolchildrens Insurance Scheme.

Mr. HEARMAN asked the Minister for Education:

With reference to the schoolchildrens insurance scheme—

(1) Has he read the letter sent to the parents and citizens' branches by their association president in connection with this scheme?

(2) Can he say when insurance cover ceases in cases where children travelling by school buses arrive home more than one hour after school is dismissed?

The MINISTER replied:

(1) Yes.

(2) It is recognised that many school bus children cannot reach their homes within an hour after school dismissal because of the length of the bus route or of the distance of the home from such route.

In the first case, insurance cover continues beyond the hour and, in the latter, cover does not cease until the child reaches home, unless the time taken to do so after alighting from the bus is considered unreasonably prolonged.

WATER SUPPLIES.

(a) As to Storage for Metropolis.

Hon. C. F. J. NORTH asked the Minister for Water Supplies.

Have investigations into further water storage for the metropolis revealed any sites as useful and of similar capacity to Canning Dam?

The PREMIER (for the Minister for Water Supplies) replied:

Yes. In the Serpentine Valley there is a site of much greater capacity than Canning Dam.

(b) As to Departmental Inquiry.

Hon. D. BRAND asked the Minister for Water Supplies:

(1) Who are the officers concerned in the departmental inquiry on water supplies to which he referred during his recent visit to Kalgoorlie?

(2) What are the reasons for the setting up of such a committee?

The MINISTER replied:

(1) The Chief Clerk, Accounts Branch, Public Works Department, in association with technical officers.

(2) The increasing annual losses on water supply undertakings which have given rise to departmental concern.

(c) As to Summit Tank, Geraldton.

Hon. D. BRAND asked the Minister for Water Supplies:

(1) What stage has been reached in the construction of the summit tank at Geraldton?

(2) When is it hoped to complete this work?

(3) Was the delay occasioned by lack of cement? If so, has not the Government some reserves of local or imported material from which to draw?

The MINISTER replied:

(1) Approximately half the floor is concreted and the first 2 feet of the vertical wall is completed.

(2) By the end of October.

(3) There was a slight delay about the end of June due to non-delivery of cement on the job.

The Government has some reserves of imported cement in drums, but there was no occasion to draw on these reserves.

(d) As to Comprehensive Scheme, Collie-Narrogin Section.

Mr. NALDER asked the Minister for Water Supplies:

(1) What distance of the comprehensive water scheme pipe line was completed between Collie and Narrogin up to year ended the 31st December, 1953?

(2) What was the cost of the pipe up to the year ended the 31st December, 1953?

(3) What were the labour costs up to the year ended the 31st December, 1953?

(4) What distance has been completed since that date?

(5) What was the cost of pipes used since the 31st December, 1953?

(6) What were labour costs since the 31st December, 1953?

(7) How much of the total cost to date has been met by the State?

(8) How much of the total cost to date by the Commonwealth?

(9) How many tons of steel are required to complete the scheme from Collie to Narrogin?

(10) What is the estimated cost of steel?

(11) What is the estimated labour cost?

(12) Has the steel been ordered?

The MINISTER replied:

- (1) 42 miles 55 chains.
- (2) Cost of fabricated pipe at contractor's yard, Perth—£515,444.
- (3) Labour and all other cost excluding cost of pipe as in question No. 2—£365,249.
- (4) 3 miles 27 chains.
- (5) £50,500 for pipes at contractor's yard.
- (6) 42,100.
- (7) 50 per cent.
- (8) 50 per cent.
- (9) 7,500 tons.
- (10) £300,000 for steel only at contractor's yard.
- (11) Labour costs, etc. covering same scope as question No. (3)—£350,000.

This figure does not include fabrication and cement lining of pipes at contractor's yard.

(12) 6,000 tons has been ordered and is being rolled at Port Kembla at present. Steel in accordance with the available loan allocation will be ordered within the next few days for rolling programmes for September onwards.

MIDLAND RAILWAY COMPANY.

As to Terms of Contract.

Mr. JAMIESON asked the Premier:

(1) Have the terms of the original contract between the Government and John Waddington (later the Midland Railway Co.) been changed or amended?

(2) If so, when?

(3) Would he make available for members documentary evidence of such changes?

The PREMIER replied:

(1) (2) and (3) These matters are now the subject of investigation.

GOVERNMENT CHEMICAL LABORATORIES.

As to Issue of Protective Clothing.

Mr. JOHNSON asked the Minister for Labour:

(1) Has application been made for the issue of protective clothing to employees at Government Chemical Laboratories?

(2) Will consideration be given to the supply of such clothing to employees at all laboratories where there is possibility of contact with active acids, alkalis, etc.?

The MINISTER replied:

This question was wrongly directed to me; it should have been asked of the Premier or the Minister for Mines.

I am advised by the Public Service Commissioner that—

- (1) No request has been made since 1952.

- (2) It has been the accepted principle that protective clothing will not be provided from Government funds unless awards or agreements require such supplies to be made.

INDUSTRIAL ARBITRATION ACT AMENDMENT BILL.

(a) As to Matter Being Sub Judice.

Hon. Sir ROSS McLARTY (without notice) asked the Premier:

In view of the fact that the State Arbitration Court is making its quarterly review of the basic wage and it appears likely that a decision will be given next week, does he not think that the matter is sub judice and the legislation dealing with the Industrial Arbitration Act Amendment Bill should be held over until the court announces its decision?

The PREMIER replied:

The question with which the court is dealing at the moment is the ascertained increase in the cost of living for the March-June quarter. The amount of increase worked out on a quarterly basis in relation to the basic wage is 13s. 10d. The Bill referred to does not deal with that at all; it deals with a question of principle and if the Bill were to become law, the Act would lay it down that cost of living adjustments would, from the time the amending Bill became law, be automatic.

Therefore it seems to me that the Bill does not deal with the question which the court is now considering at all. Accordingly, in discussing this measure, Parliament would not be discussing a matter that is sub judice. Those are my impressions at the moment, but I am prepared to give the matter some further consideration and to indicate whether present impressions are confirmed when the House meets next Tuesday.

(b) As to Further Elucidation.

Hon. A. V. R. ABBOTT (without notice) asked the Premier:

With reference to the answer he has just given to the Leader of the Opposition, would he agree that the only matter under consideration by the Arbitration Court in connection with the quarterly basic wage rise is whether such rises should be given or not, having in view the information received from the statistician? That being so, would he give consideration to postponing the consideration of a Bill that says it "shall" be given, until after a decision has been reached by the court?

The PREMIER replied:

The member for Mt. Lawley is not completely correct in expressing the question which the court is at present considering.

Hon. A. V. R. Abbott: The court must consider it according to the Act.

The PREMIER: The court is not considering only the question whether a rise shall or shall not be granted. In addition to that, it is considering whether the rise shall be granted in whole or in part or not at all. As I said earlier, however, the Bill referred to does not deal with the special quarterly adjustment that is now under consideration by the court; it deals with the principle already contained in the Act. This Bill seeks to alter that principle in some important degree.

Hon. Sir Ross McLarty: But we would be debating the subject matter before the court.

The PREMIER: We would be debating the principle—

Hon. Sir Ross McLarty: That is so.

The PREMIER: —not the specific application of the principle with which the court is concerned at the moment. However, as I said earlier, I am prepared to give the matter further thought and to indicate to the House when it meets on Tuesday, whether we would continue to debate the Bill then or perhaps hold it over for two days.

FLOUR.

As to Export Trade in Indonesia.

The MINISTER FOR AGRICULTURE: On the 22nd July the member for Nedlands asked me a question regarding the flour shortage in Indonesia and the increasing of Western Australian exports. I promised to obtain information for him when I was in Canberra. In reply to his query I can now inform him as follows:—

Largely because of the importance of the Indonesian flour trade, especially to Western Australia, the Commonwealth Government concluded a trade agreement with Indonesia three years ago. As a result, Australia's exports of flour to Indonesia rose from about 7,000 in 1949-50 to 81,000 tons in 1952-53, or 77 per cent. of the market. Export figures for 1953-54 are not yet available but are likely to be still higher.

The agreement with Indonesia comes up for re-negotiation within the next two months and the Western Australian Government has made representations to the Commonwealth asking that special attention be given to flour in these negotiations. The negotiations will have as their objective achieving maximum two-way trade between both countries.

WHEAT STABILISATION SCHEME.

(a) As to Ministerial Statement and Federal Government.

Hon. D. BRAND (without notice) asked the Minister for Agriculture:

(1) Is he correctly reported in today's issue of "The West Australian" as saying that the very strong case for Western Australian wheatgrowers which had been put

up by the Minister for Works (Hon. J. Tonkin) had swung the day for agreement on the stabilisation scheme, and that Mr. Tonkin's arguments had obviously influenced those at the meeting, particularly the representatives of the Commonwealth Government?

(2) Is not such a statement misleading, inasmuch as it implies that the Commonwealth Government was not in favour of the scheme; when, in fact, the only dissenting delegates were those from the Victorian and Queensland Labour Governments?

The MINISTER replied:

(1) and (2) I think I was correctly reported, but my statement to the Press was not meant to imply that the Commonwealth Government had not previously agreed to the stabilisation scheme. Sitting as an outsider at the conference, I was able to judge where the greatest impression was made; and not only was it made in respect of the Premier of Victoria, but it was visibly obvious so far as the Prime Minister and Mr. McEwen were concerned. That was the impression I obtained. I had no doubt whatever that the case put forward by the Deputy Premier of this State had a marked influence on the result of the conference.

(b) As to Influence upon Victorian and Queensland Governments.

Hon. D. BRAND (without notice) asked the Minister for Agriculture:

Was he not of the opinion that if there was any change of face, the argument submitted by the Deputy Premier influenced the Victorian and Queensland Labour Government representatives and not the Commonwealth Government, which was already fighting for the scheme?

The MINISTER replied:

I could not have made myself clear. I did not mean to imply that the Commonwealth Government was influenced, because no such influence was needed. Eighteen months ago the Commonwealth Government was in the lead in endeavouring to provide a stabilisation scheme for wheatgrowers and in anything I said I did not want to deprive the Commonwealth Government of that credit. But having sat at the conference as an onlooker, I know quite well that those to whom I have referred were visibly affected by the case put up on behalf of Western Australia by the Deputy Premier, and I am certain that while it made no difference to the Commonwealth's ideas in respect of the merits or otherwise of the stabilisation scheme, the delegates were visibly impressed by what they heard. I feel that the case put up had a good deal to do with the ultimate unanimity reached by the conference. Because I had that impression, I felt justified in reporting it to the Press.

STATE HOUSING COMMISSION.

*As to Rumoured Appointment of
Chairman.*

Mr. WILD (without notice) asked the Minister for Housing:

Is the rumour, which is very prevalent about the city, correct that Mr. Clare, the Principal Architect, has been appointed chairman of the State Housing Commission; and, if so, is it to be a part-time appointment?

The MINISTER replied:

There is no truth in the rumour, because no appointment has been made.

OIL SHARES.

(a) As to Curbing Speculation.

Mr. CORNELL (without notice) asked the Premier:

(1) Has he read the editorial on page 18 of this morning's issue of "The West Australian" headed, "Should Oil Speculation be Checked"?

(2) Does he not agree that the present share boom has been accentuated in the main by the influence of what might be termed "sucker money"?

(3) Whilst admitting that oil is where it is found, does he not agree that some of the recently floated ventures have not a feather in hell's chance of striking oil?

(4) Whilst conceding that he is not his brother's keeper—or for that matter his sister's either, because the female of the species appears to be equally infected with the speculative germ—and admitting that it is not easy to legislative for fools, will he give attention to protecting the public against the activities of shyster company promoters; and, to this end, would he carefully consider taking action along the lines suggested in the editorial referred to?

The PREMIER replied:

(1) I am overwhelmed almost to the point of being speechless by the manner in which the question has been submitted. I feel capable of answering only one question adequately, that question being as to whether I have read the editorial which appeared in "The West Australian" this morning in connection with the boom in oil shares. The answer to that question is, "Yes."

(2), (3) and (4) In connection with the balance of the questions, I can only express what I think about the general boom. Never having come into possession of any "sucker money," I do not even know what it looks like, so I cannot do much by way of reply to that one. I feel that the oil boom is completely out of hand. Who is responsible for that, I am not sure. I think that some of the promoters are responsible and probably some members of the public.

At the back of my mind I have the idea that the companies associated with the prospecting for oil should be very careful what they say publicly about what they are doing and about what they strike or are alleged to have struck. Whether we should get more upset and more excited about this particular matter than we do about the large amount of gambling which goes on regularly, I would not quite be sure.

There are various forms of gambling—some of it respectable, some of it not so respectable; some of it covered by the law, some of it not covered by the law. Basically, I think it is all equally bad in the long run. I am sorry I am not able to help the hon. member to a great extent. Whether the question deserves Government consideration from the point of view as to whether existing legislation is strong enough or whether some legislation should be attempted to put a curb upon the activities of some of these companies might be worth thinking about. All I can promise in that regard is that I will do some thinking about it on my own account.

*(b) As to Speculators and Traffic
Obstruction.*

Mr. MAY (without notice) asked the Premier:

Will he give consideration to the question of placing oil speculators in the same category as starting-price bookmakers, having regard to the obstruction of traffic now taking place in St. George's Terrace?

The PREMIER replied:

Yes, I will have consideration given to the suggestion. Frankly, I cannot see any difference in principle as between a person who goes to the starting-price bookmaker and has his £1 on a horse, and a person who goes into a stockbroker's office and has his £1 worth or more of oil shares.

Hon. D. Brand: The member for Collie is worried about those on the footpath.

RIVER FORESHORE RECLAMATION.

As to Availability of Dredge "Stirling."

Mr. YATES (without notice) asked the Minister for Works:

As repeated requests during the past eight years on behalf of the South Perth Road Board for the use of the dredge "Stirling" in reclamation work on the South Perth foreshore have been negatived, will he indicate whether or not the dredge will be available in the future?

The MINISTER replied:

A plan of work for the dredge has been tentatively mapped out because it is desired to keep the dredge working continuously. The amount of work to be undertaken will depend on the loan funds available for the purpose; but, on present indications, it does not appear that the dredge will be available for the purpose the hon. member has in mind.

CHILD WELFARE DEPARTMENT.*As to Controlling Authority.*

Mr. YATES (without notice) asked the Premier:

(1) Is the newly appointed Director of Child Welfare in charge of the Department of Child Welfare?

(2) If not, is the secretary still the controlling authority?

The PREMIER replied:

(1) and (2) The director is in charge of the child welfare activities of the department and the secretary is in charge of the administrative work.

BILLS (2)—FIRST READING.

1. Police Act Amendment (No. 2).
Introduced by the Minister for Police.
2. Government Railways Act Amendment.
Introduced by the Minister for Railways.

**BILL—RENTS AND TENANCIES
EMERGENCY PROVISIONS
ACT AMENDMENT.**

Returned from the Council with amendments.

BILL—JURY ACT AMENDMENT.*Third Reading.*

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Eyre) [2.43]: I move—

That the Bill be now read a third time.

HON. DAME FLORENCE CARDELL-OLIVER (Subiaco) [2.44]: I want to take exception to this Bill being read a third time. The point I wish to make is that proposed new Section 5A deals with the age of women who are to be appointed to juries. I am quite sure that this question has not been sufficiently considered. I do not think that women of 21 are qualified to sit on juries. At that age we expect young women to marry and have children; and they are really too young to serve on juries, when it is considered that they are only three times seven years old. What a girl does at 21 she would not do at 31. The same applies to men.

This is a very serious matter. A woman does not, perhaps, know as much as a man in some ways, although she may know more in others, but at 21 she is supposed to be doing other things. Therefore I say definitely that the age should be 30, and the Minister who introduced the Bill should have known this, and he should also have known the old saying—"Age gives experience: Experience gives knowledge: Knowledge gives wisdom." Therefore women have to be of a certain age before we can really justify their sitting on a jury to deal with one of their own sex or the opposite sex. I do not suppose that anything will be done about this

matter now in this Chamber. I expect the Bill will go to the other House, which so many people wish to abolish.

Hon. Sir Ross McLarty: You can move to have the Bill recommitted.

HON. DAME FLORENCE CARDELL-OLIVER: I would like to do that, but the Speaker says, "No." Therefore I shall have to leave it to the other place, which so many people want to get rid of, but the members of which are presumed to have age, experience, knowledge and wisdom, to deal with the Bill. I protest heartily against this provision because I think the day will come when members here will regret that they have not known women well enough to be aware of the fact that at 21 they would sooner be doing something else than sitting on juries.

HON. J. B. SLEEMAN (Fremantle) [2.47]: Like the member for Subiaco, I do not think the Bill is quite what it should be, but perhaps not from the same point of view as she stressed. If the hon. member had the interests of the women of this country at heart, where was she last night when the member for Fremantle was battling in a bath of perspiration in an endeavour to see that something reasonable was done for the women, and also the men? Unfortunately the Speaker was against me to a certain extent, although in 1925—

Mr. SPEAKER: Order! I cannot let the hon. member discuss my ruling on the third reading.

Hon. J. B. SLEEMAN: I have just made mention of that, and it is now past. The Bill should be altered, but I am not going to vote against the third reading, because it is far better than it would be if the people on the opposite side of the House had anything to say about it.

The member for Subiaco has said that knowledge is wisdom, but members opposite evidently think that money and property constitute wisdom, because they say, "If people have money and property, let them go on the jury, and judge people." The judges preside and declare what punishment is to be given, but we do not ask them if they have any property or money, but take them for the men they are. Yet, before a person can sit on a jury to judge his fellow countrymen, he must have money and property. As far as the women are concerned, the only ones who can go on are those who say, "Please, Mr. Minister, may I sit on a jury to try my countrymen?" While I shall not vote against the Bill as it stands, it is not all that I would want it to be.

Personal Explanation.

Hon. Dame Florence Cardell-Oliver: I would like to explain to the member for Fremantle the reason why I was away last night.

The Minister for Works: In private?

Hon. Dame Florence Cardell-Oliver: No. One of the members on the Government side said to me, "You are not looking very well, and if you would like the night off, you go,"—and I went. Members opposite have people of age and experience amongst them, but perhaps they do not know it. The hon. member suggested to me that I should go home.

Debate Resumed.

HON. SIR ROSS McLARTY (Murray) [2.50]: I think the Bill as it now stands is a hotch-potch and will cause considerable confusion. I do not envy the officers of the Crown Law Department their job in administering the measure as I do not think it is practicable to administer it. What is the position? Every woman of the age of 21 and not more than 60 is liable to serve on a jury.

The Minister for Justice: The same applies to men.

Hon. Sir ROSS McLARTY: There is a qualification for men, but not for women. Thousands of women will be liable to serve on juries in the future—a far greater number, perhaps, than of men, because they require no qualification.

Provision is made whereby women can ask for exemption, but they have to make that application in writing. I said last night that thousands of them will not do so, and I am certain of that. They will get a shock when they find they have been summoned to serve as jurors. I feel there will be no end of confusion as a result of the introduction of the Bill. It would be wise of the Minister, or the Government, to withdraw it and give further consideration to the legislation. I think it would be in the best interests of everyone if the Bill did not become law.

MR. JOHNSON (Leederville) [2.52]: Having been absent last night—

Hon. D. Brand: Tell us why.

Mr. JOHNSON: I was coming to that point. I was absent because I, with my wife, was present at the annual general meeting of the Women's Service Guild.

Hon. A. V. R. Abbott: You are not a member, are you?

Mr. JOHNSON: Having listened to their deliberations, I feel that the Bill is missing in relation to one point that the women who have been pressing for this amendment desire, and that is that it allows women the privilege of withdrawing from jury service in a manner different from that which applies to the ordinary citizen.

The one ambition that the leaders of the women's movement expressed last night was to be treated as people and not as women. Their attitude is that if a man can do it, a woman can do it equally well. I feel that the special protection that is being given in the Bill to women, is not what the ladies themselves wish.

They would like to be treated before the law in the same manner as are men. I, having attended a meeting of the representatives and leaders of a women's movement, express that as being their opinion.

MR. MAY (Collie) [2.55]: I was here last night. I cannot accept the theory of the Leader of the Opposition on this question. It is proposed to enrol women for jury service just the same as men are enrolled.

Hon. Sir Ross McLarty: Not just the same.

Mr. MAY: Both men and women are to be enrolled.

Hon. Sir Ross McLarty: But only men with certain qualifications.

Mr. MAY: All women will be enrolled if the Bill becomes law. Now that they are on the electoral roll, they know that they have a responsibility to vote, and in the same way they will know that it will be up to them to submit objections to serving on juries.

I think that sufficient publicity will be given to the Bill to enable every woman to know that she is liable to do jury duty. Those who do not wish to serve on juries will take the initiative and advise the sheriff that they have no desire to do so. I cannot see that there is anything, as suggested by the Leader of the Opposition, to fear. If the women of today are claiming equality with men in most matters, they should bear the responsibility of advising the necessary authority that they have no desire to serve on juries. In my opinion, the danger anticipated by the Leader of the Opposition is not present.

Question put and passed.

Bill read a third time and transmitted to the Council.

BILL—PRICES CONTROL.

Message.

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

Second Reading.

THE MINISTER FOR LABOUR (Hon. W. Hegney—Mt. Hawthorn) [2.59] in moving the second reading said: The Bill can, from the lighter side, be regarded as a hardy annual inasmuch as when the Commonwealth Government relinquished the matter of price control, as the result of a referendum, and all the States, in 1948, individually took over the control of prices, the legislation of this State was on an annual basis.

While the present Opposition was in power, each year for the five years the then Attorney General introduced a measure for the continuation of price control, and in 1953 the present Government

introduced a continuance Bill which, as members know, was defeated in another place. For the benefit of members generally, I would point out that the provisions of this Bill—an entirely new measure—and its general principles follow those of the legislation which operated from the 20th September, 1948, onwards. The Bill before us contains a few appropriate amendments, inasmuch as all reference to the Commonwealth regulations has been eliminated from the legislation, and we have itemised the personnel of a proposed advisory committee to act in conjunction with the commissioner.

Hon. Sir Ross McLarty: In short, it gets back to general price fixing, as the old Act did.

The MINISTER FOR LABOUR: Yes, as regards the principles followed. If this Bill is passed by both Houses, it will give the Government power to control and regulate the prices of goods and services. I think it was in 1952 that the then Attorney General introduced a measure which, while it provided for a continuance of the Prices Control Act, also harnessed to it the repeal of the Profiteering Prevention Act of 1939.

The latter Act was passed in the year that war broke out but, as far as my memory serves me, it was never implemented to any great extent because, in 1940, the National Security Regulations under the Commonwealth defence powers were promulgated and price control, and later on, petrol rationing and other controls, were instituted by the Commonwealth and were carried on up to the time of the referendum in May, 1948, following which legislation was introduced into the State Parliament for the purpose of controlling prices, and from the 20th September that year the State price control measure operated.

As I have said, last year we introduced a continuance Bill, which was defeated. The measure now before the House is considered to be necessary because of the continued upward trend in prices. The Government has an obligation to the general public to protect it from any trade association which may attempt to take unduly high profit margins, and I think I am fairly safe in saying—I confine my remarks to one trade organisation in the city, which strongly discourages its members from selling any goods below the list price of that organisation—that at times pressure is brought to bear on individual traders to try to get them to conform to the prices laid down by a particular association.

Mr. Court: What association?

The MINISTER FOR LABOUR: I think it is the Retail Traders' Association, or the Retail Grocers' Association.

Hon. A. V. R. Abbott: What commodities are covered?

The MINISTER FOR LABOUR: Groceries, and so on. I will not go into the details because I made reference to the particular article which appeared in their journal last year, and I quoted a few figures. I do not propose to do that now because prices have changed since then. The Opposition contended that prices would be reduced and not increased if controls were abolished. I know it has often been said that when the Price Control Branch fixed maximum prices, the traders invariably decided to charge those maximum prices, and that that lent itself to a certain amount of inefficiency and looseness. The figures which are in existence today and which have been obtained from the Commonwealth Statistician, indicate that prices have not been reduced.

Hon. A. V. R. Abbott: Many of them have, of course.

The MINISTER FOR LABOUR: Many have not.

Hon. A. V. R. Abbott: And many have.

The MINISTER FOR LABOUR: The continuous checks made by prices officers towards the end of last year indicated an upward trend, but I am now faced with the position that since the 31st December, 1953, there has been no authority to act on behalf of the Government for the purpose of obtaining official prices.

Hon. A. V. R. Abbott: Of course, there is the Commonwealth Statistician.

The MINISTER FOR LABOUR: Under the Prices Control Act, as the hon. member is well aware, the prices commissioner, or an authorised officer, had the right to examine the balance sheets, invoices, price lists and so on of various traders, but that power, of course, is not now reposed in any officer under the jurisdiction of the State Government.

Hon. A. V. R. Abbott: Yes, it is. The Government Statistician can do it.

The MINISTER FOR LABOUR: It is true that the Government Statistician has officers who collect certain information regarding rents, clothing, miscellaneous items and food and groceries, but the member for Mt. Lawley knows better than I do that the information so obtained is absolutely confidential and is not available to me, as Minister for the time being, or to any other member of the Government.

Hon. A. V. R. Abbott: That is not correct, either.

The MINISTER FOR LABOUR: I stand to be corrected, but I know that the Government Statistician would not be in order in supplying me with a list of prices obtained by his officers for the compilation of statistics.

Hon. A. V. R. Abbott: Yes, he would, in the State sphere but not in the Commonwealth sphere.

The MINISTER FOR LABOUR: I am saying that he would not be entitled to give members of the Government the figures that he obtained from retailers, land agents and others, who would supply the information, either monthly or quarterly, as the case may be, for the purpose of compiling statistics. The trade union movement has often endeavoured to obtain information from the Government Statistician regarding the detailed information supplied by traders or land agents to the statistician, but has never been able to obtain it. Even if the information were available, we would not be able to put it to any use, or take any action to protect the public because no power to do so is reposed in us at the present time.

Since the June, 1953, quarter, which is the one upon which the last basic wage adjustment was made, the "C" series index figure has increased by 8.8 per cent., which represents 19s. 11d. per week. I mentioned those figures the other day when introducing the industrial arbitration measure. It is also interesting to note that during the six months from the 1st January, 1954, to the 30th June, 1954, a period in which there has been no price control, the "C" series index figures increased by 6.95 per cent.

Hon. A. V. R. Abbott: That was accounted for by meat and rent only:

The MINISTER FOR LABOUR: I do not think the hon. member should stick his neck out too far—

Hon. A. V. R. Abbott: You will not answer.

The MINISTER FOR LABOUR: I will answer in my own way as I proceed.

Hon. A. V. R. Abbott: You will not answer my statement at all.

The MINISTER FOR LABOUR: I will answer it. The following table shows the percentage variation in the index figures for the 12 months to the 30th June, 1954, in Western Australia. For June, 1954, as compared with June, 1953, the items food and groceries increased by 9.17 per cent. Clothing decreased by .41 per cent. Miscellaneous items increased by .39 per cent. Rent increased by 36.11 per cent. The final figure is 8.08 per cent., which represents an increase of 19s. 11d. in the basic wage figures over June, 1954.

From the table I have referred to, it will be noted that the major portion of the increase occurred during the March-June quarter, during which period there was no price control, and for the six months ended December, 1953, the increase in food and groceries was 2.38 per cent., and for the six months to June, 1954, it was 6.3 per cent. The comparative figures were, miscellaneous, .15 per cent. and .24 per cent. For rent 1.34 per cent. and 34.32 per cent. Perhaps the member for Mt. Lawley would like to answer that one.

Hon. A. V. R. Abbott: Of course, there have been increases.

The MINISTER FOR LABOUR: Clothing showed a decrease of .34 per cent. for the June, 1953-December, 1953 period and .06 per cent for the December 1953-June, 1954 period. For the June quarter of 1954, food and groceries increased by 3.70 per cent., and rent by 32.68 per cent. Small decreases were shown for clothing and miscellaneous. Of great interest is a comparison with the other States, and the following table shows the percentage variation in the "C" series index figures for the month of June, 1953 and 1954. For the capital cities, June, 1954, compared with June, 1953, the "C" series index figures show, for Sydney, an increase of .55 per cent.; for Melbourne, an increase of .70 per cent.; for Brisbane, an increase of 2.27 per cent.; for Adelaide, 1.26 per cent.; for Hobart, an increase of 2.17 per cent., and for Perth an increase of 8.08 per cent.

Hon. Sir Ross McLarty: You say that is mostly rent?

The MINISTER FOR LABOUR: I will refer to the matter of rent and meat before I sit down. I will deal with the question briefly but clearly. For the six months ended June, 1954, as compared with December, 1953, the relative figures are—for Sydney, a decrease of .51 per cent.; for Melbourne, a decrease of .65 per cent.; for Brisbane, a decrease of .60 per cent.; for Adelaide, a decrease of .38 per cent.; for Hobart, a decrease of 3.24 per cent.; and for Perth, an increase of 6.95 per cent.

It will be seen that, while this State had the smallest increase of all the States for the half-year to December, 1953, it was the only State that had an increase for the half-year ended June, 1954, during which period there was no price control, and that for the 12 months ended June, 1954, this State had a substantially greater increase than any other State, brought about largely by the high increase in the April-June quarter of 1954. I may say that although the regimen of the "C" series index is limited in scope, it is supposed to reflect the general trend of prices, and it is therefore reasonable to assume that the upward trend of prices reflects itself in many essential goods and services not included in the regimen. Rent, food and groceries were responsible for practically the whole of the increase.

Hon. A. V. R. Abbott: It was not groceries, but food.

The MINISTER FOR LABOUR: Food and groceries.

Hon. A. V. R. Abbott: Food!

The MINISTER FOR LABOUR: Very well, food.

Hon. A. V. R. Abbott: Meat!

The MINISTER FOR LABOUR: I will deal with the matter of meat in a moment. I will deal with it as I come to it.

Hon. A. V. R. Abbott: Sometimes you do not come to these things.

The MINISTER FOR LABOUR: Meat was the main factor in the increased price of foodstuffs. Never has the retail price of meat been so high. All manner of excuses are offered to explain this, such as export prices and seasonal conditions, but that argument has been advanced on previous occasions. When I introduced the Bill for the continuance of price control last year, I indicated that the price of meat would rise if there were no price control. I think it will be found that the forecast I gave then has been proved to be correct.

In the December quarter the retail prices should always be considerably lower than those for the autumn and winter months, as members will know, while prices in the March quarter should be reasonably stable. It was found, however, that prices in the summer quarter of 1953 showed a small reduction only, while prices increased again during the March quarter of 1954. In July, 1952, when meat was being controlled, the livestock market price for beef was very little lower than it is today. That is from information I have been given. Yet the retail prices today for most cuts range from 6d. to 1s. per lb. higher.

Although the market prices for beef in July, 1953, were the same as they are today, the retail prices are much higher. The movement in the retail charge for mutton is much greater than the increase in market price warrants. The same applies to lamb. In fact, in May and June, 1953, the market price for lamb was many pence per lb. more than it is today, yet the retail price was less at that time than at present. A comparison with 1952 also shows that the increase in retail prices is much greater than the increase in livestock prices. This so-called competition has done nothing to relieve the position of the worker, who has to pay these exceptionally high prices or reduce his meat consumption.

Briefly, since the last adjustment of the basic wage, there was, in respect of the June, 1953, quarter—it has been pegged ever since—the movement in the “C” series index figures reflecting the following amounts in money:—

September, 1953, quarter—Increase 4s. 1d.

December, 1953, quarter—Decrease 1s. 6d.

March, 1954, quarter—Increase 3s. 8d.

June, 1954, quarter—Increase 13s. 8d.

This shows that the increase in the four quarters amounted to 19s. 11d. or practically £52 per annum. As this increase, or the non-application of the basic wage adjustment, has to be borne by all wage-earners, it must be admitted that their standard of living has been reduced.

Mr. Nalder: Tell us about the pig prices.

The MINISTER FOR LABOUR: The hon. member can tell us about them a little later. However, they were never controlled or they were decontrolled long before price control was abolished. As a matter of fact, ham and bacon were decontrolled because the prices of them had reached such heights that they were regarded as luxuries, and I doubt whether very many members in this Chamber enjoy bacon and eggs very often.

The Minister for Railways: They could not afford them.

The MINISTER FOR LABOUR: When I introduced the Bill for the continuance of a similar measure in this House on the 19th November, 1952, I pointed out that, as a result of a continuous check on the prices of essential goods that were decontrolled, it had been revealed that excessive margins had been made by some traders. Although decontrol was invariably hailed by retailers as the key to competition and lower prices, I do not think that has been borne out by trading operations since.

Mr. Court: Has there not been a decrease in the price of many commodities since then by retail operators in the city as a result of bargain sales?

The MINISTER FOR LABOUR: That is only in certain lines. The hon. member knows there are certain manufacturers who have a fixed price for their products in different States and any retailer who sold below that price would be looking for trouble.

Mr. Court: I thought it might apply to items in the “C” series.

The MINISTER FOR LABOUR: The “C” series index is used only as a medium to register the trend of prices generally. It was also found that when proprietary lines of certain large manufacturers were decontrolled in this State the prices were immediately increased beyond those ruling for the same goods in other States where controls had been retained. The suspension of the quarterly basic wage adjustment makes it imperative that the wage-earner shall have full protection against unwarranted rises in the cost of living and against certain traders who exploit.

Although the basic wage was pegged, prices continued to rise and these increases are being borne by salary and wage-earners. We were told that if there was no price control, the charges for services and goods would come down. Actually, that has not been the case. Last year I mentioned that the Government did not favour controls merely to extend Government activity in that direction. The Government is reluctant to continue controls but it has an obligation to the public. I believe that with the trend of rising prices and with the general tendency with regard to rents, it is very necessary for the

Government to have the authority to regulate and control prices of goods and services.

Since the continuance Bill was rejected at the end of last year I have had a number of complaints from people—I do not know about members opposite—about the prices charged by plumbing contractors and electrical contractors.

Hon. A. V. R. Abbott: What about plasterers who want £31 a week?

The MINISTER FOR LABOUR: They were never controlled as far as I am aware under the price-fixing measure previously in force. I have mentioned two that were because some of their charges were blatantly unfair and savoured very strongly of exploitation. On a number of occasions the Prices Control Branch had evidence of the charges that were made by certain plumbers, and many refunds were obtained on behalf of the people who were overcharged by those contractors. Members should not forget that there was no arbitrary determination made by the prices branch.

Attached to that organisation were highly qualified men; and one was a qualified electrician. Their system of computing the charges and the overheads of the contractors was such that those who wanted to test the principle were satisfied that the basis on which the charges were made were fair and equitable and even when there was a margin allowed over the price set by the prices branch it was clearly and undeniably demonstrated that certain electrical contractors and plumbers were, to put it mildly, robbing those who had engaged them.

Hon. A. V. R. Abbott: The prices branch would not allow one to charge more than is considered to be a fair price. The Minister knows that.

The MINISTER FOR LABOUR: The hon. member can deal with that if he likes, but he would also know, if he cared to go into the figures and the circumstances of the cases, that some of the contractors were charging full tradesmen rates to the person who engaged them when they were employing only second and third year apprentices. The hon. member knows that.

Hon. A. V. R. Abbott: No, I do not, and I do not think you do, either.

The MINISTER FOR LABOUR: When Minister for Prices he should have known that when he went into the details of the computation of costs. I merely mention that as an instance to show that we are not going to endeavour to reintroduce this measure merely to place another Act on the statute book. The purpose of the Bill is to try to protect the people when the necessity arises.

Hon. A. V. R. Abbott: Do you want to bring wages down?

The MINISTER FOR LABOUR: I believe that if there is such a measure on the statute book it will have a certain psychological effect which will react in the interests of the people of the State. With regard to rent, the member for Mt. Lawley suggested that I would not answer his questions. The element of rent in the basic wage has been, and is being, dealt with under another Bill. I do not propose to go into the question of rent to any extent. It is sufficient to say that rent is a factor in the computation of the basic wage and some form of control over rents is necessary.

There must be some form of control to determine what is a fair rent, in the same way as the Arbitration Court is the tribunal to determine what is a fair wage or margin for a skilled tradesman. We suggest there should be some protection for the public in the way of a price control measure which would have the effect of regulating the prices of goods and certain services.

Hon. A. V. R. Abbott: Do you approve of maximum wages?

The Premier: What are they?

The MINISTER FOR LABOUR: Human nature being what it is, I think we would have to have some maximum.

Hon. A. V. R. Abbott: You would not agree to that, would you?

The MINISTER FOR LABOUR: The hon. member means, to have some maximum and some minimum?

Hon. A. V. R. Abbott: You might have a minimum, but not a maximum.

The MINISTER FOR LABOUR: All right! There must be some minimum standard.

Hon. A. V. R. Abbott: Yes, I agree with that.

The MINISTER FOR LABOUR: I will now deal briefly with the question of meat which the hon. member said I would not refer to. Meat is one of the main components of the food and groceries section when computing the "C" series index figures. In the ordinary household meat is the staple commodity and the way meat prices are rising today makes it quite evident that the man who is paying rent and is on a small margin over the basic wage, if any, will have to reduce his meat consumption considerably.

Mr. Perkins: What makes you think that price control today will be any more effective than it was previously?

The MINISTER FOR LABOUR: I am glad of that interjection because I know the hon. member's views. Recently, the representatives of the Chamber of Commerce approached me because they wanted to know whether the Government would put a blanket control on all prices overnight. I suggested that if this Bill became law, we would first of all investigate the

most important items which affected most of the people of the State and as we found, according to circumstances, that an extension of control to any particular commodity was warranted, we would have no hesitation in extending it, but certainly we would not put on a blanket control overnight. We do not want to control any more goods or services than we have to.

Let me say this unequivocally: We shall have no hesitation, if this Bill is passed, in applying rigidly the provisions of the Act where the circumstances warrant it. While we may not deal with the price of candles or matches or other miscellaneous commodities, a very strong concentration will be made on the price of meat. I am not suggesting here that if this Bill is passed today it will become 100 per cent. effective tomorrow in controlling prices.

Hon. D. Brand: Do you regard meat as a No. 1 priority for control?

The MINISTER FOR LABOUR: It is one of the priorities. While I am not suggesting that the measure will be 100 per cent. effective, on the other hand I would say that if a price control organisation is set up, some means will be available to check the price of commodities, and so protect the people against unduly high prices.

Mr. Perkins: Do you think that the officers of the Prices Control Branch have not done their job before?

The MINISTER FOR LABOUR: I do not suggest that at all. I have had a fair amount to do with the price of meat on a personal basis. The price of meat or any other essential commodity should be fixed by law, but if two persons connive to defeat the law, they can do so. It is very difficult for the price of meat to be controlled continuously. I know that some housewives enter a butcher's shop asking for 1 lb. of this and 1 lb. of that, and the butcher hands over the meat and tells them the amount they have to pay. Those housewives do not ask for the price per lb. of this or that cut, consequently they may be charged a higher amount than the fixed price.

If this Bill becomes law, every effort will be made to check the prices of essential commodities. As I said earlier, meat is one of the main factors in computing the "C" series index figures. A difference of 1d. per lb. for meat means an increase of 1s. 2d. per week in the basic wage, and an increase of 5d. per lb. in the price of meat included in the regimen would mean an increase of 8s. a week in the basic wage.

But this is the point: I am not entirely satisfied with the price of the different cuts of meat included in the regimen. The price paid by the public may not be the same as that supplied to the statisticians by the retailers and here lies the crux of the whole matter. The member for Mt. Lawley interjected earlier and said that the statistician's figures were available to us. I say

they are not. What we require is authority for officers to check the price of meat and to ascertain whether the figures supplied to the statisticians are the same as the prices paid by the purchasers. If it costs the housewife 2s. 5d. or 2s. 7d. for 1 lb. of loin chops and that price is given to the statistician for the compilation of the index figures, then there would be no complaint.

Mr. Yates: Does the statistician not check these figures? Does he not buy meat himself?

Hon. A. V. R. Abbott: Of course, he checks the figures.

The MINISTER FOR LABOUR: The statistician should have the figures on the 15th of each month. I recall on one occasion when I asked the then Attorney General by how much the basic wage would be increased if the price of meat rose by 1d. per lb. When the basic wage was lower than it is today, he said that it would mean 1s. 2d. per week. One honest butcher in the State indicated that the price of meat being charged to the public was anything from 5d. to 11d. per lb. over the fixed price. When I asked the Attorney General if the actual price of meat was supplied to the statistician to compile his figures, he said that the fixed price was used to compile the figures. Although the basic wage increased by 19s. 11d. in the last 12 months, it might have been increased by 25s. if the actual prices were supplied to the statistician.

Hon. A. V. R. Abbott: The statistician does not take the fixed price.

The MINISTER FOR LABOUR: When the hon. member was Minister he said the statistician did.

Hon. A. V. R. Abbott: That is not accurate.

The MINISTER FOR LABOUR: I can quote the member's statement from "Hansard." If this Bill is passed, the Government will do all it can to ensure that the public receive essential commodities at fair and reasonable prices.

Mr. Court: Does not the statistician get a more honest statement of the true prices charged than when there was a black-market in meat? Today the prices are exhibited.

The MINISTER FOR LABOUR: We have no way of checking them.

Hon. A. V. R. Abbott: Only by buying.

The MINISTER FOR LABOUR: That is very difficult.

Hon. A. V. R. Abbott: But the statistician has the figures.

The MINISTER FOR LABOUR: They are not available to us. As I said earlier, the trade union movement has endeavoured to obtain the figures but they are confidential and the officers are not permitted to supply the information.

The Premier: The member for Mt. Lawley said earlier today that the statistician's figures were not confidential.

Hon. A. V. R. Abbott: What I said was that the Government Statistician could get his own figures, and they were not confidential.

The MINISTER FOR LABOUR: The member for Mt. Lawley knows the set-up better than I can describe it. I mention these facts to show that there has been an upward trend. If the basic wage increases in the next few days or the next quarter, or if the Commonwealth court increase margins, naturally there will be an upward trend of prices. It is necessary for Western Australia to have some authority and jurisdiction over the prices of essential commodities.

I shall not deal at great length with a comparatively unimportant item—the price of beer—except to say that just recently the brewery announced an increase of 2½d. per gallon to hotels. The hotels will increase the price of beer by ½d. a schooner in the public bar—I suppose the collars will be the same—and 1d. per schooner in the saloon bar. On the consumption of last year, I am advised that this will net hotel-keepers an amount of £500,000 a year, which will have to be paid by the ale drinkers in this State. I read recently where the price of barley had been reduced.

Hon. Sir Ross McLarty: The breweries said they were paying more for their barley.

The MINISTER FOR LABOUR: I am open to correction that the price of barley has been reduced.

The Premier: The secretary of the Farmers' Union said that farmers were not getting more for their barley.

The MINISTER FOR LABOUR: Lately the price of barley has been reduced. In December, 1952, it was estimated that the increase meant another £63,000 to the Swan and Emu breweries. An increase of 2½d. on that year's trading would approximate £160,000, and an increase of ½d. per schooner in the front bar and 1d. in the saloon bar would return to hotelkeepers another £500,000, basing it on an average of 7½d. more for each gallon of beer sold, or 5d. per gallon above the increase charged by the brewery. That item is comparatively unimportant compared with meat and other commodities. It shows that when price control was enforced, the accounts of the Swan and Emu breweries were closely examined. It was found that on the paid-up capital they were receiving—

Hon. A. V. R. Abbott: Are you including the reserves?

The MINISTER FOR LABOUR: I am not dealing with the reserves this evening. Suffice to say that the brewery I am referring to has an equalisation of dividends reserve and other reserves. If the figures

were checked, they would show that on the paid-up capital the profit would amount to 25 per cent.

Mr. Court: That is not a fair method of calculating the returns.

The MINISTER FOR LABOUR: I am indicating that when price control was on, that brewery wanted to increase its price. Investigations showed that this was not warranted. The basic wage has since been pegged, but now the brewery has increased the price. If price control comes into force tomorrow and this position is investigated, should it be shown that an increase is warranted, I have no doubt it will be granted. In this instance, the public should have some protection, and an examination of the brewery's accounts should be permitted to determine whether it was entitled to an increase.

Mr. Yates: Will you control the price of motorcars and spare parts?

The MINISTER FOR LABOUR: It all depends on circumstances. There was room for control of spare parts for agricultural machinery. If it is found after investigation that control of spare parts is necessary, I shall not be backward in coming forward to suggest that we do something about it. I want to make this point quite clear and again I speak on behalf of the Government: We do not want control of any commodity if we can avoid it.

Hon. Sir Ross McLarty: This measure will give far-reaching control and will be a permanent control.

The MINISTER FOR LABOUR: As I said earlier, if we examine the measure before us with the Bill introduced by the Attorney General previously, when the Leader of the Opposition was Premier, we will find that they are similar in general principles, power and authority.

Hon. Sir Ross McLarty: The reintroduction of general control.

The MINISTER FOR LABOUR: Exactly. I was indicating that we do not want to put on blanket controls; we do not want to control commodities any more than we can help. That fact has been demonstrated because, in 1953, as we found that control of certain commodities, including clothing, was not necessary, we decontrolled the prices, but where we found that the public were being exploited in respect of other commodities, we imposed some control. The Bill includes provision for the representation of certain interests on the advisory committee, but with that exception, the principles of the measure are on all fours with those adopted year by year since 1948. I move—

That the Bill be now read a second time.

On motion by Hon. A. V. R. Abbott, debate adjourned.

Sitting suspended from 3.46 to 4.5 p.m.

BILL—STATE HOUSING ACT AMENDMENT.

Second Reading.

THE MINISTER FOR HOUSING (Hon. H. E. Graham—East Perth) [4.51 in moving the second reading said: Last December, when introducing the Housing Estimates, I indicated that I was giving attention to a new scheme which would be complementary to the present conditions applying under the State Housing Act. This scheme was to be introduced with the idea of assisting in the erection of houses for people who have some means of their own but insufficient to get on with the job. While it is not recorded in "Hansard", I recall that the Leader of the Opposition interjected to the effect that such a proposition was a worthy one, and, accordingly, I do not anticipate that there will be any opposition to the principle that is embodied in the Bill we are now considering.

At present the housing rate is in the vicinity of 8,000 homes a year; it is not anticipated, by me at any rate, that that figure will be increased, or substantially increased. When we recall that in pre-war days the average number of homes erected each year was 2,000—most of them being built by private enterprise because the Workers' Homes Board, as it then was, was erecting comparatively few dwellings—we have some idea of the building rate and requirements of those who erect for themselves and for the purpose of letting.

Because of the interruption to building activities during the war period, it was only natural, particularly after the control of building materials and building permits was lifted, that there would be a substantial increase in the number of houses built. During the war years, when materials and building tradesmen were in short supply, there was an accumulation of applications for building. I envisage that, so far as private building is concerned, the figures will gradually taper off until they reach within the vicinity of 3,000 homes a year.

Of course, the State Housing Commission is increasing its programme every year, in the hope of overtaking the tremendous lag that has existed for so many years. It is unfortunate that so many rental homes are being erected by the State and that so few of them are being sold—although in Western Australia a far greater number and percentage have been sold than in any other State of the Commonwealth. Many people are anxious to build homes for themselves but have not the wherewithal to meet the commitments involved. Let us take the case of the Commonwealth Bank. The maximum advance for a timber-framed house is £1,350, and for a brick dwelling £1,750. It will be readily appreciated that anyone

seeking to erect a house with that financial assistance or loan from the bank, requires approximately £1,000 more before he is able to proceed. Of course, many find such a sum completely beyond them.

This gave rise to the thought that the State Housing Commission could grant some form of supplementary assistance by way of a second mortgage or a guarantee to the lending authority, be it a bank or some other institution approved by the State Housing Commission. That would have a double effect. The first would be that instead of the State's loan moneys being used exclusively for the erection of houses under the State Housing Act, money from the banks, supplemented by money from the State Housing Commission, would be used.

As members are probably aware, the limit of financial assistance available under the State Housing Act is £2,500. If it is possible to devise a scheme under which five or six people can be assisted with the sum of £2,500—by advancing each of them £400 or £500 to supplement what is available from the financial institutions—I venture to suggest that many hundreds of people who are most anxious to proceed under their own steam, but who are unable to do so because of their inability to bridge the gap between what they possess and what they are able to have advanced from a financial institution, will get busy and erect homes for themselves.

It will be seen that this is a scheme to encourage people to do something for themselves; first of all, establishing their bona fides by lodging a sum of money on their own account—in other words, paying some of the commitments. It is necessary to point out that a new part is being inserted in the Act and this will be a second scheme operated by the State Housing Commission. The Bill provides that the people who will come within the ambit of applicants to be dealt with, are those who are embraced by the definition of "worker", as it appears in the Act at present. That definition includes reference to an income of £750 per annum, plus additions to the basic wage since the 1st November, 1950.

To appreciate what is meant by that I would point out that the basic wage was at that time £7 6s. 6d.; today it is exactly £5 more than that amount. Accordingly, the worker is one whose income is not in excess of £1,010 at the present moment, plus an allowable further income of £25 in respect of every child. But, for convenience, we can say that £1,000 is the limit of income allowed to enable them to be regarded as workers, and, of course, there are some thousands of people who are anxious to be placed in a position to purchase homes for themselves and who come within the definition of "worker."

While there are so many people in need of assistance in this direction, it is not intended by the Government to raise that income level, because we must never forget that the State Housing Act is the old Workers' Homes Act; in other words, the intention of it is to assist those on the lower rung of the ladder to build simple homes as cheaply as possible within the ability of workers to pay by instalments with a view to purchasing those homes for themselves. There is a slight variation which has some recognition of existing costs and also appreciation of the fact that the worker himself will be making some contribution. That is, it will be possible to finance workers under this scheme to erect houses up to a total cost of £3,000.

As indicated earlier, in the Act at present the maximum financial assistance which can be given is £2,500. Under this scheme, a house can be built up to £3,000. I am aware that many houses cost far more than that, but if people have ambitions that go beyond a modest home, it will be necessary for them to go to sources other than the State Housing Commission. Consideration can be given to those who have these higher ambitions when we have made sufficient inroads into the long waiting lists which still repose in the offices of the State Housing Commission.

Some time after I had evolved an arrangement somewhat along the lines I have indicated, in the belief that there was something new, original and novel about it, I was surprised to learn that similar schemes are in operation in other parts of the Commonwealth. Such a scheme is in existence in South Australia, and, from information I had from the housing authority of that State just recently, it is apparently working very smoothly with the co-operation of certain financial institutions; and those who have been assisted to erect homes of their own have measured up to their responsibilities. There are such happy relationships in South Australia that the financial institution collects the double instalments from the applicant and periodically makes payment to the housing authority so that the person being financed does not have to make payment to two authorities.

The idea is to synchronise the payments and the period of repayment where possible, to that of a maximum period for repayment of 40 years. In some cases this may not be possible because of the policy of the leading authority. Even so, there should be no great difficulty in a shorter period for repayment, say, 25 years, being decided upon nominally, but the State Housing Commission taking control after 25 years to the full period of 40 years, which is that usually granted in the case of people who are assisted under the State Housing Act.

As indicated earlier, the purpose of this Bill is to assist people who are prepared to do something to assist themselves.

Apropos of that, I might mention the lack of appreciation by certain local authorities of the difficult situation that prevails at present. You, Sir, I am aware, know of a certain local authority, because it affects members of your family, that is most intolerant with respect to a young couple about to be married, and who have manufactured their own cement bricks to build their own home. The conditions insisted upon by the local authority make it well nigh impossible for that couple to set about building their home to have it in readiness in a few months' time when they have tied the nuptial knot.

I do not know the full extent of the powers of the Minister for Local Government, but I think it is a shocking state of affairs and a gross reflection on those who comprise local authorities, where they do not show a little sympathy and understanding for people who are earnestly seeking to erect homes themselves. On the other hand, I am aware there are certain local authorities that have been most generous in this matter and, provided there is an indication of the person trying to secure some shelter with a view to getting on with the job and achieving some measure of progress, they are not interfered with by those local authorities.

It would be of tremendous assistance, I believe, if local authorities generally were to appreciate the seriousness of the housing situation, or, if they are so insensitive to their responsibility, there should be an authority to compel them to take a more realistic view of the present situation. Surely it is better for people to rough it for a while, and to be camped for two or three years on the job, so that they can start early and finish late erecting their home, rather than to insist that there should be all sorts of high standards right from the inception; the insistence, for example, on water supply and sewerage installations, and for certain essential parts of the house to be completed before those people are allowed to get on with the job.

Self-helpers are today, as they have been for the past several years, making a considerable contribution towards the general housebuilding programme of the State. This should be encouraged on every hand, rather than have the cold, dead hand of some authority placed on them with power to say "No" to their efforts to do something for themselves. It is not desired that there should be insistence by the State Housing Commission or by any Government that the prerequisites to receiving assistance from the commission should be the possession of several hundred pounds on the applicant's own account.

For that reason, we have inserted a proviso in the Bill that not more than 25 per cent. of the money made available

to the State Housing Commission from State funds should be used for this scheme, which I have been outlining. That is to ensure that the greater portion of the funds available will be devoted to the erection of houses and the financing of people who, while desiring a house, have practically nothing in the way of personal resources. The general policy is that where the property is made available, the land is disposed of to the applicant under leasehold on a deposit as low as £5. Where there are freehold properties, deposits as low as £25 are accepted by the State Housing Commission.

Needless to say, applicants are encouraged, if they have the resources, to make larger deposits in order to give greater security to the State Housing Commission but, more important, to reduce the capital amount which has to be repaid, and so lighten the burden upon themselves, thereby making their monthly instalments so much less; or out of the greater proportion of those instalments, repaying the advance instead of it being comparatively wasted in meeting interest commitments.

Speaking of interest commitments, it is intended that the second mortgage, or the guarantee, to be given to the lenders—that is, the lending authorities, be they banks of anyone else—should carry a rate of interest where possible similar to that on the first mortgage. The only other condition in respect of that would be that the rate of interest, of course, should not be less than the ruling rate of interest to the State Housing Commission, with a small margin for expenses of administration.

Mr. Court: Where you guarantee the advance, that counts as part of the 25 per cent.?

THE MINISTER FOR HOUSING: Yes. That is to say, the measure of assistance given under this new scheme envisages that that should be restricted to a maximum of 25 per cent. of the available funds provided by the State Treasurer, because it would probably be necessary to have reserve funds to meet the position if there were anything in the nature of a depression, or if we were unfortunate in our selection of the persons who were assisted, and we found that a great number of them defaulted in their payments. There is no great detail in the Bill as to the manner in which this scheme will operate. I feel that is an advantage rather than the opposite. I have some grounds for saying that because, in the appropriate South Australian Act, only some two and a half lines give the housing authority in that State the power it requires to give effect to such a scheme.

It is not possible for me to indicate precisely what amount or what percentage of the moneys required to erect any house

should be insisted upon from the applicants. Probably a percentage figure will be decided upon by the commission itself which could be departed from. In many cases the personal factor will be taken into consideration. Some applicants, while possessing hundreds of pounds in money, could conceivably have a record of extreme unreliability in other business transactions in which they have been engaged. In such instances the personal factor would be an important consideration.

Whilst, generally speaking, the bulk of the money will come from financial institutions such as banks, co-operative organisations, insurance companies, and friendly societies, a private individual could be the first mortgagor. I can envisage that a father or father-in-law may have the ability and be prepared to advance to his son or son-in-law the sum of £1,000. Perhaps from his own resources the applicant could provide another £1,000 and only an extra few hundred pounds would be required. The State Housing Commission, if satisfied with the bona fides of a lender, could accept him as the lending authority and operate in exactly the same way as in regard to the financial institutions. I am suggesting that to members because conceivably such a scheme could operate in certain cases.

The whole purpose and intention is not to deny people assistance within the limitations of the finances available to the State, but rather to endeavour to assist as many as is humanly possible. Of course, that raises an interesting point as to the position of people who might desire to avail themselves of this new scheme. I would say that, in the interests of fairness to those who have made application under the provisions of the State Housing Act as it exists at present, but who have been on the waiting list for quite a number of years, they should be given an opportunity of transferring to this new scheme before applications are accepted from those who have not yet lodged any. Then, of course, they will be dealt with in date order from back to 10 or 15 years ago to the present time, and new applications will date from the day on which the new scheme comes into operation.

Broadly, those are the principles under which it is proposed the new scheme will operate. There are several other minor amendments in the Bill, two of them dealing with the machinery of bookkeeping in the State Housing Commission, and actually to give legislative effect to a procedure that has been followed for some time. The commission today is totally different from the old Workers' Homes Board and, indeed, from the State Housing Commission as it was when the Act was first passed in 1946.

The important amendment, apart from the new scheme that I have outlined, is that whereas today where it is possible for

a worker—whether male or female—to receive assistance, all the business is done by the commission with that individual, it is now proposed to allow any applicant to be a joint applicant with his wife or her husband, as the case may be. In other words, they will enter into the business transaction on a joint basis; and the wording to give effect to that has been largely taken from the War Service Homes Act and adapted for this purpose, to provide that, in the event of the death of either the husband or the wife, the property will automatically go to the other party instead of all the processes having to be gone through which are necessary at the moment.

I commend the Bill to members and trust that they will give it a speedy passage so that the commission can set in motion the necessary machinery in order to enable people to take advantage of the new facilities that will be offered. To make a few general observations, before resuming my seat, I would mention that, as all are aware, the housing position is exceedingly difficult at present, although there is this to be said; Very many who had been waiting for houses have now been able to build for themselves. There will always be a fair percentage of the population requiring homes on a rental basis, and it appears that the State has moved into the position of having to supply that very real need.

A scheme is being prepared in conformity with the policy speech of the Prime Minister to enable these rental houses to be purchased on the basis of 10 per cent deposit and a period of years in which to pay the balance. I hope that there are sufficient tenants in the Commonwealth-State rental homes who have the £250 or £300 that will be necessary in order to provide that 10 per cent. deposit. For those desiring to build, the position—apart from the monetary limitations—is easier than it has been at any time since prewar days. In my opinion, and that of the Government, the Commonwealth Bank's limits of £1,350 for a timber-framed house and £1,750 for a brick house, are completely unreal and very definitely insufficient to be of any worth—while use to the average citizen who desires to erect a home for himself. Recently the Premier wrote to the Prime Minister requesting him to use his good offices with the Commonwealth Bank in the hope that it would revise those figures to ones that would be more realistic in view of present building costs.

I stated that generally the position is easier than it has been at any time since the outbreak of war. Superficially that does not appear to be so; and, of course, there is very keen competition for building materials. Bricks are more plentiful to-day and are being produced at a greater rate than ever before in the history of Western Australia. Unfortunately, there

are still insufficient to meet all demands; but Western Australia is expanding and developing so rapidly that I am afraid that, for quite a number of years to come, there will be periodical shortages of building components of one sort and another.

Perhaps, in certain respects, that is a very healthy sign. If there were any falling off in our production of these essential materials, it would be a matter for concern and alarm; but as production is increasing, it is a healthy sign that the economy and activities of the State are increasing to such an extent that they are making these tremendous demands upon our resources. I might say, apropos of that, that consideration is being given to the production of sand-lime bricks. A private individual has the option of plant which is on the other side of the Equator at present.

Mr. SPEAKER: I hope the Minister will connect that with the Bill.

The MINISTER FOR HOUSING: Yes, I will. I am saying this in passing. I hope that before long that will be in vogue in Western Australia. The State Brick Works is similarly interesting itself in obtaining plant. This is necessary because of the expansion which is taking place. The whole point about materials is that it is not much use running round with financial assistance for people unless they can translate that into materials and tradesmen so as to convert all the components into completed houses. Timber is more plentiful. Seasoned timber is more readily available, and tiles are in ample supply. Cement, except for minor interruptions here and there, is being produced in far greater quantities than ever before. Unfortunately there are shortages of iron and piping, which we import from elsewhere; but action is being taken to supplement our supplies from overseas.

I do not wish to impose upon your generosity in this matter, Mr. Speaker, by pursuing that subject any further. The scheme I have outlined is realistic and practical. It will be the means, I trust, of enabling more houses to be erected, and will give some heart and encouragement to those who have wanted to get on with the job but through financial limitations have been unable to do so. I move—

That the Bill be now read a second time.

On motion by Mr. Wild, debate adjourned.

BILL—CROWN SUITS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Eyre) [4.45] in moving the second reading said: This is not a very

large Bill. It really provides a further concession to the subject against the Government compared with what has applied since the amending Bill was passed in 1947, when the old 1898 Act was repealed. The object of the amendment proposed by this Bill is to enlarge the rights of the subject in suits against the Crown, i.e., the Crown in right of the Government of Western Australia. Historically, apart from statute, "no action lies against the Crown at the suit of a subject. This maxim is due to the idea that the King by his writ cannot command himself."

Apart from statute, a general statement of the law is that "though the Sovereign may, if he thinks fit, sue a subject in his own courts, no suit can be maintained against him in such courts by a subject, for it is a maxim of our law that the King can do no wrong." Over some centuries the right of the subject to take action against the Crown has gradually been recognised and extended by the procedure of the Petition of Right, and later enactments of Parliament. In this State, it was not until 1867 that the right of the subject to take action against the Crown was recognised by statute, but the right was very limited.

The Crown Suits Act, 1898, further facilitated and enlarged proceedings by the subject against the Crown, but this statute was of limited effect as it restricted the types of actions that could be brought and also limited the amount that could be recovered from the Crown by a subject for personal injury sustained to £2,000. The Crown Suits Act, 1947, repealed the 1898 Crown Suits Act, and it is this 1947 Act which the present Bill proposes to amend. The 1947 Crown Suits Act applied to any cause of action and to any amount but, in my view, the Act had one serious defect in a section which is now being repealed and re-enacted. No right of action lay against the Crown unless—

- (a) within three months after the date when the cause of action arose, notice in writing had been given to the Crown Solicitor by the prospective plaintiff stating the date when the cause of action arose and the ground on which it was proposed to take the action; and
- (b) action was brought not less than three months after the giving of such notice and within 12 months after the cause of action arose.

The section also provides for an extension of time for giving the notice if it was not given within three months owing to ignorance which was unavoidable on death of the party, but even the extended period was limited in time. However, the principal Act did not go far enough.

It has not infrequently happened that a person having a good cause of action against the Crown has failed either to give notice or to bring his action within the rigid period limited by the principal Act. In such a case, his failure absolutely bars his claim and the Crown cannot waive its rights in any circumstances. It has been the practice of the Crown Law Department, where a claim so barred appears to have substantial merit, to recommend to the Government department concerned that that department should recommend to its Minister the making of an *ex gratia* payment to the injured subject so that justice should be done. Although such an *ex gratia* payment is frequently made, it is nevertheless often suggested that the amount paid is substantially less than a particular court would have awarded if the action had been allowed to proceed to trial.

It is thought that in cases where the Crown has in no way been prejudiced by any delay in giving the required notice or bringing the action, it would be more satisfactory if the Crown had the statutory power to waive the protection as to time afforded by the principal Act. At present no such power exists. The present Bill, I think, rectifies the defect of the principal Act in that—

(a) in lieu of a set period of three months for giving notice of the action it provides that notice be given as soon as practicable;

(b) the action must be commenced within one year from the date the cause of action accrued, and provide for a continuing cause of action in that notice and action can be given and commenced whilst the cause of action continues, or the prospective plaintiff can wait until the continuing Act on which the action will be based ceases before giving notice and taking action;

(c) an important change is that it permits the Attorney General—and this expression includes the Minister for Justice under the Supreme Court Act, 1935—to consent to an action being brought within six years from the date the cause of action accrued even if no notice had been given;

(d) more important still, the Bill provides for the subject, provided he gives notice of the application to the Crown Solicitor, to have the right to apply to a court for leave to bring an action at any time before the expiration of six years from the accrual of the cause of action, even though he has not given notice, and the court has power, for the reasons stated in the Bill, to grant the application.

The Bill does put the subject on a fairer basis. Under the old Act of 1947, if he did not give notice before three months or take action after the three months had

expired and within 12 months, he had no further claim. But now, if through ignorance, misfortune or some real cause, he has not taken action even between those dates, he still has a limit of six years in the same way as ordinary creditors have a statutory period of six years. The subject is put on a fairer basis than previously, and he is entitled to that. The Bill is only concerned with the subject and the Crown and not with instrumentalities or corporate bodies.

Hon. A. V. R. Abbott: Would this enable a citizen to take action to enforce a proclamation to be issued when an Act says it shall be issued? The Electoral Districts Act provides that there shall be a redistribution when certain things happen, and that a proclamation shall be issued by the Government. Would the Bill allow a citizen to enforce that provision?

The MINISTER FOR JUSTICE: No. I move—

That the Bill be now read a second time.

On motion by Mr. Court, debate adjourned.

BILL—REPRINTING OF REGULATIONS.

Second Reading.

Order of the Day read for the resumption from the 21st July of the debate on the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Brady in the Chair; the Minister for Justice in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Minister may authorise reprint:

Hon. A. V. R. ABBOTT: In my second reading speech I pointed out that this clause sets out in detail what administrative steps shall be taken by the Minister in connection with the preparation of a consolidation of regulations. I also pointed out that it is not usual to include administrative matters in a statute. This not only provides when regulations are to be printed, but directs the Minister in what way the draft regulations shall be prepared for his approval. That is not advisable. It should be left to the discretion of the Minister to give such directions as he thinks fit.

I agree with Subclause (1), but Subclause (2) sets out the administrative matter. I am not suggesting that what is contained there is not a proper procedure to be followed by the Minister—it is probably what he would do—but I do not think it is necessary to insert in

a Bill administrative instructions to the Minister. There might be occasions when he did not want the draft to be submitted to the departmental head. He might want the Crown Law officers to deal with it. I do not think it is necessary or that it is usually inserted in a Bill. I have no objection to Subclauses (4) and (5), but I do object to Subclauses (2) and (3). I move an amendment—

That Subclauses (2) and (3) be struck out.

The MINISTER FOR JUSTICE: I cannot agree to any amendment as this provision is a safeguard. Our regulations are extremely numerous and unfortunately are not in the condition they should be. Our statutes are drafted by trained draftsmen, but the regulations are drafted by other officers and I think we should ensure that the Minister sees to it that they are up to date and accurate. I do not feel that it would be *infra dig* for the Minister to be directed as set out in the Bill.

Amendment put and negatived.

Clause put and passed.

Clauses 5 to 10, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—CORONERS ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

MR. YATES (South Perth) [5.7]: The measure introduced by the Minister for Justice appears to be one favoured by coroners and justices of the peace who happen to sit on inquiries mainly connected with traffic cases. The amendments contained in the Bill will, I feel sure, have the full support of the National Safety Council because they seek to give the coroner a power which has been denied him in the past.

Not only in the matter of a conviction, but also in a case of committal for trial he has not, in the past, had the necessary power under the provisions of the Act to order persons to appear. Under the amendments contained in the Bill the coroner is enabled to permit of an acceptance of bail with good and sufficient security and may also order the appearance of a person so charged at his trial in the court. These, I feel, are sufficient grounds for accepting the Bill, the provisions of which give wider powers to coroners and will make for the better enforcement of the law in the numerous cases that come before coroners—mainly in the metropolitan area.

One very good provision in the Bill is that which will enable the person so charged to obtain free of charge a copy

of the deposition of witnesses who give evidence at the coroner's inquiry. That will enable the person concerned to have available all the particulars and will give him a chance, if committed for trial, to have proper representations made on his behalf by a member of the legal profession. It will also enable him to give his legal representative the full facts of the case, as presented before the coroner. I therefore feel that this measure is a good one. I can see no objection to it and am certain that members on this side of the House will give the Bill full support. I have pleasure in supporting the second reading.

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—COMPANIES ACT AMENDMENT.

Second Reading.

Debate resumed from the 27th July.

MR. COURT (Nedlands) [5.13]: I support this measure, which seeks to make a rather important amendment to the Companies Act. If agreed to it will be of great advantage, from an administrative point of view, not only to the companies themselves, but also in the operation of the share market so far as it concerns stock and share brokers. It acknowledges the expansion of companies over the years and the greater spread of company holdings. A safeguard is provided in that all the shares concerned shall be fully paid. I think that is the vital safeguard and all that is necessary.

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—ELECTORAL ACT AMENDMENT.

Second Reading.

Debate resumed from the 20th July.

HON. A. V. R. ABBOTT (Mt. Lawley) [5.17]: As the Minister said, when introducing the Bill, its object is to place the franchise for the Upper and the Lower Houses on exactly the same basis. I think he admitted that if that were done, there would be no advantage in having a bicameral system and an Upper House.

Mr. Moir: What is this "Upper House"?

HON. A. V. R. ABBOTT: Well, the Legislative Council would be of no use at all and might be abolished.

The Minister for Justice: I did not say that.

HON. A. V. R. ABBOTT: I know the Minister did not say that, but he implied it. I do not agree with that at all. The system of having two Houses is a good one and has worked well in the British system of government. The reason for that is that although the Executive is responsible to Parliament, and it in turn is responsible to the people, the Executive has great power and it introduces such legislation as it deems fit. Under the present party system that legislation, if important, is dealt with on a party basis. Therefore, it behoves that legislation of a serious nature and with a portent of great changes, should be given more consideration than can be devoted to it in one House.

The Government today exists with only a small majority. It was elected by a small majority of the people and, in my view, changes of a major nature, which probably would be disagreed with by a large number of the community, should have the consideration of more than one House. Where a large section of the people is not satisfied with any authority, the administration of the law becomes extremely difficult and is always unsatisfactory. We had a good example of that when, by a small majority, the United States provided for the total abolition of alcoholic liquor. However, a large number of people in the United States did not approve of that edict, nor were they prepared to observe it.

As a result, they got what might be termed chaotic conditions in the administration of the liquor laws, which were openly breached by people who ordinarily would not dream of breaking the law. Furthermore, a large body of semi-criminals sprang up who were living on the illicit sale of liquor. So it is essential that major changes in the law of a country should be given very careful consideration and should be introduced only when a preponderance of the people require it. Therefore I say the Legislative Council is necessary as a House of review.

The Minister for Justice: Not as a House of opposition?

HON. A. V. R. ABBOTT: A House of review must obviously be a House of opposition on occasions. Whether it is a House of opposition or a House of review depends on which side of the Chamber one is sitting. I have had the experience of sitting on both sides, and the Premier has, too. Our Legislative Council, over the years, has acted in a very useful and efficient manner, but probably it has not acted rightly on all occasions.

The Minister for Housing: It has been mighty efficient.

Hon. A. V. R. ABBOTT: It has been effectual, perhaps. It must be admitted that no Parliament is correct in all its decisions, nor is any Government; and one must admit we do make a few mistakes. There is no doubt that if one takes that view and is sufficiently unbiased to look upon the question in a logical fashion, it must be agreed that, by and large, the Legislative Council has done a very good job.

The Minister for Housing: You would not like a referendum on that, would you?

Hon. A. V. R. ABBOTT: I think the Minister would lose hopelessly if a referendum were held on that point. I would like the Premier to go to the country on that platform alone.

The Premier: Which platform?

Hon. A. V. R. ABBOTT: On the one question—the abolition of the Legislative Council.

The Premier: Would you get an undertaking from your members in the Legislative Council that they would abide by the decision?

Hon. A. V. R. ABBOTT: It would be very difficult for them not to.

The Premier: Nothing is difficult for them. They are dictators.

Hon. A. V. R. ABBOTT: In the same way as it was difficult for the House of Lords to bow to the will of the people.

The Premier: They do not care two-pence for the will of the people.

Hon. A. V. R. ABBOTT: Perhaps there could be some amendments to the Constitution to make provision for a better method of determining disputes between the two Houses. Personally, I am not in agreement with the form used to determine finally the fate of a Bill as is done by conferences now. Perhaps some better method could be provided, especially if it were shown that the Executive and the Legislative Assembly, by future publicity at a general election, approved of it. Then there ought to be some method adopted which the Legislative Council could accept.

The Premier: Does the hon. member think that the franchise, as it now exists, should be substantially altered?

Hon. A. V. R. ABBOTT: I will give the Premier my view on the franchise in a few moments. I am not saying that there should not be some amendments to the Constitution to deal with disputes between the two Houses or that there might be amendments made in some other way. Perhaps a joint select committee could do that.

The Premier: Does the hon. member think that the Legislative Council franchise should be substantially liberalised?

Hon. A. V. R. ABBOTT: I will tell the Premier what I think about the franchise shortly. In fact, I will do it now.

The Premier: Thank you; I will wait.

Hon. A. V. R. ABBOTT: I believe it is natural and right that the major House, the House that controls the Government and the people's purse, should be elected on a suffrage basis. With that principle I am in entire agreement. I also agree, of course, that the age of the elector should be 21 years. That is an age of maturity. I do not agree with the policy of the Australian Labour Party that it should be 18 years.

Twenty-one years is an age that has been recognised as the one at which adolescents enter into manhood or womanhood. However, many people of that age do not have to shoulder the same responsibilities as others who are older. Those who have to shoulder the greater responsibilities of the community should be able to bring to bear some direct influence on the Government of the country. Those people who could have greater influence include the householder. The Premier asked me if I thought the franchise should be widened. I do. For instance, I think that a man and his wife should each have a vote when they have the joint responsibility of keeping a home and a family.

The Premier: Can the hon. member tell us why the Liberal members of the Legislative Council have not agreed to that?

Hon. A. V. R. ABBOTT: I think the Premier should ask them himself. Personally I would agree to it.

Hon. Sir Ross McLarty: Will the Premier tell us that if he gets a majority in the Legislative Council he will immediately abolish it?

The Premier: Not immediately.

Hon. Sir Ross McLarty: No!

Hon. D. Brand: Look at the records in New South Wales and see what happened there.

Hon. A. V. R. ABBOTT: I admit that the man who has the responsibility of raising a family, which must be the centre of our British way of civilisation, deserves some recognition in the legislative halls of Western Australia. I would also point out that the family unit is the centre of all religious beliefs. But how can we achieve our object? How can we give that man some influence in the legislature, other than through the Legislative Council and by giving him some direct vote on the election of that Chamber?

As members appreciate, the members of another place are there merely as the result of the vote of some thousands of people out of all the voters in Western Australia. Do members not think under those circumstances that the influence of the family man should be indicated in the same manner? I say that it should. It is no good saying that the Legislative Council is not democratic. Can we not say it is democratic because practically every family man is entitled to a vote? The only qualification is that he must be a householder paying a rental of 7s. per week. There is no State rental home today let at 7s. per week; I do not think one can rent a McNess home at that figure.

Hon. J. B. Sleeman: Voting for the Senate does not require that qualification.

Hon. A. V. R. ABBOTT: So every homeowner has, in fact, a vote.

Mr. Brady: Do you think returned soldiers should have a vote?

Hon. A. V. R. ABBOTT: Not inevitably.

Mr. Brady: They have fought for this country and yet cannot get a vote!

Hon. A. V. R. ABBOTT: I know what the fight is so I am entitled to have an opinion. I think that the homeowner and family man has a direct right to express his opinion on the legislation of this State. I am not, therefore, in favour of manhood suffrage for the Council. It is unusual to attempt amendments by introducing another Bill. I submit that this Bill will require constitutional authority because it virtually affects the Constitution.

The Minister for Justice: We agree that it is a constitutional amendment.

Mr. SPEAKER: Order! There is too much conversation going on.

Hon. A. V. R. ABBOTT: The supporters of the Labour Government recently pointed out very emphatically that they could obtain a majority in the Legislative Council. I think that was shown recently in the Suburban Province election. Previously, that seat had been occupied for many years by a man who was held in high regard in the community. His personal conduct was not questioned by his electors.

Mr. Brady: Perhaps it was a good man supporting the wrong political party.

Hon. A. V. R. ABBOTT: He was defeated because the electors and homeowners of that district felt that the policy of the Labour Party at the time was the one they preferred. I think they were mistaken. So it is ridiculous to say that the Council is not a democratic House.

Hon. Sir Ross McLarty: It is ridiculous to say that it represents wealthy people and landlords.

Hon. A. V. R. ABBOTT: Otherwise how could Mrs. Hutchison have won that seat? I submit she won it because the policy submitted by the Labour Party at the time of the election was accepted by the electors. I have no objection to that. It must be admitted that she was elected to the Council by home-dwellers. I venture to suggest that if the policy put forward by the Government is sufficiently favourable and sufficiently in the interests of the people, it can win every seat in the Council. Of course, I think that is a sheer impossibility. As we know, in Great Britain there is no such thing as compulsory enrolment or voting even for the House of Commons. The Minister quoted the British law at length, saying how favourable and democratic it was, when he introduced the Jury Act Amendment Bill. People in England do not believe in compulsory voting. I do not object at all to the non-existence of compulsion to vote for the Council.

If a citizen is not sufficiently interested in the policies submitted by various parties, or in the issues involved, to take the trouble to vote, then I do not see any reason why he should be compelled to do so. Yet he has to vote in some elections—but is that vote worth while? If a man fails to enrol, is it conceivable that he will consider the issues involved? Will he not merely go along, if compelled, and vote for any candidate at random? A citizen who takes a real interest in the welfare of the State would, of course, enrol. He need not be driven to the polls.

The Minister for Justice: Is it right that a minority should dominate the majority?

Hon. A. V. R. ABBOTT: Minorities have done very good work at times. There is no question of domination. Under our system, the dominating factor of government is the Executive.

The Minister for Housing: You mean, it should be.

Hon. A. V. R. ABBOTT: The Executive controls the purse-strings. It largely decides the policy of the Government. It controls the Administration and it has 80 per cent., or more, of the power of government.

Mr. Brady: Then who should decide what families should be evicted?

Hon. A. V. R. ABBOTT: Members of the Assembly are elected on manhood suffrage and are controlled on that basis. It is right that a responsible minority should have some direct influence on the legislation of the country so that any legislation introduced can be given due consideration, and not hurried, when it may react against the will of 49.9 per cent. of the people.

If it were not for the Council, a radical alteration could be made against the will of 49.9 per cent. of the people. I would

not suggest that that was reasonable and I do not think the Minister for Justice would. Surely he would not think that a majority of 1 per cent. should enforce its will absolutely in radical matters! This is the governing House. When we want some money spent here or there, or want to be given this or that, we go to the Minister and ask him. This is the House that decides who shall govern the country. The Council merely has a say in the legislation that is submitted.

The Minister for Housing: That is the policy.

Hon. A. V. R. ABBOTT: It is not always the policy of more than 51 per cent. of the people.

The Minister for Housing: It is still the policy of the majority.

Hon. A. V. R. ABBOTT: Does the Minister think that minorities have no rights or should have no say?

The Minister for Housing: To over-reach the Government?

Hon. A. V. R. ABBOTT: I think they have a right to receive consideration. The present Opposition formed the Government a little while ago, and would the Minister consider that we had a right to make radical alterations in the laws that would affect the lives of the people?

The Minister for Housing: Why not?

The Minister for Labour: Do you think that the Legislative Council should have the right of veto?

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

Hon. A. V. R. ABBOTT: I am sorry I was led away. Although this plank appears in the platform the Minister supports, I cannot agree that it is fair. I believe he feels that over the years the present system has operated satisfactorily. Had he introduced a different type of Bill, namely one to alter some of the electoral qualifications or resolve disputes between the two Houses, he would have received considerable support from members on this side of the House.

The Minister for Housing: In this Chamber, but what about the Council?

Hon. A. V. R. ABBOTT: I would not know about that. It needs the votes of only two members of parties other than the Government Party to bring about alterations, and we have seen that fair consideration is given to all measures by every member of the Council irrespective of party.

Several members interjected.

Mr. SPEAKER: Will the hon. member disregard interjections and address the Chair?

Hon. A. V. R. ABBOTT: Naturally I cannot support the Bill.

The Minister for Justice: Why do you say—

Mr. SPEAKER: Order! I ask the Minister to refrain from interjecting. He has the right of reply.

Hon. A. V. R. ABBOTT: A measure to modify the constitution of the Council and bring it more up to date would have been seriously considered from this side of the House and the Government would have found us very helpful, but this proposed legislation is just brutal and thoughtless and does not deserve any support.

MR. BRADY (Guildford-Midland) [5.46]: At the risk of being accused of indulging in a diatribe, as I was the other night, I wish to support the second reading of the Bill, mostly for the reason that for many years I have felt that vested interests have had their way at the expense of the masses of the people.

Hon. Sir Ross McLarty: Rubbish!

Mr. BRADY: Members of the Opposition should be reminded of the elementary fact that the Council in the first place was a nominated Chamber, the nominees being restricted to certain people. Subsequently people with landed interests were eligible to sit and for 50 years that state of affairs has continued. The only reasonable argument that can be advanced in favour of the bi-cameral system is that, with a single Chamber, there might be a danger of getting a dictatorship. But what have we today but a dictatorship by the Upper House?

Members are aware why Parliament was summoned as early as the 17th June for the present session; it was to deal with the important matter of rents and tenancies, and we were told that the business was urgent. I feel that that legislation might as well be thrown overboard because the Legislative Council, in the interests of the people it serves, has virtually got what it wanted from the outset. It has dragged on this legislation for nearly two months. It will be two months before this Chamber can decide the matter, and for those reasons alone, no member should have any hesitation in abolishing a Chamber that adopts such tactics.

Hon. Sir Ross McLarty: You would not abolish it.

Mr. BRADY: It should be abolished if it continues to act as it has been doing recently. In other parts, members who embrace the same political opinions as the Opposition have abolished the second Chambers. This may be news to some members, but the majority will be aware of it. In New Zealand, the Upper House for

the Dominion has been abolished, and that action was taken by a Government holding views opposed to those of the Labour Party. Queensland has not had an Upper House for the best part of 40 years and that State has not suffered in consequence. As a matter of fact it is progressing like wild fire.

A man may enlist in the Services and risk laying down his life for the country, but when he comes back, he is not qualified to vote for the Council or to occupy a seat in that House until he reaches the age of 30. He can even sacrifice his life for people who have landed and vested interests, some of whom have not one vote, but five or six votes for the Council. Yet we are told that in this year of 1954 we are living in a democracy. What a marvellous interpretation of the word democracy! A man possessed of property has six votes and a soldier who has risked his life for the country cannot have one vote! The sooner we obtain a more liberal franchise for the Council in order to make it work in the interests of democracy, the better it will be.

I do not conceal my views. I am not speaking for the Government, but I have no illusions as to whether the Upper House should be abolished. Sixty years ago there might have been reason for claiming that people who were uneducated and did not understand economics should not be eligible to stand for that House, but that we must have men possessed of property—whether they were educated or not did not matter—in order that we might have a satisfactory parliamentary system that would function. Today that cannot be said of the average man or woman.

Mr. Ackland: Anybody over 21 could have a vote in the Upper House if he had enough go in him to own a block of land.

Mr. BRADY: Some people are not in a position to own a block of land and some have no desire to own one. In my electorate there is a returned soldier who claims that he is suffering from war causes. He is on a pension, and he cannot get sufficient money to keep his house going, let alone buy a block of land.

Hon. A. V. R. Abbott: Is he in a war service home?

Mr. BRADY: No, he has been in a house for more than 30 years and it has now been sold over his head, and he has to get out. This matter is drawing me off the track, but those are the instances that actuate me in regard to this subject.

The time is long overdue for the abolition of the Legislative Council. We could save £100,000 in Western Australia if it were done away with, and that sum would help to build hospitals, mental homes, old women's homes, old men's homes and schools, which are so urgently required,

as well as provide other social services which are slipping badly. When we know that hundreds of people are waiting to get into Claremont and the Old Men's and Old Women's Homes, it makes us wonder where the money is going. But we do not need to look far to see where it is going. We should, however, see that we get value for the money that is spent.

The Legislative Council is a carryover from medieval times when those who comprised the working class were considered to be serfs and little better than property. So I feel that the objective of liberalising the franchise in order to allow the young women who bear the children of the day, and to permit returned soldiers and others who are providing the wealth of the country, to vote, is commendable. I am of the opinion that to some extent we are only beating the air. I feel that both the member for Mt. Lawley and I have something in common with respect to this matter in that we are only wasting the time of the House because a constitutional majority is necessary in order to carry the Bill. It seems to me the only way by which the Upper House can be abolished is for the people to vote as they did some four or five months ago when they returned several Labour members to that Chamber. If that is done we will get some semblance of justice for the people who provide the wealth of the country. I support the Bill.

On motion by Mr. Moir, debate adjourned.

House adjourned at 5.53 p.m.