The MINISTER FOR THE NORTH-WEST: Regulation 144 has to do with the position of exempted married half-castes who separate. It provides that in the event of such a separation, either of the parties can retain the exemption granted. That is to say, the exemption can be renewed or cancelled, as may be thought fit. I do not think there is any reason to take strong exception to that. Both parties should not be penalised because there has been a disagreement or a divorce or separation. In such circumstances it is unlikely that both parties will be in the wrong and therefore the exemption of both should not be cancelled. Two people should not be penalised for the sins of one.

That is all I have to say. I am sorry to have taken up so much of the time of the House, but I wanted to explain fully the reasons the regulations are desired. I hope I have convinced members of their necessity. I have convinced myself or I would not have introduced them. I gave a lot of consideration to the regulations. I read the speeches of members in "Hansard" and noted their objections. Wherever it was possible to re-word the regulations to conform to the wishes of members who had opposed them, they were re-worded. There can be no harm in giving the regulations a trial and I hope therefore that they will be allowed to stand.

On motion by Mr. W. Hegney, debate adjourned.

House adjourned at 10.43 p.m.

Legislative Assembly,

Thursday, 26th October, 1939.

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

AUDITOR GENERAL'S REPORT.

Mr. SPEAKER: I have received from the Auditor General a copy of his report on the Treasurer's statements of the Public Accounts for the financial year ended the 30th June, 1939. It will be laid on the Table of the House.

QUESTION—BULK HANDLING.

Additional Bin Facilities.

Mr. STUBBS asked the Minister for Agriculture: In view of the Minister's announcement in the Press that bins are to be constructed at Bonnie Rock, Wialki and Beacon for this season's wheat, for what reason did he refuse similar facilities in the Lakes Country, Beenong and Quender?

The MINISTER FOR AGRICULTURE replied: It is the responsibility of Co-operative Bulk Handling, Ltd., to instal bulk facilities. The Government has not the responsibility of installing such facilities, nor has it refused to instal them as the hon. member suggests. Bonnie Rock, Wialki and Beacon are three times as far away from existing bulk handling facilities as Beenong and Quender and have the necessary weighbridges. There are not weighbridges at Beenong and Quender and there is not suitable weighbridge equipment available in Australia. Weighbridges and elevators are two essential parts of bulk handling facilities which at present are unobtainable.

QUESTION—STATE QUARRIES.

Output, Costs, Etc.

Mr. SAMPSON asked the Minister for Works: 1, How many men are employed in Boya Quarries? 2, What is the total of weekly wages and salaries? 3, How many tons are produced weekly and what is the average value of material based on competitive prices? 4, Were tenders called for the stone and other material required for the Northam Camp, and if so, what were the figures?

The MINISTER FOR WORKS replied: 1, 90. 2, £460. 3, Crushed metal—1,200 tons, value 9s. 2d. per ton; spalls—280 tons, value 3s. 9d. per ton. 4, No.

QUESTION—SELECT COMMITTEE INQUIRIES.

Mr. BERRY asked the Premier: 1, Is he aware that the select committee appointed to inquire into wheat held in storage by merchants prior to the commencement of war has postponed its inquiries because of the inquiry into Lichfields? 2, Is the Litchfields inquiry considered more important than the inquiry into wheat held in storage by merchants prior to the outbreak of war?

The PREMIER replied: This matter is in the charge of the chairman of the select committee, to whom this question should be directed.

Mr. BERRY asked the Speaker: May I, without notice, address my question to the chairman of the select committee?

Mr. SPEAKER: Yes.

Mr. BOYLE replied: The reason for the temporary postponement of the stored wheat inquiry has nothing to do with any other inquiry. Requests were broadcast and advertised in the Press for farmers to send in their complaints in writing, and naturally some delay was experienced in obtaining them. As a matter of fact, five were received only yesterday and five to-day. It was therefore found necessary to postpone the inquiry, which postponement was apparently taken advantage of by the other select committee. The stored wheat inquiry will resume on Tuesday and the other committee, I understand, will be postponed.

BILL—RESERVES (No. 2).

Leave to Introduce.

THE MINISTER FOR LANDS (Hon. F. J. S. Wise—Gascoyne) [4.36]: I move—

That leave be given to introduce a Bill for an Act relating to Reserve A1149.

MR. LAMBERT (Yilgarn-Coolgardie) [4.37]: Before the motion is put, I desire to suggest to the Minister that a plan be prepared and submitted to Parliament. On two or three occasions I have spoken on this matter—

Mr. SPEAKER: Order! Is the hon. member speaking against leave to introduce the Bill?

Mr. LAMBERT: I think I have the right to speak.

Mr. SPEAKER: Is the hon. member speaking against the motion for leave to introduce the Bill?

Mr. LAMBERT: I shall nominally speak against it, because I desire that the Lands Department should prepare a plan and submit it to Parliament showing exactly the parcel of land that the department desires to have excised from the class A reserve. It is only fair that when excising portion of a class A reserve Parliament should be informed of the actual area.

THE MINISTER FOR LANDS (Hon. F. J. S. Wise—Gascoyne—in reply) [4.38]: It seems unfortunate that the hon. member still does not appreciate the fact that, when a motion is moved to introduce a Bill for an Act to amend any existing class A reserve, it has always to be accompanied by a plan.

Question put and passed.

Bill introduced and read a first time.

BILL—DRIED FRUITS ACT AMENDMENT.

Introduced by the Minister for Agriculture and read a first time.

INVESTMENT COMPANIES SELECT COMMITTEE.

Suspension of Standing Orders.

HON. C. G. LATHAM (York) [4.40.]: I move—

That so much of the Standing Orders be suspended as to permit a motion to be moved

without notice extending the powers of the select committee appointed to inquire into companies issuing security or trust certificates.

If that motion be agreed to, I propose then to move a further motion as follows:—

That so much of the Standing Orders be suspended as to permit the select committee appointed to inquire into companies issuing security or trust certificates to—

(a) Supply to Mr. C. O. Barker copies of the evidence submitted by witnesses before the committee; and

(b) To allow Mr. C. O. Barker to ask questions of witnesses through the Chairman of the committee.

Under the Standing Orders the Chairman and members of the select committee have no authority to supply any person with a copy of the evidence taken. The reports of the evidence are confidential until released through Parliament. The committee has no power either to allow any witness, whether implicated or otherwise to question any other witness who may be giving evidence. Certain evidence has been submitted to the select committee, and it may be regarded as of a serious nature or otherwise. So far the committee has not given much consideration to the evidence except to listen to it. Mr. Barker feels that his position is such as to justify him in being permitted to obtain a copy of the evidence, and to cross-question certain witnesses through the Chairman. The select committee has given serious consideration to this matter, and has asked me to approach the House for authority to exercise the power for which we are now asking.

Question put.

Mr. SPEAKER: I have counted the House; there is an absolute majority present and there being no dissentent voice, I declare the question carried.

HON. C. G. LATHAM (York) [4.42]: I move —

That so much of the Standing Orders be suspended as to permit the select committee appointed to inquire into companies issuing security or trust certificates to—

(a) Supply to Mr. C. O. Barker copies of the evidence submitted by witnesses before the committee.

(b) To allow Mr. C. O. Barker to ask questions of witnesses through the Chairman of the committee.

I give an assurance to the House from the select committee that we will observe the responsibilities that Parliament has delegated to us, and will see that the rights and privileges of the House are maintained.

Question put.

Mr. SPEAKER: The House will divide.

The House divided.

Mr. SPEAKER: There is no need for me to count the votes. I declare the question carried.

Question thus passed.

BILLS (2)—THIRD READING.

1, Death Duties (Taxing) Act Amendment.

2, Administration Act Amendment.

Transmitted to the Council.

BILL—LAND ACT AMENDMENT.

Second Reading.

THE MINISTER FOR LANDS (Hon. F. J. S. Wise—Gascoyne) [4.47] in moving the second reading said: This Bill introduces amendments to the Land Act as consolidated in 1933. The Act of 1933 included all amendments made to the Act from the time when it was originally introduced in 1898. Many amendments to the original Act were made in the 1933 measure and they were of a very varied nature. When the Act was amended and consolidated some of the provisions were introduced in an endeavour to short-circuit some of the proceedings dealing with land transfers, the handling of land generally, and the administration of such matters that came within the ambit of the amended and the old Act. Many of these amendments were very beneficial, but in practice some were not as workable as they were expected to be. In some of the amendments presented in this Bill the endeavour has been made to rectify many of the practices which it was thought the 1933 measure would improve compared with the practices set out in the 1898 Act. But in some instances in the Bill it will be found that we propose to revert to the practice and procedure of the original Act. The land laws of any country are fundamentally the most important. They bring within their ambit some form of control of land settlement in all its phases. They may tend either to encourage or to retard the occupation of land. It is possible that when a survey of

the position to-day, and of the manner in which the public estate is now held, has been made, a time will come when the charge will be levelled at this generation of having been far too generous with the public estate. Indeed, that is quite possible.

Mr. Sampson: Will the Bill mean further taxation?

The MINISTER FOR LANDS: The member for Swan has already become disorderly and asked whether the Bill means any additional taxation. On the contrary; the measure is designed to give even further concessions and to make more readily practicable the successful operation of the land by those who are now holding it. In that there is nothing unusual. As a matter of fact, the general tendency of administration of the Lands Department and of the land laws is almost invariably in favour of those who are in process of obtaining titles or are holding titles. The Leader of the Opposition was closely associated with the Land Act Amendment Act of 1933.

Hon. C. G. Latham: Probably that is why is has proved wrong.

The MINISTER FOR LANDS: No. I think the present Leader of the Opposition made an earnest effort to overcome many of the difficulties which had become apparent through the years. However, I do not think the hon. gentleman will object, after I have explained the provisions we propose altering, to a reversion to the original laws, especially when he understands the difficulties with which we have been faced since then. The Titles Office is closely associated with the Lands Department in the administration of our land laws. Many thousands of documents pass between the Titles Office and the Lands Department annually, and thousands of them have to be signed in Indian ink by the Minister. The Titles Office undoubtedly is most particular with regard to any transaction connected with the land; and that is quite right. The first amendment in the Bill has reference to the Titles Office. It deals with the necessity for declaration of age by a person who is under age at the time application is made for land. Under the present Section 26 of the Land Act no person under 16 years of age is eligible either to hold land, or to select land, or to acquire land by transfer except under Part IV. of the Act, which relates to town allotments. The Act contains no provision for requiring proof of age, and in practice it has been found that great difficulties sometimes obtain when a person who is known to be under age at the time of selecting or acquiring land desires to be in possession of the freehold title before coming of age. The proposed amendment to Section 26 covers the difficulty, and I believe hon. members will find that the amendment will assist the Titles Office by enabling the actual age of the minor to become known by being furnished before he receives the Crown grant.

Section 46 of the Act is the subject of another amendment in the Bill, involving the rescission of a paragraph which because of other amendments proposed in the measure will become redundant. Section 46 in a proviso lays down that before any land held under pastoral lease is declared open for selection notice to the pastoral lessee as prescribed by Section 100 shall be given and the provisions of that section shall apply.

Another amendment proposed by the Bill is to delete Section 108; and by introducing additional clauses it is proposed to effect amendments to Section 109, so that the position will be amply covered in respect of that portion of Section 46 which, as I have indicated, will become redundant.

A very simple amendment is suggested in Section 47, which deals with conditional purchase of land. In connection with conditional purchase, for the first five years the only sum payable is the interest on survey fees. In many instances, after the first five years have elapsed very small sums are expected to be paid half-yearly in discharge of the current lease rents. The amendment desires to get away from the necessity for submitting accounts for very small sums by making the minimum sum £1. The total payable by the lessee will not be any greater; and it is a fact that a similar provision to this was in the old Act but was omitted from the Consolidation Act. I think that unless a person is sufficiently interested in a property to find £1, or unless he is able to find that amount, he is possibly not entitled to hold any land. It can readily be understood that the multiplicity of accounts involved in the very small sums which are now payable is increasing, while already enormous; and the object here is to obviate many complications in bookkeeping and in the rendering of such small accounts.

The Bill contains an amendment to repeal Section 48 of the 1933 Act. This section was a new clause in the 1933 Bill dealing with homestead farm conditions after a person has become qualified for a homestead farm under Section 65, while under Section 48 he has the privilege of applying for consideration whether the area granted to him is exactly the area of a homestead farm or whether he is taking up a much larger area. So that firstly he must be qualified under Section 65 to own a homestead farm; and if he is thus qualified but is taking up an immense area, he is now entitled under Section 48 to apply that homestead farm conditions shall apply to that particular lease. Great difficulty has been experienced in administering those conditions, for the reason that Section 65 prescribes that the area to be granted to a person shall be restricted either to 160 acres of cultivable land or to 400 acres of grazing land. In many cases the leasehold does not contain 160 acres of cultivable land, and an endeavour has been made to have the same allowances which apply to the 160-acre area apply also to the 400-acre area. It will readily be seen that if the basic value of 160 acres is 10s., and that of the grazing land 2s., per acre, it is extremely difficult to apportion the allowances. We have encountered great difficulties in trying to give effect to this new section which was introduced into the 1933 Act. The homestead farm allowance under Section 48—I should like to explain very carefully to hon. members—is not a concession in actual land but a concession in price, so that whatever the area agreed upon, which might be either cultivable land or grazing land, it shall be considered in the total reduction in the price of the land; and therefore the price of the whole area has been adjusted on that basis.

Another difficulty has been experienced regarding Section 48, particularly where a person selecting a property desires the transfer of his land, and to get the transfer to a person entitled to a homestead farm. We have had several instances where difficulties have occurred because a person who desired to buy a large area discovered that the individual who was selling was not fully acquainted with the fact that the person to whom he was to sell was not qualified under Section 65. Great difficulty has been experienced in that direction. To effect a transfer to a person not qualified, there must be an increase in the price of the land to disallow the original homestead farm price allowance. When a person owns a block of land under Section 48 he must, if selling to a person not entitled to a homestead farm, acquaint him with the fact that there will be a price increase that is retrospective, and which must be added to the past payments of the price originally fixed. That necessitates a lot of adjustment, not only in the Lands Department, but in the Titles Office, and this is very difficult. Under Section 65 the owner is protected by reason of Subsection (3) of Section 66 from action against his title. That is well known to many members sitting opposite. Under Section 48 that is not possible. While we do not intend to remove any privileges from anyone who has taken up land under homestead farm conditions, we have found in practice that Section 48 is unworkable, and therefore its repeal is desirable.

The Bill includes an amendment affecting Section 51. I remind you, Mr. Speaker, that this does not concern the Agricultural Bank Act but the Land Act. Section 51 relates to the survey of properties and provides that where several holdings, which adjoin in the original plan, are taken up by one person, the only survey costs for which that individual is responsible are those applicable to the boundary surveys. Later on, the person who acquires such blocks may desire to sell one or more of his leases, and may require the land to be re-surveyed so as to obtain a clear title for the portion he seeks to excise from his aggregate holding. We find we have no authority to charge a person for the cost of such subdivision, and therefore the amendment sought to Section 51 will provide power to collect an additional survey fee when a separate Crown grant is required for such portions of his holding as the owner may desire to sell.

A perusal of the Bill will indicate that we also desire to repeal Section 53 and to insert a new provision in lieu. The section in the principal Act gives the holder the right to accelerate the purchase of his land, and this may be done by paying, in one year, four quarterly instalments, by fencing the land, and by carrying out improvements to the value of 10s. per acre within a period of seven years. If the purchaser complies with those conditions, he can

accelerate the purchase of his property and secure a Crown grant within seven years.

Hon. C. G. Latham: Is it not possible to get it now within five years?

The MINISTER FOR LANDS: Yes, provided the man complies with certain rigid conditions. In such circumstances, the approach to the matter is possible only through the purchaser. The amendment embodied in the Bill will give the Crown the option to apply those conditions to land when it is originally thrown open for selection. As the law stands at present, a purchaser may apply under Section 53 to accelerate his purchase by complying with the provisions I have already outlined, but the Crown has no authority to throw open even a small area of land, the purchase price of which may be only £4 or £5, and to give the person concerned an opportunity to accelerate the purchase and pay for the property within a few years. The repeal of Section 53 is proposed with the idea of inserting a new clause that will enable the Crown to apply those conditions to all land when it is available for selection.

[*The Deputy Speaker took the Chair.*]

Another difficulty arises under the original Land Act, which contains a provision that improvements effected on such lands shall be at the rate of 10s. per acre. That section was enacted at a time when land was valued, and sold, at 10s. an acre. The Bill contains a clause setting out that the improvements shall be commensurate with the value of the land. The effect of that is that if an area is sold at 4s. or 5s. an acre, it will not be incumbent upon the owner to effect improvements at the rate of 10s. an acre. Although the proposed new clause appears to be very long, if members examine it they will find that it covers the points I have mentioned. The clause does not follow exactly along the lines of the 1898 Act, which provided for purchase by direct payments, but it will allow the Crown to facilitate purchases under the conditions I have outlined, irrespective of value. The amendment proposed to Section 54 which will interest members opposite, refers particularly to the purchase of small areas for vineyards, orchards and gardens. The Act at present provides for a deposit of 10 per cent. with the application, and the balance of the first half-yearly payment when the application is approved. Under those conditions it may be that a person lodges 10s. with his application, and within a month or so he is required to pay say, another 10s. so as to allow the lease to be issued. The amendment seeks to alter the provision for 10 per cent. by substituting a payment of one-sixth. That payment will cover both amounts that are now required from the applicant by the department. In practice the department has endeavoured to obviate the two payments. I think that was done first when the Leader of the Opposition was Minister for Lands. The object was to save bookkeeping entries in relation to such small amounts. With that end in view, the department accepted a composite amount with the application, but that course has been queried by the Audit Department. In consequence, the amendment is proposed so that a person shall be able to pay one-sixth instead of 10 per cent. with his application.

Next I will draw members' attention to the proposed amendment of Section 60, which refers to the issue of new leases. Where land is subdivided at present and new leases are issued, together with the surrender of the old leases, the new leases are required to commence from the date of the original document. Originally that was provided for because of the provisions of Section 221 of the Road Districts Act, which specified certain exemptions. That Act was amended in 1932, and now such exemptions do not apply after the surrender of the lease. In the circumstances, the proviso concerned is not now needed. We find that the Land Titles Office questions whether leases can be ante-dated. That office contends that when a new lease is granted to replace an existing lease, the term cannot commence from the date of the original lease. Therefore, in practice, what the law now says is not possible. The Bill seeks to amend Section 60 of the Act so that a new lease may be granted for the remainder of the term of the old lease.

The proposed amendment of Section 63A is desired in order to make it possible to extend the term for payment of arrears for such a period as will not involve the payment of an additional sum annually. For example, under Section 63A of the Act, the maximum period over which a purchaser may spread his payments is five years. Some persons are six or seven years in

arrear and it has not been possible to spread their outstanding payments over a period comprising the remaining portion of the lease, plus an additional five years, without increasing the amount of the annual payment. It is desired to ease that position by making the maximum period for which a lease can be extended for this purpose 10 years.

Hon. C. G. Latham: Do you mean from the passing of this Bill?

The MINISTER FOR LANDS: Yes. The Bill also contains another provision with respect to expired leases which is somewhat similar in its application to the provision I have just explained. The amendment deals principally with Agricultural Bank securities. The Act was previously specifically amended to permit of expired leases being revived so as to enable the Agricultural Bank to adjust their mortgages and facilitate sales. The amendment provides for the extension of the present five-year period to 10 years.

It will be found on examination that many sections of the Act are involved in the proposed amendments. The repeal of Section 108 and the additions to Section 109 refer to many parts of the Act. The present provisions relating to the excision of land from pastoral leases in order to make it available for selection do not work satisfactorily. Section 108 provides for the excision of land from pastoral lease areas so as to make such land available for selection as conditional purchase leases. In those parts of the State other than the South-West division, the pastoralist must receive 12 months' notice of the proposed resumption; in the South-West division, three months' notice is necessary. Section 108 at present obliges the department to give such notice to the pastoralist. Sections 55 and 56 of the Act provide that there shall be no prejudice with regard to Section 111, which deals with improvements. There are other clauses in the Bill dealing with the excision of land from pastoral leases. One difficulty it is desired to remove is where a person makes application for land in a pastoral lease and then—after the Crown has taken the necessary action to enable him to acquire the land—does not take it up. This part of the Bill is therefore divided into two sections. At present, it is necessary for the Government to resume the land, for which the pastoral lessee must receive compensation. Provision is now made that when the Government desires to resume land a special portion of the Act will apply; where an individual selector applies, another portion of the Act will apply. In the latter case, provision is made for the person desiring to acquire the land to complete his contract and arrange for payment for the improvements before the Crown is left, as it were, to carry the baby. Formerly, the Crown was responsible for payment of the compensation. There have been many instances of the Crown entering into possession, only to find that the land was not taken up by a person who had requested that it should be made available for selection. These two parts of the Bill may appear to be involved; but they will protect the Crown and the pastoralist lessee, besides preventing the causing of difficulties by irresponsible persons. Experience has shown that it is better to attach some responsibility to such persons at the time they make their application. Section 111 of the Act will still apply, so that no difficulty will arise with regard to survey, acquisition and allowance for improvements.

An amendment is proposed to Section 113, dealing with pastoral leases. Under this section, the maximum area that a person or an association of persons may hold under pastoral lease is specified. It has been generally considered that the section prevented any person from holding more than 1,000,000 acres, whether direct or by way of beneficial interest. This view has been upheld by the Crown Law Department; but in a recent case referred for opinion to a Judge in Chambers a decision was given that a person was entitled to hold 1,000,000 acres direct and an additional 1,000,000 acres by way of beneficial interest. The present amendment is designed to limit the maximum area to 1,000,000 acres, in whatever way the land may be held. The amendment simply brings the law back to what was always intended and always considered to be the law.

The next amendment deals with Section 114 and it also has to do with pastoral leases. This section provides for the surrender of the old pastoral leases expiring on the 31st December, 1948, and the granting of new leases extending to the 31st December, 1982. Under the section, application for a new lease had to be made within one year of the passing of the 1933 Act. But

many people were not aware of the existence of that particular provision and in a number of instances lessees did not apply within the stipulated time. It is not desired that they should be penalised; or that, if the Lands Department to-day issues a new lease, that lease should be subject to the provision enacted last year that entitles the holder to five years' free rental. The proposed amendment to Section 114 enables us to deal with those cases without any detriment to the person who did not apply within a year of the passing of the Act and at the same time protects the interests of the Crown by removing the concession of five years' free rental to the leaseholder.

Another amendment deals with the activities of the Pastoral Appraisement Board. We desire to repeal the existing conditions, to reinstate them to some extent and to add a provision. Section 101A is found to be insufficient to cover the serious losses some pastoralists have experienced through their inability to stock during periods of drought. The section gives the board the authority to waive rentals in whole or in part or to suspend them if it considers that the losses through drought during the preceding year have been such as to warrant that consideration being given. The suggested amendment provides that even though a person has not actually lost stock through drought, it will be possible to waive rentals on such a property if the individual concerned has, through drought, been unable to stock his lease.

The remaining amendment to which I desire to refer deals with Section 130, applying to repurchased estates. The experience of the Government in this matter has been a sad one. Twenty-two repurchased estates have been revalued and the total amount written off in principal and interest is £279,702. Last year £40,693 was written off. To those tremendous sums must be added the actual cost to the Crown, plus survey fees of land repurchased and made available for settlement. In the revaluations, considerable concessions have been made with regard to the amounts payable over the 40 years' term of the lease and the Government has had considerable worry in the financing of these repurchased areas. In the past, moneys collectable have been very small, and when times were bad the Government used the money without making any provision in a trust account for debentures to be met. During the past few years, however, the Treasurer has anticipated the repayment of debentures and if hon. members examine the Budget statements they will discover that there is a trust fund of £44,000 to meet the very heavy claims from debenture holders that will mature soon. It will be observed that the Treasurer has made provision for a large addition to that trust fund during the current year.

The history of repurchased estates is a sad one for the Government. Many of the original selectors of those areas made large sums of money by selling their leases—some of them before they had made one payment—at an enhanced price when values were higher. Some obtained a rake-off amounting to thousands of pounds. Those people have not volunteered to assist the Government in any way. While some are still receiving deferred payments from those to whom they resold the land, the Government is periodically faced with the need to meet payments due to debenture holders for the purchase of those estates. The proposed amendment to Section 130, while not calculated to relieve the Treasury immediately, will give the selector a prospect of meeting his payments at some time and will extend the time for payment of arrears for a term at the expiration of the existing lease. What is desired is to re-capitalise arrears and to readjust leases, extending them for a period of 40 years and making the arrears outstanding repayable when the present liability ceases, so that, if a person has had his lease for 15 years and has 25 years still to go, and if he is ten years in arrears with his payments, those arrears will be capitalised and distributed over the period of 40 years. In that period all outstandings will be capitalised and he will pay a fixed sum annually. That will not only give a person who is in arrear—and some are considerably in arrear—an opportunity to maintain his property but will also provide the Crown with the possibility of recouping itself for the tremendous amounts outstanding. The Crown will lose the amounts wiped off plus interest and in addition the interest on all deferred payments.

Provision has been made to anticipate payments to debenture holders and since as I have mentioned, the Treasurer has arranged to build up a trust fund, we hope

there will be no sudden shock to the Treasury when a bill for say, £100,000 is presented to it. The allowance this year is £30,000. When a person can maintain his present payments, no concession will be given, but when a person is in arrear, and cannot meet his current payments, his arrears will be extended to the end of his present lease and a new lease will then be issued. In order that no hardships may be imposed, the Bill provides for the appointment of a board of qualified people to deal with each case and to make recommendations. I think I overheard the member for Murchison (Mr. Marshall) interject "cut it short." What I have said is a brief summary of the provisions of the Bill and an explanation of the clauses. I move—

That the Bill be now read a second time.

On motion by Hon. C. G. Latham, debate adjourned.

[*The Speaker took the Chair.*]

BILL—FACTORIES AND SHOPS ACT AMENDMENT (No. 2).

Second Reading.

THE MINISTER FOR LABOUR (Hon. A. R. G. Hawke—Northam) [5.2] in moving the second reading said: This Bill proposes to alter the principal Act in several directions. The definition of "shop" is extended for the purpose of bringing in hairdressing saloons. Under the definition in the principal Act, hairdressing saloons are not regarded as being shops. Hairdressers are therefore legally entitled to sell goods at hours when they could not legally be sold in a tobacconist's shop. That anomaly which now exists, it is considered should not be permitted to continue.

The Bill seeks to repeal Section 39 of the principal Act which compels holidays to be given to factory workers on Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day and King's Birthday. Under the existing law a holiday must be granted on the days in question, irrespective of the processes being carried on in any particular factory. Continuous process operations are conducted in certain factories, and it becomes a matter of considerable difficulty for such factories completely to cease work on all the holidays at present set out in the Act. In some factories it has been found impossible to cease work on those days without creating a certain amount of confusion and loss. In most of the factories in question the operations have been carried on and the employees concerned have been given some other day off in lieu of the particular public holiday on which they worked, and on which they should not have worked. The Bill makes an effort to overcome the difficulties I have mentioned. If the proposal is accepted by Parliament, difficulties, confusion and loss that have resulted from the existing law will not arise in future. The Bill provides that in a factory in which the process is of such a nature as to render it essential that the work of the factory shall be carried on upon any specified holidays, the worker may be employed on any one or all of the specified holidays. If a worker be so employed, he shall be allowed a holiday of a full day in lieu of the public holiday upon which he was required to work. The holiday in lieu shall be granted upon some week-day within one month after the public holiday upon which the employee was required to work. The worker concerned shall receive payment at the ordinary time rate for holidays on which he works, except in respect of Christmas Day and Good Friday. He shall be paid at the rate of time and a half for any work carried out by him on those days, plus a holiday on full pay in lieu of either one or both of those two holidays.

The Bill aims at applying the same general principle in connection with the half-holiday which occupiers of factories have to grant to their employees at present. The half-holidays are now fixed and must be given at the time now provided for in the Act, irrespective of the effect upon the operations of the factories concerned. The Bill aims at allowing the occupier of a factory to work his employees on a specified half-holiday, provided a half-holiday on pay is given in the afternoon of some other week day, within seven days of the occurrence of the specified half-holiday. The provisions in the principal Act dealing with this point were framed at a time when continuous process operations in factories were not as general as they are to-day. The scientific development of industry, and particularly of secondary industries, has brought about the operation

of many additional continuous processes, operations in many different types of factories. Therefore the sections in the principal Act dealing with these factories are now out of date. So much out of date are they that it has been found almost impossible to enforce them in recent years. Had they been enforced upon the factories concerned, those factories would have been very frequently prosecuted, and the result would have been to occasion a great deal of loss to the factories in question and the probable closing down of a number of them. The Bill seeks to overcome the difficulties that have arisen, and it is believed the acceptance of this particular part of the Bill and its operation in view of the existing provision will be of great assistance in the carrying on of the particular type of factories to which I have been referring.

The principal Act contains a general prohibition against the employment of any male worker in any factory beyond 8¾ hours in any one day or more than 48 hours in any one week. That prohibition, however, does not apply to any male worker employed in getting up steam for machinery in a factory or in making preparation for work in a factory or to any of the trades set out in the Third Schedule of the Act. Although the Act allows such workers to be worked beyond the hours mentioned, it does not provide any penalty rates for the overtime so worked. It will be realised, I think, that the maximum number of hours to be worked in any one day or in any one working week is higher for the workers concerned than the standard hours now operating in industry generally throughout Australia. The standard hours are not more than eight in any one day and not more than 44 in any one week. Our Act allows male workers to be worked for 8¾ hours or in excess of 8¾ hours in any one day, and in excess of 48 hours in any one week, provided they are engaged in the classes of occupation referred to. It is therefore reasonable to claim that employees called upon to work beyond those more than standard hours should receive overtime rates for the excess time worked. The Bill provides that payment at the rate of time-and-a-half shall be made for the first two hours worked in excess of 8¾ hours in any one day, or 48 hours in any one week, and double time thereafter.

A definition of the word "day" is included in the Bill. For the purposes of the Factories and Shops Act, the word "day" will mean the period commencing at midnight one day and ending at midnight on the next succeeding day. The object of the new definition is to enable action to be taken to prohibit the employment of any female shop assistant between the hours of midnight and six o'clock on the next succeeding morning. The Bill contains a prohibition to that effect. That prohibition is regarded as essential because of the growing practice of proprietors of certain all-night cafes of employing females at all hours of the night and early morning. Recently inspectors of the Factories and Shops Department carried out an exhaustive investigation into the conditions operating in the employment of female shop assistants in all-night cafes conducted in the metropolitan area. The time and wages book of one firm showed that approximately 39 persons were employed in the shop from the 1st January to the 31st July of this year. Of the 39 persons so employed, five were males and 34 were females. Most of those workers were employed in the shop for only very short periods. Doubtless the spread of shift and the hours during which they were stood off and at which they were re-started were so undesirable as to compel them to leave that employment and seek work elsewhere.

Mr. Sampson: Possibly those are exceptional cases.

The MINISTER FOR LABOUR: They are not exceptional cases at all; they illustrate the general rule operating in such shops.

The Minister for Mines: And the practice is growing every week.

The MINISTER FOR LABOUR: The working day commences at 8 a.m. and terminates between 2.30 a.m. and 4 a.m. on the following day, and there is a spread covering 16 hours in all. As I have pointed out, some of the female assistants finish their shift at 2.30 a.m. and some at 4 a.m.; others finish at all sorts of undesirable hours. In another shop of the type mentioned, the department ascertained that female employees had a break in their shifts between midnight and 2.30 a.m. It must be obvious that this is a most undesirable time for females to be off duty. As the night shift in one of the shops terminates at various times from 2.30 a.m. to 4 a.m., members will real-

ise that amending legislation to overcome this difficulty and this evil is urgently required. I could continue giving many other examples of the hours at which these employees commence, the hours during which they are compelled to break their shifts, the hours at which they re-start, and the hours at which they finally complete their shifts, but I think the explanation given of the difficulty, and the undesirable features associated with the difficulty, should be sufficient to convince every member of the necessity for legislation that will prohibit the employment of any female shop assistant between the hours of midnight and 6 a.m.

Mr. J. H. Smith: Will not that make things very difficult in some instances?

The MINISTER FOR LABOUR: I cannot imagine that any difficulty will be caused in any instance. The shops will be permitted to remain open if the business is sufficient to warrant their remaining open. If those concerned desire to conduct their businesses over 24 hours in every day, they will have to employ male shop assistants between the hours of midnight and 6 a.m.

Mr. Sampson: In the railway refreshment rooms it might operate unfairly to female workers.

The MINISTER FOR LABOUR: Unless action is taken by Parliament to control this practice, it will grow at a fairly rapid rate, and instead of the number of females affected being comparatively small, it will become very substantial. We believe that this evil should be attacked early and eradicated before it becomes more widespread.

The Bill proposes to give to every person employed in a shop a holiday on full pay on any day upon which such shop is required to be closed under the provisions of the Act. A majority of the shopkeepers give their employees that benefit at the present time, but some shopkeepers do not pay their workers anything for those days. The Bill further provides that one week's holiday on full pay shall be granted to shop assistants upon the completion of 12 months of service. Where the period of service is less than 12 months, pro rata leave is provided for. Here again I point out that a majority of shopkeepers not covered by awards or agreements do give their assistants a period of annual holiday of at least one week, but a minority of shopkeepers in the State fail to give their assistants any annual holidays at all. We consider that the minority should be brought into line with the others, and that the holidays stipulated in this Bill are not in any way excessive.

The Bill also contains a clause in which we aim at overcoming the difficulty that has arisen in connection with an amendment made to the Act in 1937. When the Act was amended in that year, we believed that no adult female employed in a factory, shop or warehouse could be paid at a lesser rate of wage than the basic wage for females, and that no adult male so employed could be paid at a lesser rate of wage than the basic wage for adult males.

The principal amendment made to the Act in 1937 provided for the workers concerned to receive not less than the minimum rate of wage prescribed in any industrial award or agreement. At that time it was not imagined that there was in existence in this State any industrial award or industrial agreement that provided a minimum wage of less than the basic wage. The Government thought, and probably every member of Parliament thought, that the approval given to the particular amendments in 1937 meant that from that time onwards every adult female employed in any shop, factory or warehouse would receive at least the female basic wage, and that every male so employed would receive at least the basic wage for adult males. However, two industrial agreements were discovered, both of which provided for a minimum wage of less than the ruling basic wage for adult males.

Hon. N. Keenan: In what industry?

The MINISTER FOR LABOUR: One of them concerned either the boat-building industry or had something to do with persons employed upon local sea-going craft that travelled on the waters of the Swan River and other such waters within the State. By virtue of the Government being a party to that particular agreement, it was able to take action in the Arbitration Court, leading to the agreement in question being cancelled. That agreement had not operated for many years, and the union responsible originally for having the agreement made by the court had gone out of existence. Although the agreement was dead for all practical purposes, it had a legal life because of the provisions of the Industrial Arbitration Act, and on that account it might have been used for the purpose of deciding the minimum wage that should be paid to adult males employed in factories, shops and warehouses

within the State. Later it was discovered by the employers that another industrial agreement covering vineyard and orchard workers was in existence, providing for a minimum wage for adult males of only £3 14s. 8d. That minimum wage is static inasmuch as it is not affected in any way by alterations in the cost of living. Several owners of shops, factories and warehouses are taking full advantage of the existence of that agreement, and of the low minimum wage it prescribes. They are paying their adult male employees £3 14s. 8d. per week. The industrial agreement in question has no existence in fact as it does not operate at all so far as any vineyard or orchard worker is concerned. The union that covered the workers concerned went out of existence several years ago, and the provisions of the agreement are not operating in any respect, and yet the agreement itself is being used by certain employers to enable them to avoid paying adult males the basic wage, with the result that the workers concerned, instead of receiving slightly over £4 per week, are paid a weekly wage as low as £3 14s. 8d. It is important to remember that, no matter how much the cost of living may increase during war, this fixed rate of £3 14s. 8d. will remain the maximum that need be paid to adult males employed in factories, shops or warehouses that are not covered by any other award or industrial agreement.

There can be little if any doubt that members of Parliament believed they were providing for the basic wage to be paid to adult males when they approved of the appropriate amendment during the 1937 session of Parliament. The present Bill makes it clear beyond question that any adult female employed in a factory, shop or warehouse shall be paid at a rate not less than the basic wage for adult females, and that no adult male worker or employee in any such place shall be paid at a rate less than the ruling basic wage for adult males. It is to the credit of the owners of the majority of shops, factories, and warehouses that they have not taken advantage of the existing weakness in the law in connection with the point I have just been discussing. They pay at least the basic wage to their adult male employees as well as the female basic wage to their adult female employees. This particular portion of the Bill is regarded as one of the most important of the amendments proposed to be made to the principal Act. I have no doubt it will receive the unanimous approval of Parliament, and thereby give real legal expression to the decision that Parliament made in the matter two years ago. I move—

That the Bill be now read a second time.

On motion by Mr. Watts, debate adjourned.

BILL—TRAFFIC ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 24th October.

MR. DONEY (Williams-Narrogin) [5.58]: Members who represent metropolitan constituencies, and most members generally, will, I think, share my opinion that the debate on this Bill might beneficially have been deferred until next Tuesday so that the bodies mainly concerned, the local governing bodies, might have had an opportunity to go through it and understand it. Had I fully realised how deeply this tiny Bill digs into the finance, the rights and privileges, and the general interests of local governing bodies, and had I been aware of the agitation commencing outside, I would have taken steps to secure the adjournment of the debate until next week. In any case I assumed that the usual practice would have been followed, and that I would not have been called upon to resume the debate before Tuesday next at the earliest, so that an investigation of this important matter might have been made during the week-end. There is no doubt the Bill is an important one. It is certainly only a one-leaf Bill, but the Minister occupied nearly an hour in explaining it to the House. It touches an aspect other than the purely financial aspect of the position, which was the one stressed by the Minister. A sentiment that has grown up of recent years in Western Australia might be expressed in these words, "Hands off our local governing bodies!" A highly appropriate sentiment, and one to which the House might well give heed. A noticeable fact in this State is that any threat of interference with the established practices of local governing bodies invariably arouses strong opposition, and especially so when the threatened interference applies in any way to the

finances of the bodies concerned. At one time I was a road board member and chairman, and I suppose that remark applies to many members. That, and the fact that I still have a strong admiration for the achievements of local governing bodies causes me to feel every sympathy for the jealousy with which those bodies defend their rights and privileges.

The Minister presented the Government's views most ably. The hon. gentleman had not an easy task. The position to be explained seemed to me rather intricate; and even after hearing the explanation I am not sure that my reading of the position is wholly exact, which means, of course, that in due course I shall be open to correction if correction should be needed. In seeking to establish the Treasurer's title to a portion of the metropolitan traffic fees, the Minister stressed three points. One was the imperative need for a balanced Budget. The second was the fact that the Eastern States pass their traffic fees to general revenue. The third was pressure from the Grants Commission to secure from the various road funds sufficient to meet interest and sinking fund on that portion of our loan moneys which has been expended on road construction and maintenance and so forth. The Minister for Works pointed out also that interest and sinking fund in this connection amount to £143,000 annually, and that to-day that sum has to be recouped from Consolidated Revenue. It may be recalled that throughout the Minister's speech the suggestion was that there would be absolutely no diminution whatever of expenditure on metropolitan roads, but merely a variation in the method by which the necessary funds would be made available. All right. I shall return to that point later. So far as I could gather however, the Minister gave no indication whatever that the traffic fees of country municipalities and road boards would not be interfered with in any way. Certainly I would have preferred a straight-out denial by the Minister that there would be such interference in any circumstances. The hon. gentleman may perhaps be prepared later to reply to me on that point.

The House will readily admit the propriety of balancing the Budget. For that, a case can be made out without any difficulty. But why should the Budget be balanced at the expense of our roads, and why should it be taken for granted that the balancing could most advantageously be effected at the expense of those roads? That has not been explained. Perhaps the proposal represents an easy way of making money for the Treasury; but I very much question whether it is the best way, especially having regard to the fact that our road policy is a long-term policy and will not stand the vital disturbance aimed at in the Bill. I would like to ask the Minister exactly what phase of road or bridge construction or maintenance it is thought we are over-spending on. There may be over-spending in some directions; but if so, I do not know of it, and would be glad of enlightenment. I would also like to know in what direction money can be saved, what proportion we can save from the present metropolitan roads expenditure, and how much can be economised in the present expenditure on country works. Does the Minister fully appreciate the fact that if he reduces Traffic Trust or Federal Aid Roads or loan expenditure in order to recoup the lost traffic fees, he will then be under the necessity of discovering other funds to finance the Government's unemployment requirements? The House understands, I take it, that the major portion, perhaps as much as 85 per cent., of unemployment is now met by main roads work.

Mr. Warner: Chiefly in the country.

Mr. DONEY: Yes, chiefly in the country. Leaving that aspect for the moment, I recall the Minister's remark that the Eastern States are taking traffic fees into general revenue. There can be no disputing that. They do it. I am not quite sure, but possibly Tasmania does not. Certainly the other Eastern States do. Well, what about it? To me it means absolutely nothing at all. Views as to road construction and maintenance accountancy must naturally differ; but the point we are now concerned about is that we are required to reduce our expenditure on our roads. The Eastern States certainly are not doing so. I do not know, therefore, that the fact of their taking traffic fees into general revenue concerns the subject-matter of this Bill one tiny little bit. I mentioned the Minister's implication that the new method of financing metropolitan road requirements need mean no reduction in metropolitan road expenditure. Having regard, of course, to the expressed purpose

of the Bill, we must admit that that does not sound very convincing. If I heard him aright, the Minister said that the new system would prejudice, or handicap, the local authorities in no way whatever. I hope that is so, and that the Minister can manage to explain more clearly than he has so far, just how he claims the proposals will have that effect.

Mr. Cross: Perhaps you did not understand.

Mr. DONEY: That is always possible. I am prepared to admit that. I gathered from the Minister's remarks that the money would be refunded later on under the provisions of a complementary Bill, which will be introduced to amend the Main Roads Act. I would like to understand the position a little more clearly, as this is the point upon which the major amount of misunderstanding is likely to arise. We know that the traffic fees in the metropolitan area—I am dealing with the receipts for last year—totalled almost exactly £198,000. That amount is, of course, subject to certain deductions. For instance, 10 per cent. goes to the Police Department to recoup it for the trouble and expense of making the collections, and 22½ per cent. is paid to the Commissioner of Main Roads. There are other statutory deductions, and the balance, which would be something like £120,000, goes into Consolidated Revenue. I quite admit that in due course there will be a refund, perhaps not from that actual fund, but from some other Government-controlled fund—though not to the extent of the full amount, as one would be led to believe from the Minister's remarks. If that be not so, I cannot see what could possibly be the purpose of the Bill. Surely the Minister or the Government does intend, by means of the provisions of the Bill, to collect quite a substantial sum from the transaction. Of course, if the Minister is correct and the metropolitan area is not to suffer at all, I would then like to know where the lessened expenditure is to be. If the Government is to collect upwards of £120,000 or, as I have already explained, some portion of it, then either the metropolitan local governing bodies or the country local authorities must suffer. I am inclined to think that those who will ultimately suffer will be the rural local governing bodies. Perhaps it may take the form of a restriction upon loan expenditure in those parts of the State. Of course, I cannot tell. It may be that there will be a corresponding lessening to the rural bodies of their share of the Federal Aid Roads Grant. That is what I fear, and I hope the Minister will explain, as fully as possible a little later on, what the position will be and perhaps allay the agitation to which I made reference at the outset of my remarks. The Minister found it desirable to quote from the report of the Commonwealth Grants Commission, and I admit that from that source he has advanced his best arguments, together with other arguments not quite so effective. He stressed the fact that Western Australia received a larger proportionate grant from Federal sources than did the other States, and he went to some trouble to emphasise the generosity of the three donor States to the three claimant States, of which Western Australia is one. I suppose that is all right. I imagine if I could deal with secondary industries, I could tell a tale of Western Australian generosity to those same three donor States, and I may submit to the Minister the question whether we give more to than we get from the Eastern States. I ask him that, merely to point out that there is not a great deal in the Minister's contention.

Mr. SPEAKER: Does that matter come within the scope of the Bill?

Mr. DONEY: I should say so, Mr. Speaker, if you are asking me my opinion.

The Minister for Mines: It is much better to give than to receive.

Mr. DONEY: I am merely replying to the arguments advanced by the Minister on that particular point. Quite apart from that phase, I would like to ask the Minister, and members generally, how, on the basis of equity, could that increased grant to Western Australia be otherwise? As pointed out by the member for Swan (Mr. Sampson) by way of interjection, this State is a country, as we are constantly telling ourselves, of vast distances. When you appreciate the fact, Mr. Speaker, that the safe, economically-sound patches of Western Australia—that is to say, the South-West, the goldfields areas, the North-West and the metropolitan area—are, generally speaking, widely separated by arid or semi-arid stretches that contribute very little to the public revenue, it means that in order that this State may move forward as one successful economic unit, we

are forced to travel for miles upon miles over very extensive and wasteful areas.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. DONEY. Before tea I was emphasising the fact that in this State there are many miles of unproductive roads linking up one profitable pocket of country with another that have to be maintained in reasonably good order by the Government. As members will agree, that is a costly business, and it represents a disability which is largely non-existent in the other States, with the possible exception of South Australia, although that State would suffer, but to a considerably lesser degree. It is vitally incumbent on us to minimise that particular disability by rapid transport between one distant point and another. To do this, obviously we must have good roads. Our road funds therefore should be the last revenue to be exploited to provide easy money for the Treasury. I wish to stress the fact that in Western Australia we have quite properly embarked upon a comprehensive and long-distance road construction programme. Plainly, we ought to adhere to that programme; because if we do not we will assuredly stand to lose much of the money that we have already expended. It is therefore clear that we cannot afford to slacken in our road expenditure; rather are we likely in the future to increase that expenditure. As the Bill has for its one purpose the decreasing of road expenditure, I hope members will unite in defeating it. The Premier claimed that our roads made no direct contribution to the Treasury; but is he not liable to forget one thing, that the financial emergency tax was originally intended—in part, at all events—for the relief of unemployment? Instead of being applied for that purpose, it goes—as members know—into Consolidated Revenue.

Mr. Cross: What has that to do with the Bill?

Mr. DONEY: The result is that responsibility for relief works falls to a major degree upon the Main Roads Traffic Trust. It follows, therefore, that a great deal—although of course not by any means all—of relief works expenditure must be regarded as relieving the Treasury of payments that would otherwise be a charge to Consolidated Revenue. I have already expressed regret that the Bill was not put further down on the notice paper. Had that been done, the public would have had time in which to express itself upon the measure. That, in my opinion, is necessary and desirable. I understand the local governing bodies of the State are up in arms against the Bill; the country bodies I presume because they fear that this is but a prelude to another polite bit of burglary—if I may so express myself—of their fees, and the metropolitan bodies because, as we can see by a perusal of the Bill, they have already been assailed. I believe that on Tuesday next the local governing bodies will meet in conference. All the metropolitan local governing bodies, so I am told—I do not know of my own knowledge—are strongly opposed to the Bill. If this debate is adjourned, as I hope it will be, members can take the opportunity to attend the conference and so become armed with additional reasons for the defeat of the measure. Before concluding, I desire to emphasise that all the local governing bodies in the State hold the opinion that if the Bill is passed, the necessity will arise to levy higher rates. Members representing metropolitan constituencies may speak for themselves, but I draw the attention of the House to the fact that at present country people are certainly not in a position to pay additional rates. I hope that over the week-end members will acquaint themselves with all phases of the Bill, so that when ultimately they vote upon it they will know precisely what they are voting for.

HON. N. KEENAN (Nedlands) [7.37]: This is a Bill dealing only with the allocation of part of the traffic fees which are collected in the metropolitan area, and it is therefore not relevant to discuss on this Bill what effect will result from any measure dealing with the allocation of traffic fees collected outside the metropolitan area. I should offend against the rules of order if I were to attempt to expand any observations I make in such a way. I submit that the reasons given by the member for Williams-Narrogin (Mr. Doney) in asking the House to refuse to assent to the Bill are correct. He said that the case made by the Minister can be grouped under three heads: 1, That it is the practice in the Eastern States for this class of revenue to be absorbed into the revenue of the State: 2, That there has been some disability imposed.

on this State by the Grants Commission in consequence of the present practice; 3—and this is really the only important one—that the money which this new allocation will affect is badly needed by the State Government. With all those objections I propose to deal very shortly. In the first place, the fact that in the Eastern States a similar class of revenue is absorbed into the Consolidated Revenue has no bearing whatever on this State, because our circumstances are entirely different. In the Eastern States roads have been constructed—from our point of view—to most of the distant parts and there is, relatively speaking, only a small measure of new road construction. Those States are settled and have been settled for a long period.

Secondly, we have no knowledge apart from that fact as to how far the Governments in the Eastern States accept responsibility for the maintenance of roads, or what votes are made available for that purpose. Here the local authorities in the metropolitan area are faced in every instance with a large bill for the construction and maintenance of roads. They have also to take into consideration the fact that the areas served by these roads are relatively speaking far less settled than those in the Eastern States. True, in some places settlement is fairly close but, taking the metropolitan area as a whole, settlement even to-day can only be described as sparse. So no true comparison can be made between this State and the Eastern States. The next point is the disability alleged to be suffered by the State in the matter of the reduced grants allocated by the Commonwealth Grants Commission on account of the present practice. I submit that the Minister has misconstrued the criticism of the Grants Commission. That criticism is to this effect: If a claim is made for a grant, the Commission says the grant provided is to be measured by the needs of the claimant State. The Commission also says—and if that is the right criterion of its duty, to say so is logical—that the applicant must demonstrate that the moneys it has received have been used in such a way that the grant is justified. In other words, the claimant State has to show that it has used, with care and discrimination, the loan moneys received on reproductive work or work which, at any rate, if not wholly reproductive, is to some large extent reproductive, and therefore would relieve the State Treasury from the necessity of finding interest and sinking fund. That is the test the Commission applies to the expenditure of loan money on roads. The Commission says that if it appears by the figures submitted that a considerable amount of loan money has been spent on the construction and maintenance of roads, which is not reproductive work, the applicant has no right to come as a needy claimant asking the Eastern States— that is the non-claimant States—to find money to replace what such applicant has wasted and to provide interest and sinking fund on the loan money so used. The Commission points out that some income is derived through traffic fees and that that income should be utilised to pay interest and sinking fund on the capital expenditure of loan moneys used for the construction and maintenance of roads. If the proper function of the Commission is purely to be a needs commission, that argument is sound. Nobody can question it. But how much loan money has been spent on roads in the metropolitan area? It is true that, in the desire to find work for the unemployed—a most meritorious policy—the Government of the day has expended loan money on roads. That was the only means the Government could find at hand to provide employment without spending a large amount on mere machinery. More than once it has been emphasised, principally by the Premier himself, that 90 per cent. of the money spent on work of that character, namely road construction, is absorbed in labour, and that therefore that kind of work is eminently suitable for the absorption of the unemployed, and especially unskilled labour. For that reason loan money has been used—and it might be said legitimately used—for the construction of roads. But how much has been used in the metropolitan area?

Mr. J. Hegney: In 10 years, £31,000 has been spent.

Hon. N. KEENAN: In the metropolitan area?

Mr. J. Hegney: Yes.

Hon. N. KEENAN: I examined the figures of the Grants Commission but I found that the amount spent in the metropolitan area had not been separated from that expended in the State as a whole.

Mr. J. Hegney: That was the Minister's statement.

Hon. N. KEENAN: Well, £31,000 for 10 years represents £3,000 a year. How much has been spent in the last two years? To my knowledge, in that time the local authorities have used not merely the moneys they have received as their share of the traffic fees but a considerable portion of the amount raised by rates, on the construction of roads in the districts under their control. Is the Bill warranted by the fact that £31,000 has been spent in 10 years? Is that sufficient reason for taking hundreds of thousands of pounds from the local authorities? Of course it is not. I pass by those two arguments as being arguments which, upon investigation, are found to have no force and to be of no effect.

I come now to the third argument, namely, the need for revenue being increased, and this being a means of increasing it. Undoubtedly that is so. If the premise were correct, if it were established that additional revenue is not only desirable but necessary, and if this revenue can be taken from traffic fees, as undoubtedly it can be by Act of Parliament, the Minister has of necessity justified his case. But let us bear in mind what the Minister has put before the local authorities in order to induce them to make this concession of surrendering the income received from traffic fees. He has told them he is prepared to give them approximately the same amount as they will lose in traffic fees; but the amount they are to receive is to be measured by the amount they actually spend on construction and maintenance of roads. I know that the Minister has assured them they will not be the losers, but that what they will receive will fully compensate, if not more than compensate them, for the loss they sustain through the surrender of the traffic fees. I suppose I am entitled to assume that the Minister has convinced himself that that is so. I take it that he has, and that in fact the result will be that out of the money made available by the Federal authorities from the main roads grant the local authorities in the metropolitan area will receive an equivalent of the amount of which they would be deprived if the Bill becomes law. But does not the Minister perceive that that fact at once destroys his argument as to the need for taking this money into Consolidated Revenue? He has said that if it is not absorbed into general revenue, additional taxation must be imposed. But let us discover what the position will be if, instead of additional taxation being imposed, the course suggested by the Minister is adopted.

At present the Government has the right to spend every penny it receives under the main roads grant on work associated with the construction and maintenance of roads and for some additional work such as bridges. Therefore it means that the Government will not be able to spend a certain sum out of its left-hand pocket, but will hand it over to be spent by the local authorities, and in the long run the two things will balance. What the Government will lose by handing over the amount from the grant of the Federal authority to the local authorities will be made up—if it is made up—by the amount taken from the local authorities in the form of traffic fees. Whatever amount may be spent by the local authorities on the construction and maintenance of roads out of the Federal grant may be in excess of what is now received by them under the traffic fees. Maybe the local authorities spend more; in fact to-day they are spending more. I know of no local authority that is spending on the construction and maintenance of roads the bare amount received from traffic fees. If they are to receive the whole amount they spend on roads, they will be in a better position and the Government will be in a worse position. If this Bill becomes law, the Government will be handing over more than it will get.

Mr. Rodoreda: But the local authorities will not receive more than they would get under the traffic fees.

Hon. N. KEENAN: Then that will make an identical balance, and there will be no gain to the Government. In the circumstances, would we be wise in passing the measure? The objection taken by the local authorities is that, as the law stands, they are certain of getting some income for the work they do. If there is any user of the roads, they are certain of getting traffic fees. If there is no user of the roads, there will be no necessity to repair the roads and so they will get no traffic fees. The local authorities are prepared to continue on that basis. Could there be any more just basis? All they are paid for is work done, services rendered. If they did not render this service, they would not get the traffic fees. If the roads were not maintained in proper

order, nothing like the same amount would be paid to them. For that reason I submit there is no justification whatever for the Bill. It cannot be a measure required to augment the funds at the disposal of the Government because what the Government receives in one hand, it has to give away with the other. Therefore the measure is without justification on that ground, and if there is no justification on that ground, on what ground can it be justified? I ask the House to reject the Bill.

On motion by Mr. Shearn, debate adjourned.

BILL—DAIRY INDUSTRY ACT AMENDMENT.

In Committee.

Resumed from the 19th October. Mr. Marshall in the Chair; the Minister for Agriculture in charge of the Bill.

The CHAIRMAN: Progress was reported after Clause 7 had been agreed to.

Clause 8—New sections:

Mr. McLARTY: I move an amendment—

That in line 4 of paragraph (a) of the proposed new Section 24A (4) the word "and" be struck out.

Later I propose to move for the deletion of paragraph (b). My object is to ensure that the money to be collected by the proposed levy will be used for the purpose set out in the Bill and not to pay any present officer of the department or to meet ordinary departmental expenses. Amongst producers there is considerable opposition to the levy.

The Minister for Agriculture: They do not support that idea, do they?

Mr. McLARTY: The contention is that the money could be used for any purpose thought fit by the Minister. Personally I do not doubt that he intends to use it as stated by him, but we cannot be sure what interpretation some future Minister might place upon the provision.

Mr. J. H. SMITH: For the purpose of the amendment of which I have given notice, the retention of the word "and" is necessary. Perhaps the member for Murray-Wellington will agree to withdraw his amendment.

The CHAIRMAN: The only course open to the member for Nelson is to vote against the amendment.

Mr. J. H. SMITH: If the amendment moved by the member for Murray-Wellington is agreed to, I shall be unable to move the amendment standing in my name on the notice paper.

Mr. McLARTY: I must stand by my amendment. The Minister will get all the power he wants without paragraph (b), of which I propose later on to move the deletion. With that paragraph out of the way there will be no need for the amendment forecast by the member for Nelson.

The MINISTER FOR AGRICULTURE: I made it clear in reply to an interjection by the member for Murray-Wellington that I was not wedded to the drag-net provisions of paragraph (b), but we must provide for the spending of the money in the fund in a specific manner. I strongly oppose the deletion of the word "and," and I would be equally opposed to the striking out of paragraph (b), which covers the requests of many members who represent dairying interests. Is it reasonable for the member for Murray-Wellington to desire that the Bill should not prescribe the duties of the officers to be appointed? I am fully prepared to be reasonable in the matter of modifying paragraph (b).

Mr. J. H. SMITH: I understand the Minister was influenced in this legislation by overtures made to him by the industrial side of the Primary Producers' Association, of which the member for Murray-Wellington is the head. Probably less than 10 per cent. of the butterfat producers in the South-West are members of that organisation, but I understand the minority has influenced the Minister to bring down legislation that is not required by the majority of producers.

The CHAIRMAN: The amendment does not propose to interfere with butter or butter fat. This part of the Bill deals only with supervisors.

Mr. J. H. SMITH: The member for Murray-Wellington objects to the inclusion in the Bill of provision for the appointment of check graders, which the butter fat producers require. The amendment I hope to move later will, of course, lead to an improvement in the quality of butter fat, and provide for the appointment of check graders.

Hon. C. G. LATHAM: I oppose the amendment. Later on in the Bill provision

is made for the imposition of a levy, and the measure sets out how the money shall be spent. Paragraph (b) as now worded is altogether too broad, and some subsequent Minister may use the money for a purpose that was not intended. The fund will be raised by the producers, and they should know how it will be spent. The suggested amendment of the member for Nelson would undoubtedly accomplish a good deal. Complaints have been made that the scales at butter factories are not tested frequently enough.

The CHAIRMAN: The amendment of the member for Nelson is not yet before the Chair, and I cannot allow it to be discussed.

Hon. C. G. LATHAM: If any subsequent amendment is to be moved, the word "and" should be allowed to stand. The Bill must contain some of the principles desired by the producers. Much as I dislike disagreeing with the member for Murray-Wellington, I must do so on this occasion.

Hon. W. D. JOHNSON: The word "and" appears in order to make it clear that the fund is for the payment of salaries. Therefore we must discuss paragraph (b) to decide whether "and" is required. I want that word to remain in order to connect up paragraph (a) with paragraph (b). I know the sad state of the industry. This clause is the choice clause of the Bill. We want it to remain because our choice butter is going out of existence. The standard of our butter, instead of improving is being murdered. We cannot indefinitely market the quality of butter we are now manufacturing. The reason why we are not producing choice butter of our former standard is that the industry lacks the needed supervision. The industry is now being exploited by gerrymandering methods. The Minister has not the means to protect it. For want of supervision evils are not exposed. The Minister is not in the position to save our butter industry on a competitive basis. Therefore he needs both paragraphs—(a) and (b). Producers realising the perilous position into which they were drifting, sent East for a man to educate them regarding what was required. He told them, "You need a fund for the purpose of supervision"—meaning supervision outlined in those two paragraphs. Members should bear in mind the fruit fly that is taking possession of our orchards, which do not receive adequate supervision in the absence of adequate funds. Let not a like disaster happen to our butter industry. As things are, our butter is likely to be consigned to a lower grade. Supervision is needed in butter factories to check, for example, grades of cream. If a supervisor realises that the quality of cream being used is inferior, he goes to the farm and there meets the dairy farmer or the dairy farmer's wife, and the first thing he asks is, "Do you wash your separator and scald it out after each operation?" Numerous dairy farmers here do not consider that necessary.

Hon. C. G. Latham: Not many; only a few.

Hon. W. D. JOHNSON: It is to catch those few that supervision is needed. In our fertile South-West we can produce butter equal to any in Australia. The member for Murray-Wellington will now, I trust, realise the need for retention of the word "and." I would like to be able to tell the Committee exactly what is operating in the dairy industry to-day. Second-grade cream is being faked up, and then mixed with choice cream. From that mixture, first-grade butter is produced. About 45 tons of such butter is put on the local market every week. The cream of which it is made may come from Timbuctoo or any old place. The butter keeps for a week, but heaven help the housewife who tries to keep it longer! Supervisors are needed to find out where the 45 tons come from, how that butter is manufactured, and where it goes. As it will keep for a week, it appears on the dinner tables of Parliament House, amongst other places. That sort of thing is going on, and the Minister cannot expose the position. For that reason he desires powers of supervision. A fund is required so that the salaries of supervisors will be guaranteed, and that consequent supervision will be of such a nature that the products of the industry will attain a higher standard, and thus the industry will be saved while there is yet time. I appeal to members not to be parsimonious. Through the establishment of a reforestation fund, our forests have been saved, and in giving effect to that policy the member for Boulder (Hon. P. Collier) did remarkably well. We want to do exactly the same with our dairy products, and I am disappointed with the member for Murray-Wellington. The dairy farmers will not thank him for the effort he has made, and

I commend the Minister for his attitude. I am proud of the Bill, which is of the type required to raise our industry to the level of that of New Zealand and the Eastern States.

Mr. McLARTY: I still consider that the Minister has all the power he requires under paragraph (a).

Hon. W. D. Johnson: And all I have said is wasted!

Mr. McLARTY: I want to be sure that the money from the fund will be paid to the inspectors the Minister desires to appoint and that it will not be used in any other direction. Trouble may occur with our pastures, the rectification of which would be costly. The money in the fund should not be used for that purpose.

Amendment put and negatived.

Mr. J. H. SMITH: I move an amendment—

That paragraph (b) of Subsection (4) of proposed new Section 24A be struck out, and the following inserted in lieu:—

"(b) the adoption, conduct and carrying out of measures appropriate to the provision of information and advice to suppliers of cream regarding faults in cream and the proper methods for improving the quality of cream, and the provision of information to manufacturers regarding the correct grading, testing, weighing and handling of cream in factories."

I claim that the amendment will provide the Minister with equal, if not greater, power than that set out in the Bill. Instead of giving the Minister what might be described as a dragnet authority, his efforts will be directed to the improvement of butter fats. We want instructors and testers and graders to ensure the production of prime butter.

Hon. W. D. Johnson: Suppose you find a bad sample of cream?

Mr. J. H. SMITH: In that event, my amendment would achieve the desired result. Instead of second-grade cream being put into the first-grade vats, it will be used for the manufacture of pastry butter. Factories, such as the member for Guildford-Midland referred to, manufacture first-grade butter from low-grade cream, and the product will keep for a while. In the absence of check graders, proprietary and co-operative companies are vieing with each other to capture trade, with the result that producers will send their cream to the factory where they get the best return.

Hon. W. D. Johnson: Honest or otherwise.

Mr. J. H. SMITH: I agree, and more often they are otherwise. I admit there are reliable factories, but we should have graders in every factory and those men should be under the control of the Minister. Because his department is starved, he cannot afford to employ such officers. Butter fats should certainly be tested before being placed in vats. What I propose will assist to elevate our industry to the level of that of New Zealand and the Eastern States. Some of the conditions operating to-day are disgraceful.

Hon. W. D. JOHNSON: I am indeed sorry that the Minister has agreed to accept the amendment. I ask Opposition members to consider it carefully. If they agree to the limitation proposed, no volume of agitation can expand the control. Should circumstances arise when some phase beyond those specified requires attention, the Minister will be hamstrung. If the Committee is wise, it will not agree to such a proposal. I draw the attention of members, particularly the member for Murray-Wellington, to the fact that the amendment deals with the supervision of grading, testing, weighing and handling of cream in factories. But that is not where all the trouble arises. We should educate our dairy farmers; and if the inspector's duties are to be confined to factories, we shall not be getting at the root of the trouble, which is the supplying of low-grade cream by dairy farmers. The supervision will be limited to the factories.

Members: No.

The CHAIRMAN: Order!

Mr. Withers: Surely the hon. member can be corrected.

Hon. W. D. JOHNSON: Paragraph (a) of Subsection 4 of the proposed new Section 24A reads—

The payment of salary, wages, fees, or other remuneration and the expenses of special dairy instructors appointed for the purposes of this Act.

Hon. C. G. Latham: Read the amendment.

Hon. W. D. JOHNSON: The amendment speaks of the adoption, conduct and carrying out of measures appropriate to the provision of information and advice to suppliers; that is, in factories.

Members: No.

The CHAIRMAN: Hon. members interjecting must maintain order. They will have a chance to speak later.

Hon. W. D. JOHNSON: The difference to me appears to be the difference between Tweedledum and Tweedledee. In my opinion, the effect of the amendment will be to limit the supervision to factories. I am concerned about the dairy farmer, his utensils and his methods of handling cream. I shall vote against the amendment. Faults in butter to-day are caused by dairy farmers supplying lower grade cream, a practice fostered and encouraged by wrong grading in certain places. I prefer the clause as it stands; the authority should be broad, not narrow.

Mr. WITHERS: On first perusing the amendment, I formed the same opinion as that expressed by the member for Guildford-Midland. Upon reconsideration, however, I think the clause does not give the Minister power to do certain things. The amendment is a direct instruction to the officer to be appointed. His duties are defined.

Mr. NEEDHAM: I support the amendment and am surprised that the member for Guildford-Midland should oppose it. The amendment defines the duties of the officer to be appointed under the measure. If the clause were left as it stood, it is problematical whether any good would result. Persons engaged in the industry have suggested an amendment of a practical nature; and this matter should not be left entirely to the Minister or to the officers of his department. By the amendment, Parliament is directing the Minister and his officers what they should do.

Hon. W. D. JOHNSON: I thought I made it clear to the member for Perth that if we specify we circumscribe. I object to being accused of being inconsistent, because I am proud of my consistency. I have always endeavoured to secure for Parliament full power to use its authority as widely as possible. I do not circumscribe and never have. I want the Minister to have full power. When it appears that something can be done to improve the quality of dairy produce, I want him to be able to do it. When something has occurred and a remedy is sought I want him to be able to provide it. By specifying, the member for Nelson gives the Minister an opportunity of saying "It cannot be done; Parliament has circumscribed me and limited my operations."

The MINISTER FOR AGRICULTURE: The member for Guildford-Midland has made an interesting contribution to the discussion, but I assure him that I am fully seized with my responsibilities to those who will be contributing to this fund. I am also impressed by the arguments submitted by those directly representing contributors. The amendment moved by the member for Nelson provides for every possible power necessary in the interests of the manufacturer and producer.

Hon. W. D. Johnson: So far as we can see from our experience to-day.

Mr. HILL: I support the amendment. I do not agree with the clause because it is too much of a dragnet. The member for Guildford-Midland referred to the fruit industry. I would like to explain to the Committee how the fruit inspectors operate.

The CHAIRMAN: I cannot permit the hon. member to discuss the fruit industry unless he intends to make a comparison.

Mr. HILL: That is what I intend to do, Mr. Chairman. The fruit department inspectors were insufficient to deal with the fruit fly menace, so those engaged in the industry asked that a levy be imposed to provide funds for additional inspectors to deal with fruit fly. Those inspectors did not undertake the functions of other officers of the fruit department. Then we have our own fund that enables us to do anything necessary for the fruit industry on broad lines. That has nothing to do with the Government. A comparison can be drawn between the dairy industry and the fruit industry. As the Minister has indicated, he has certain powers under the Dairy Industry Act, but there are not sufficient inspectors to carry out inspection at the factories. To remedy that situation is the object of the Bill, which will provide for funds to be raised for the appointment of additional inspectors. I support the amendment because I do not wish to see the fund used for any purpose other than that intended, any more than I would like to see the fruit fly fund used for any purpose other than to deal with the fruit fly problem.

Mr. Hughes: Mr. Chairman—

The Minister for Mines: Now you tell us something about racing; we have heard enough about the dairy industry.

The CHAIRMAN: Order! Hon. members must maintain some semblance of order.

Mr. HUGHES: I rose to point out that we should not pass a Bill like this on the basis that the people contributing to the fund should have all the say. After all,

those referred to will not be the people contributing to the fund. When that levy is imposed on their produce they will pass it on to the consumers who are the people that we in the metropolitan area represent. The producers will pass the cost on to the consumers.

Members: They cannot do that.

Mr. HUGHES: But they will. They cannot do otherwise.

Hon. W. D. Johnson: It will come out of the manufacturers' pockets.

Mr. McLarty: Out of the producers' pockets.

Mr. HUGHES: Of course it will, and the producers will pass it on.

Hon. C. G. Latham: They cannot.

The CHAIRMAN: Order!

The Minister for Agriculture: The advantage comes out of the raising of quality. That is where the producer is losing to-day.

Mr. HUGHES: I am still not convinced as to who will pay. I agree that if the consumers in the metropolitan area and elsewhere obtain a better article they will be better off. A good article is always in the long run cheaper than a poor article. Therefore if we in the metropolitan area are to get an improved article for a higher price—

Hon. W. D. Johnson: No; the same price.

Mr. HUGHES: I will be happy to pay an increased price. If we obtain a better article, and there is no increased price, that will be a pleasant surprise. I am prepared to let time determine that, but I am satisfied we shall be paying an increased price. I do not object to that, because a good article for a good price is a better bargain than a cheap article for a cheap price.

Hon. W. D. Johnson: You are paying for water to-day. If this is passed you will pay for butter.

Mr. HUGHES: That is exactly what I am saying. We shall get a better article for an increased price.

Members interjected.

The CHAIRMAN: Order! Will the hon. member please pay attention to the Chair and not to interjections!

Mr. HUGHES: I am eliciting some very useful information.

Hon. C. G. Latham: But not very accurate information.

Hon. W. D. Johnson: Absolutely accurate.

Mr. HUGHES: If we are to get butter for the price of water, we can look forward to prosperous days, but we should not pass the Bill on the basis that the dairy farmer will be the man to pay. If time proves that the dairy farmer does pay, and that the consumers' price is not increased, the premises on which my argument is based will collapse. I shall wait with considerable interest to see whether that happy day arrives.

Mr. McLARTY: I support the amendment. After listening to the member for Guildford-Midland, I am convinced that I should do so. Producers wish to circumscribe the fund, and so do I. I am not sure that the amendment will achieve this, but we have the Minister's assurance that the fund will be used for the purposes mentioned. What will happen in future is difficult to say because I still think there is room to use the money for purposes other than those mentioned in the Bill.

Amendment put and passed.

Mr. McLARTY: I move an amendment—

That after the word "one" in paragraph (i) of the proposed new Section 24B (2) the word "half" be inserted.

This is the all-important question of the levy. A maximum of 1d. in the £1 is provided for and my amendment will make it a half-penny. If butter fat is 1s. 2d. a lb., on 15,000,000 lbs. of butter production the levy at 1d. would produce £2,916.

The Minister for Agriculture: That is if we levied 1d.

Mr. McLARTY: Yes. At ¾d. the amount collected would be £2,437, at ½d. the amount would be £1,458, and at ¼d. the amount would be £729. With butter fat at 1s. 3d., a levy of ½d. would give £1,562 and with butter fat at 1s. 1d. the amount would be £1,354. The Government has an obligation to provide some of the money for the fund. Is it necessary at the outset to employ four additional inspectors? I suggest that fewer could be engaged to start with, and I believe they could do good work. There is considerable opposition to the levy; many producers disagree entirely with the principle. They consider that the department should provide the funds, but the Minister says he is unable to do so. He should certainly try to make available part of the sum required and the producers will meet him half way.

The MINISTER FOR AGRICULTURE: The hon. member seems to think it incumbent on the Minister to fix the levy at 1d., but he would be circumscribed by the limitation on the amount in the fund, which is fixed at £1,000. Benefits will be derived by the industry from the uplift in quality overseas. There is an important margin between the low grade of butter produced today and the satisfactory grade that can be stored and marketed overseas. Then there will be the uplift in quality for local consumers and the margin will occur in the difference between the prices of second grade and the best grade. As the producer will derive all the benefits from the measure, owing to the margins of quality that the transport provisions and the inspections at the factory and on the farm will bring about, surely he should be prepared to pay a percentage which will not be in excess of 1-16th of a penny a lb. in terms of butter.

Mr. North: To impose the maximum levy is not compulsory?

The MINISTER FOR AGRICULTURE: No, and we shall be circumscribed by the fact that the fund must not exceed £1,000.

Mr. Hughes: You could always spend the surplus.

The MINISTER FOR AGRICULTURE: No. The officers are to be appointed in the interests of the producers. If a producer's income from butter fat was £500 per annum, the maximum amount of levy he could be charged would be £2. According to the member for Murray-Wellington, that amount should be halved. If the fund reached £1,000, if it was not necessary to appoint additional inspectors, or if the number could be reduced, the levy could be lowered. If we worked to the figures submitted by the hon member, and agreed to a levy of ½d., the total collection for the year would be about £1,450. That amount may or may not be sufficient. Now is the time to arrange for the maximum needs of the industry. There is no foundation for the argument that the levy should be restricted to the extent recommended by the hon. member. We should be able to commence the supervisory work without delay.

Mr. THORN: Although I am not opposing the amendment, I feel that the member for Murray-Wellington would be better advised to accept the statement of the Minister. For the sake of all concerned, it would be foolish to commence operations with only one or two instructors. If the purpose of the Bill is to be achieved, the department should be allowed to appoint as many of these officers as is necessary for the carrying out of the work. The expenditure in this direction can hardly fall below £1,000 per annum. I do not agree that the Government should find any part of the money. When producers ask for this type of legislation, they are prepared to pay for it, as is evidenced by the willingness of the dried fruits producers to supply the requisite funds for the activities of their board.

Mr. J. H. SMITH: It is becoming fashionable to impose charges upon private producers that should really be met by the Government. Last month the dairy industry was taxed for the equalisation fund to the extent of 3d. in the pound.

Hon. W. D. Johnson: The consumer pays that.

Mr. J. H. SMITH: It is paid by the producer. The proposed levy may not amount to very much to the individual, but it is the last straw that breaks the camel's back. Every tax imposed upon the producer adds to his suffering.

Hon. W. D. Johnson: Let the industry slide.

Mr. J. H. SMITH: The hon. member does not care what happens to the dairy industry so long as the wheat industry is cared for. Producers of butter fat had a bad time when prices ruled at about 7d. and 8d. per lb. Should the price revert to such a figure, the producers will find that a levy of ½d. in lieu of one at 1d. will be of great assistance to them.

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

Mr. THORN: A little while ago the member for Nelson said that the Minister could carry out certain operations. He now proposes to refuse to the Minister the right to provide the fund with which to carry them out.

Mr. WILLMOTT: I support the amendment, though I do not think the producers will regret paying a levy of ½d., or even a little more. Their objection is that they have no say in how the money shall be spent. That is entirely in the hands of the Minister. Were they able to control the expenditure, they would probably have no objection to paying as much as 1d.

Mr. WITHERS: The clause is very plain. The levy cannot exceed 1d., and may not reach that amount. Should the Committee pass the amendment, the result may be that the producers will have to pay a fixed levy of ½d., whereas the Minister may only require a levy of ¼d.

Mr. McLarty: The ½d. will be the maximum amount.

Mr. WITHERS: That may prove to be too much. I believe the producers are always ready to pay for the protection of their own industry. The members for Albany and Toodyay must both agree that the levies on the butter industry have been repaid over and over again. "If you are willing to help yourself, you are deserving of help." The butter producers, if approached in the right way, would show every willingness to help themselves. Who got the benefit of stabilisation of butter prices? I was in the industry prior to stabilisation, and I walked out of it. With butter fat selling at 8d. and 9d. per lb., I would have been quite willing to contribute my share of the cost of stabilisation to reap the benefit the dairy farmers are enjoying to-day.

Mr. McLARTY: The member for Toodyay is under a misapprehension in saying that I ask for a levy of a half-penny. I am asking for a maximum levy of one half-penny. The hon. member also says that only £1,000 will be levied on the industry in a year.

Mr. Thorn: I did not say that.

Mr. McLARTY: I still consider that for a start the Minister should accept a maximum of one half-penny. I did not suggest that only one inspector should be employed. Proceeds of the half-penny levy would produce funds adequate for the inspectors needed.

Mr. HUGHES: When I suggested that the consumers would be paying for this, I was assured definitely that they would not pay anything and that the levy represented an absolute gift.

Hon. W. D. Johnson: In point of quality.

Mr. HUGHES: Under the amendment, consumers will pay.

The CHAIRMAN: The question as to consumers paying is not relevant.

Mr. HUGHES: I hope there will be no reduction that will destroy the magnificent promise made to the consumers. This is the first time consumers are to get anything without paying. Not that one should expect to receive anything gratis.

Amendment put and negatived.

Clause, as previously amended, agreed to.

Clause 9, Title—agreed to.

Bill reported with amendments.

BILL—DENTISTS.

In Committee.

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

Clauses 1 to 3—agreed to.

Clause 4—Interpretation:

Hon. N. KEENAN: On behalf of the member for West Perth I move the first amendment standing in his name on the notice paper, as follows:—

That in the definition of "Dentistry" after the word "lesions," in line 5, the word "or" be struck out and the word "and" inserted in lieu.

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

Clauses 5 to 7—agreed to.

Clause 8—Proceedings of the board:

Hon. N. KEENAN: I move an amendment—

That the proviso to Subclause 1 be struck out.

Subclause 1 sets out that four members shall form a quorum, and then the proviso says—

Provided that no act or proceeding of the board shall be invalid or prejudiced by reason of the fact that at the time when such act or proceeding is done, taken, or commenced, the members of the board were, without the knowledge of the board, reduced below four.

I cannot conceive who could be the draftsman of such a proviso!

The Minister for Health: As a matter of fact, three lawyers drafted it.

Hon. N. KEENAN: Surely it is absurd to think that three men could imagine they were four or two men. The board is to consist of seven members and we have wisely provided that four shall form a quorum. But then to suggest that anything done by one or two, because they did not have knowledge that four members were not present, shall not be invalid, is the height of absurdity.

Mr. Hughes: But they cannot do anything if fewer than four members are present.

Hon. N. KEENAN: If it is without their knowledge that they number fewer than four, they can! How is it that such a provision can be placed before Parliament?

The Minister for Health: I told you that three lawyers drew up the Bill.

Hon. N. KEENAN: Then that is evidence that sometimes my profession errs!

Hon. C. G. Latham: And the public pays.

Mr. LAMBERT: This is a most absurd provision. I cannot understand how it has been allowed to creep into the Bill.

Amendment put and passed.

Hon. N. KEENAN: I move an amendment—

That after the word "votes" in line 3 of Subclause 5 the words "of the members present" be inserted.

That the whole seven members of the board be present is not necessary to enable business to be transacted. It can be done by a quorum of four members. If the subclause is left without the qualification I suggest, it might be held to mean a majority vote of the seven members, which is not desirable.

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

Clauses 9, 10—agreed to.

Clause 11.—Vacancies:

The MINISTER FOR HEALTH: I move an amendment—

That after the word "resignation" in paragraph (c) of Subclause 1 the word "or" be inserted.

I propose to move a further amendment to include a new paragraph.

Amendment put and passed.

The MINISTER FOR HEALTH: I move an amendment—

That the following new paragraph be added to Subclause 1:—"(d) In the case of a dentist member when he ceases to be registered as a dentist under this Act and in the case of a medical practitioner member when he ceases to be a duly qualified medical practitioner."

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

Clause 12—Deputy members:

Mr. LAMBERT: I do not like the wording of the clause, which sets out that in the event of illness, other incapacity or absence from the State of a member of the board other than the president, which may mean that such member is unable to perform his duties for three months, the president may appoint another dentist or another medical practitioner, as the case may require. I think that is particularly dangerous. Such appointment should at least be made by a majority of the board rather than by the president alone.

The MINISTER FOR HEALTH: There is nothing wrong with the clause. The constitution of the board is outlined in the Bill and this simply means that if a dentist member is absent, the president can appoint another dentist to act, or if a doctor member is ill, a substitute medical practitioner may be similarly appointed.

Mr. Patrick: Merely to act temporarily.

The MINISTER FOR HEALTH: That is the position.

Mr. HUGHES: I doubt if the clause means what the Minister suggests. The Bill is full of instances of curious drafting. Clause 10, for instance, contains meaningless words.

The CHAIRMAN: The hon. member may not discuss Clause 10 nor reflect upon a vote of this Committee.

Mr. HUGHES: I cannot see that the clause sets out clearly what the Minister suggested when he said that if a medical practitioner were ill, another doctor could be appointed as a substitute.

The Minister for Health: The clause contains the words "as the case may require". If circumstances require the appointment of a doctor, through the illness of a medical practitioner on the board, he would be appointed.

Mr. HUGHES: But what if a medical practitioner were appointed as a substitute for a dentist? I do not think the clause sets out clearly that a dentist would be appointed to replace temporarily the dentist member who might be ill. Clause 10 refers to a person having his affairs "under liquidation," and that is an impossibility.

The MINISTER FOR HEALTH: In my opinion the wording of the clause is plain.

Clause put and passed.

Clause 13—agreed to.

Clause 14—Funds of the Board:

The MINISTER FOR HEALTH: This clause does not make provision for the application of the funds. Provision in that

direction should be made. I therefore move an amendment—

That a subclause, to stand as Subclause 2, be added as follows:—"(2) The funds of the board may be applied—

(a) for any of the purposes of the Act, or
(b) the furtherance of dental education and research; or
(c) any public purpose connected with the profession of dentistry in this State; or
(d) any other purpose approved by the Minister."

Hon. W. D. JOHNSON: In my opinion, the amendment is subject matter for a new clause.

The CHAIRMAN: I do not agree with the member for Guildford-Midland. The amendment is relevant; it deals with the funds of the board.

Hon. C. G. LATHAM: Provision has already been made for payments out of the board's funds. Provision has been made for remunerating the registrar, the examiners and other officers and servants of the board. However, I do not oppose the amendment. I think it should be preceded by the words, "Subject to Clause 13."

The CHAIRMAN: Clause 13 cannot be discussed at this juncture.

Mr. HUGHES: Clause 14 deals with three classes of revenue. I suggest that the word "the" appearing in line 1 in Subclause (d) before the word "moneys" be deleted.

The CHAIRMAN: The question before the chair is the amendment moved by the Minister.

The MINISTER FOR HEALTH: The funds referred to in Subclauses (a) and (b) stand by themselves; the moneys referred to in Subclauses (c) and (d) are linked. The Dental Board is optimistic enough to think that it might accumulate sufficient funds to establish a Chair of Dentistry at the University.

Hon. C. G. LATHAM: Is it proposed that fines and penalties inflicted under this Act should be paid to the board?

The Minister for Health: Yes.

The CHAIRMAN: That point can be discussed after the amendment has been disposed of.

Amendment put and passed.

Hon. C. G. LATHAM: I do not think that fines and penalties inflicted by the board will become the funds of the board. They will probably be paid into Consolidated Revenue.

The MINISTER FOR HEALTH: I do not accept responsibility for this provision. It was drafted by the Crown Law authorities and has been in the Act since 1921. I am informed that many Acts contain this provision.

Mr. J. HEGNEY: Will the Minister clarify paragraph (b) which refers to "grants by the Government of the State (if any)". Is that a saving clause or sarcasm?

The MINISTER FOR HEALTH: It is not sarcasm. As I have intimated, the dentists propose to endeavour to establish a Chair of Dentistry at the University, and there is a possibility of some generous Treasurer making a grant.

Mr. HUGHES: There is nothing to prevent dentists establishing a Chair of Dentistry in the same way as lawyers established a Chair of Law, by each paying £5 a year.

The Minister for Health: That is probably what they will have to do.

Mr. HUGHES: They can do that right away. I move an amendment—

That after the word "all" in paragraph (d) the word "the" be struck out with a view to inserting the word "other."

Hon. W. D. JOHNSON: Mr. Chairman, that cannot be done.

The CHAIRMAN: I do not want hon. members to get excited. The amendment cannot be accepted.

Hon. W. D. JOHNSON: On a point of order; the question before the Chair is not this matter that is being discussed. The question concerns the addition of words moved——

The CHAIRMAN: Will the member for Guildford-Midland kindly resume his seat? The question as to the insertion of the words has been put. The question now is that the clause stand as amended.

Clause, as amended, put and passed.

Clause 15—Board may make rules:

Mr. LAMBERT: I should like to know whether the rules made by the board will be disallowable by Parliament.

The MINISTER FOR HEALTH: If the hon. member reads the first two lines he will discover that the board can make rules

only with the approval of the Governor. The rules will be tabled.

Clause put and passed.

Clause 16, 17—agreed to.

Clause 18—Register of Dentists:

Hon. N. KEENAN: I move—

That in line 4 of Subclause 1, the word "for" be struck out.

This word is unnecessary.

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

Clauses 19 to 29—agreed to.

Clause 30—Name of dentist or assistant to be struck off register or record for misconduct:

Hon. C. G. LATHAM: I move an amendment—

That the following words be added to the proviso to Subclause (2):—"and shall not apply to ordinary advertising."

I do not think that if a dentist inserts an ordinary advertisement he should be considered guilty of misconduct.

The MINISTER FOR HEALTH: I do not think this is the place in which to add those words. I cannot imagine any dentist being carpeted and charged with misconducting himself professionally or violating the ethics of dentistry, whatever they may be, just because he advertises.

The Premier: Is not advertising on the part of a doctor professional misconduct?

The MINISTER FOR HEALTH: I do not think so. Doctors talk about "infamous conduct," not professional misconduct. I know of some very strange occurrences in which doctors have participated, yet their actions have not been regarded as "infamous conduct." The board will not be an irresponsible body; it will be composed of four dentists elected by the dentists, two nominated by the Governor and one medical practitioner nominated by the British Medical Association. I cannot imagine that board introducing a regulation to classify ordinary advertising as professional misconduct.

Hon. C. G. LATHAM: I do not think the Minister has read Subclause 2, which sets forth what constitutes misconduct in a professional respect.

Hon. W. D. Johnson: You have not the right to go back.

The CHAIRMAN: Will the member for Guildford-Midland kindly keep order.

Hon. C. G. LATHAM: Subclause 2 refers to a certain amount of advertising.

The Minister for Health: I would not call it ordinary advertising.

Hon. C. G. LATHAM: We should make it clear that if a dentist is simply advertising, he should not be charged by the board with misconduct in a professional respect.

Mr. LAMBERT: The subclause is dangerous. If a dentist went away for a holiday and in his absence an experienced nurse fitted a set of dentures, the dentist could be charged with unprofessional conduct.

The CHAIRMAN: The hon. member must address himself to the amendment.

The MINISTER FOR HEALTH: If the amendment is accepted, a definition of "ordinary advertising" will be necessary. I see no need for the amendment.

Amendment put and negatived.

Mr. LAMBERT: Subclause 2 should be deleted. In the circumstances I mentioned a moment ago a policeman could be sent in——

Hon. W. D. JOHNSON: On a point of order, I understood we had reached the end of the proviso to Subclause 2. Is the hon. member in order in discussing a portion of the clause previous to that?

The CHAIRMAN: The question before the Chair is that the clause stand as printed. No amendment may be moved to any part of the clause previous to the proviso already discussed, but the whole clause is open for comment.

Clause put and passed.

Clause 31, 32—agreed to.

Clause 33—Appeal:

Mr. HUGHES: The proviso limits the appeal to a single judge, and no appeal shall lie to the Full Court except upon a point of law. When a man's livelihood is at stake, it is an important question for one judge to have to determine without there being the right of appeal. If the object is to limit costs, the appeal should go straight to the Full Court. I move an amendment—

That in line 2 of the proviso the words "a single judge" be struck out and the words "the Full Court and" inserted in lieu.

Seeing that the livelihood of individuals is at stake the matter becomes of greater importance than would be the imposition of a

£10 fine in the case of a person found guilty of drunkenness.

The MINISTER FOR HEALTH: I am not in a position to say whether proceedings before the Full Court would be more costly than they would be before a single judge. If it becomes necessary for a dentist to appeal against the decision of the board, he should be able to do so as cheaply as possible.

Hon. N. KEENAN: A case of the kind described in the clause is frequently taken before a single judge. In this particular instance the appeal would be in the nature of a re-hearing. The only instances I have known of a similar character have occurred in connection with the Mining Act, when cases have come before a judge instead of before a warden. I do not see how the Full Court could hear an appeal of this nature. Witnesses would be called and notes taken of the evidence. It would be difficult for a court of three judges to perform such functions.

The Minister for Health: In the circumstances it would be hardly any use providing that the appellant should go before a Full Court.

Mr. HUGHES: All appeals under the Justices Act are re-hearings and notes are taken of the evidence. We should not increase the difficulties of a dentist to have his case re-heard, and should offer as wide a range as possible for him to have all the facts properly considered. It would not matter if three judges had to take notes of the evidence. In nine cases out of ten individuals would prefer to appear before three judges than before one, even if the cost was greater.

The Premier: Why not strike out all the words after "hearing" in line 3 of the proviso?

Mr. HUGHES: I am quite prepared to accept that suggestion, and ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Mr. HUGHES: I move an amendment—

That in line 2 of the proviso after the word "judge" the word "and" be inserted, and that all the words after "hearing" in line 3 be struck out.

The MINISTER FOR HEALTH: I have no wish to prevent any person from having his case heard fairly, and have no objection to the amendment.

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

Clauses 34, 35—agreed to.

Clause 36—Restrictions against assistants:

Hon. C. G. LATHAM: I suggest that in paragraph (b) the words "bearing his name either with or without any other letters" be deleted. The clause restricts assistants to a certain extent. An assistant ought to be permitted to have his name exhibited, although he should not be permitted to describe himself as a dentist if he is merely an assistant. Some assistants are as capable in practical work as registered dentists are. Often the names of such assistants are well known to the public.

Mr. HUGHES: Referring to paragraph (b) of this clause, the definition clause does not define "dental operation", though there is a full definition of "dentistry". Paragraph (a) of Clause 36 really means that an assistant shall not take part in any act of dentistry. To clarify the position I move an amendment—

That in paragraph (a) the words "dental operation or service or" be struck out.

Mr. LAMBERT: There are two branches of dentistry, mechanical dentistry and prosthetic dentistry, which up-to-date legislation should divide. Mechanical dentistry represents merely the manufacture of artificial teeth.

Hon. C. G. Latham: Mechanical dentistry is excluded from the measure.

The MINISTER FOR HEALTH: The amendment is dangerous. The Bill does not include mechanics, and the effect of carrying the amendment would be to include mechanics, whom the definition clause excludes.

Mr. Rodoreda: In view of the definition of "dentistry" there is no need to delete the words mentioned in the amendment.

Amendment put and negatived.

Hon. C. G. LATHAM: I move an amendment—

That in paragraph (b) the words "bearing his name either with or without any other letters" be struck out, and the words "other than his name without any other letter or letters or description" be inserted in lieu.

Hon. W. D. JOHNSON: I hope the amendment will not be agreed to and that the Leader of the Opposition will not persist in

his attempt to allow assistants to advertise themselves in any shape or form. If the hon. members were to accuse me of inconsistency on this occasion, they would be correct in their charge. Throughout my experience in the industrial life of this community, I have never agreed to improvers.

The Premier: But in this instance they are in, and the proposal is to effect limitations upon them.

Hon. W. D. JOHNSON: Because I approved of the drafting of this particular clause, I gave way, for I had intended to fight the Bill on the sound principle that its provisions are against our industrial standards.

The CHAIRMAN: The amendment before the Chair is to strike out certain words and insert others in lieu, and does not concern industrial standards.

Hon. W. D. JOHNSON: If the amendment be agreed to, we shall make provision enabling assistants to advertise themselves. We should not agree to that until they have undergone the training provided for in the measure. Why does the Leader of the Opposition wish to allow assistants to advertise themselves?

Hon. C. G. Latham: They are already established in the industry.

Hon. W. D. JOHNSON: But not legally. The Bill is a worthy piece of legislation because it seeks to elevate the profession.

The CHAIRMAN: Order! The hon. member must confine his remarks to the amendment.

Hon. W. D. JOHNSON: The clause as it stands is essential: and if the amendment be agreed to, unqualified men will be allowed to advertise themselves. By that means we will undermine one of the salient features of the profession.

Hon. C. G. Latham: You need not repeat the same thing over and over again.

Hon. W. D. JOHNSON: If assistants are allowed to advertise their names, the object will be to attract people to them for the purpose of dental operations, and yet those men will be unqualified. The Bill—

The CHAIRMAN: Will the hon. member kindly refrain from referring to the Bill; I shall not again warn him.

Hon. W. D. JOHNSON: The words I am concerned about are part and parcel of the Bill, and I do not want the clause altered. The Bill provides for certain protection and——

The CHAIRMAN: I warn the hon. member for the last time. If he will not confine himself to the amendment, he must resume his seat.

The Premier: He has said all he wants to say.

Hon. W. D. JOHNSON: That is true. I cannot say that the words are vital to the Bill—but they are certainly vital to the profession.

Mr. LAMBERT: I oppose the amendment. It is a great pity that Parliament did not introduce amending legislation 20 years ago and then the matter would have been attended to.

The CHAIRMAN: Will the hon. member confine himself to the amendment?

Mr. LAMBERT: I am. I do not know by what range of reasoning I can be expected to give my reasons——

The CHAIRMAN: Is the member for Yilgarn-Coolgardie attempting to defy the Chair?

Mr. LAMBERT: I am not attempting to defy the Chair; I prefer to sit down.

Mr. STYANTS: I cannot understand the objection to the amendment. The proposal is that the assistant's name shall appear on the notice board as an assistant.

The Minister for Health: No; his name only shall appear.

Mr. STYANTS: I cannot see any objection to that.

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

Ayes	26
Noes	7
Majority for	19

Ayes.	
Mr. Coverley	Mr. Sampson
Mr. Cross	Mr. Seward
Mr. Doney	Mr. F. C. L. Smith
Mr. Fox	Mr. J. H. Smith
Mr. Hawke	Mr. Styants
Mr. W. Hegney	Mr. Thorn
Mr. Hill	Mr. Tonkin
Mr. Latham	Mr. Triat
Mr. Leahy	Mr. Willcock
Mr. Millington	Mr. Willmott
Mr. Needham	Mr. Wise
Mr. Panton	Mr. Withers
Mr. Patrick	Mr. Wilson
	(Teller.)

Noes.	
Mr. J. Hegney	Mr. Rodoreda
Mr. Johnson	Mr. Shearn
Mr. Keenan	Mr. Hughes
Mr. North	*(Teller.)*

Amendment thus passed: the clause, as amended, agreed to.

Clauses 37 to 42—agreed to.

Clause 43—Dentists registered prior to this Act. Provision for registration under this Act:

On motion by the Minister for Health, clause amended by striking out the figure (3) in lines 2 and 7 of Subclause (4) and inserting in lieu thereof the figure "(2)."

Clause, as amended, agreed to.

Clause 44—Qualifications for registration as a dentist:

On motions by the Minister for Health, the following amendments were agreed to:—

In subparagraph (ii) of paragraph (g), line 3, substitute "(e)" for "(b)."

In subparagraph (ii) of paragraph (g), line 17, substitute "(i)" for "(1)."

In subparagraph (iii) of paragraph (g), line 18, substitute "(i)" for "(1)."

In subparagraph (iv) of paragraph (g), line 14, substitute "(i)" for "(1)."

Clause, as amended, put and passed.

Clauses 45 to 49—agreed to.

Clause 50—Practice of dentistry by certain persons prohibited:

The MINISTER FOR HEALTH: I move an amendment—

That in line 4 of paragraph (i) of the proviso to paragraph (b) of Subclause (1) the word "and" be struck out and the words "or whilst a dentist is in full time attendance and at all times available to supervise such dental operation or service" inserted in lieu.

As the paragraph reads, a dentist would have to be standing over a dentist or student the whole time. The amendment obviates that necessity.

Amendment put and passed.

The MINISTER FOR HEALTH: I move an amendment—

That in line 1 of Subclause (2) the word "who" be struck out and the words "or company who or which" be inserted in lieu.

Companies have been provided for in the Bill, but not in this clause.

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

Clauses 51 and 52—agreed to.

Clause 53—Use of certain letters prohibited:

Mr. LAMBERT: I move an amendment—

That the letters "R.D.S." in paragraph (a) of Subclause (1) be struck out.

This paragraph prohibits the use by any person, whether a dentist or not, of the letters "R.D.S." I do not think the use of those letters implies that the man using them holds a degree of any kind.

The MINISTER FOR HEALTH: I oppose the amendment. The Bill deals with the registration of dentists. The use of the letters "R.D.S." implies that the man using them is a registered dental surgeon. He should not be allowed to use them unless he is rightfully entitled to do so. If this paragraph is deleted we may as well throw out the Bill.

Amendment put and negatived.

Clause put and passed.

Clause 54—Provisions relating to name-plates or signs:

Hon. C. G. LATHAM: I move an amendment—

That all words after the word "and" in line 10 of the proviso to Subclause (1) be struck out, and the words "thereupon the board shall grant such permit" be inserted in lieu.

If people have been in the habit of having these name-plates and desire to continue to do so they should be allowed that privilege. Incidentally I should like to ask the Minister whether this clause will prohibit the use of Neon signs. Some companies have these lights.

The MINISTER FOR HEALTH: The amendment is unnecessary. Provision will be made by rules and regulations and Parliament will have an opportunity to say whether they are fair and equitable. In view of the discussion to-night, I think the board can be relied upon to frame reasonable rules. My impression is that Neon lights would be included.

Mr. Hughes: We shall have an opportunity to disallow the regulations?

The MINISTER FOR HEALTH: Yes.

Mr. Hughes: But suppose the board does not authorise Neon lights.

The MINISTER FOR HEALTH: We can well wait until the board does submit its regulations.

Hon. C. G. LATHAM: I accept the Minister's statement. We do not want to disturb existing conditions more than is necessary.

Amendment put and negatived.

Clause put and passed.

Clause 55—Dentist not to be employed by or practise with any person who is not a dentist:

The MINISTER FOR HEALTH: I move an amendment—

That in subparagraph (i) of Subclause (1) the words "or any person or company" be struck out and the words "or as the employee of or as agent for any person or persons" inserted in lieu.

The Solicitor General has suggested the alteration as an improvement to the wording, but the meaning will be the same.

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

Clause 56—Provisions relating to use of firm-names:

Hon. C. G. LATHAM: The clause provides that companies employing firm-names may continue so long as they have been four years in existence, but must make application for a permit. I move an amendment—

That all the words after the figures "1897" in Subclause 3 be struck out and the following inserted in lieu:—"the use of such firm-name may be continued after the commencement of this Act by such dentist or dentists, their transferees or assignees being dentists as such proprietor or proprietors aforesaid. For the purposes of this subsection the term transferees or assignees shall extend to and include any dentist to whom the interest of a deceased proprietor shall be transferred by his executors or administrators."

Dental companies have built up a goodwill and dependants or descendants should be able to carry on.

Mr. HUGHES: How can there be good will in a profession? How could dependants or descendants inherit any goodwill?

The Premier: Why is a firm-name such as Northmore, Hale, Davy & Leake retained?

Mr. HUGHES: That should not be permitted. I do not see why these people should have the right preserved for all time. I could understand the Leader of the Opposition if he sought to limit the right to the period in which the existing persons were practising, but the right will continue. This Bill seems to be the result of a glorious getting together of those who are in the profession. "Thank God we are in," they say.

Hon. C. G. Latham: That exactly describes all such legislation.

Mr. HUGHES: If this sort of thing goes on, we can expect the Turf Club to invite representatives of starting price betting to sit upon its committee.

Hon. W. D. JOHNSON: This is the same class of amendment I opposed a little while ago. The clause itself is the outcome of the desire of members of the profession to elevate the occupation of a dentist, and to lift it above the practises that have been known to exist in the past. The clause as printed should be accepted by the Committee, because it would mean that the happenings of the past would not recur. Apparently the desire of the Leader of the Opposition is to have these practices continued in perpetuity. We should help the profession in every possible way, and the clause would give members of it the requisite protection. Certain practices that have been indulged in have weakened the profession, just as the amendment, if carried, would weaken the Bill. I cannot go into all the details as I would like to do, but I am glad to say the Bill has yet to pass the third reading stage. When that time comes I shall be able to explain all the circumstances I have in mind. I shall then have great pleasure in exposing the whole business and indicating why this Bill was brought down.

The CHAIRMAN: I ask the hon. member not to reflect upon the Government or this Chamber. That will not be tolerated.

Mr. J. HEGNEY: I oppose the amendment. An agreement has been arrived at between the Minister and members of the profession, as well as those who are not registered as dentists. The clause is quite satisfactory as worded. The goodwill of a firm of dentists would be more likely to go to the landlord, and the only purpose that would be served would be that the rent would be increased.

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

Ayes	22
Noes	3
Majority for	19

Ayes		Noes	
Mr. Coverley	Mr. Rodoreda	Mr. J. Hegney	Mr. Hughes
Mr. Cross	Mr. Sampson	Mr. Johnson	
Mr. Doney	Mr. Seward		
Mr. Fox	Mr. J. H. Smith		
Mr. Hill	Mr. Styants		
Mr. Lambert	Mr. Tonkin		
Mr. Latham	Mr. Trint		
Mr. Leahy	Mr. Willcock		
Mr. Millington	Mr. Wise		
Mr. Needham	Mr. Withers		
Mr. Panton	Mr. Wilson		
	(*Teller.*)		(*Teller.*)

Amendment thus passed.

Hon. C. G. LATHAM: I move an amendment—

That paragraph (i) of Subclause (4) be struck out.

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

Clauses 57 to 61—agreed to.

Clause 62—Dentists to be exempt from serving on a jury.

Mr. HUGHES: Why this exemption? Some people regard jury service as a privilege, but many view it as an irksome obligation. Exemption is restricted to a limited section. A business man in a large way for serving on a jury receives a fee utterly inadequate in his case.

Mr. Sampson: A dentist cannot put on a casual hand.

Mr. HUGHES: Exemption for a good reason can be obtained from a judge. Every time a class is exempted, the burden of duty becomes heavier for members of the public liable to serve.

The Premier: A dentist's patient might after an operation on one day go back to the dentist on the next day with a haemorrhage.

Mr. HUGHES: I consider the clause undesirable.

Clause put and passed.

Clauses 63, 64, Schedule, Title—agreed to.

Bill reported with amendments.

House adjourned at 11.15 p.m.

Legislative Council,

Tuesday, 31st October, 1939.

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

AUDITOR GENERAL'S REPORT.

The PRESIDENT: I have received from the Auditor General a copy of his report on the Treasurer's statement of the Public Accounts for the financial year ended the 30th June, 1939. It will be laid on the Table of the House.

ASSENT TO BILLS.

Message from the Lieut.-Governor received and read notifying assent to the following Bills:—

1, Metropolitan Milk Act Amendment.
2, Industries Assistance Act Continuance.
3, Toodyay Cemeteries.

MOTION—NATIVE ADMINISTRATION ACT.

To Disallow Regulations.

HON. C. F. BAXTER (East) [4.37]: I move—

That regulations Nos. 65 and 106R made under the Native Administration Act, 1905-1936, as published in the "Government Gazette" on the 8th September, 1939, and laid on the Table of the House on the 12th September, 1939, be and are hereby disallowed.

I desire to apologise to members for having had to postpone bringing forward this motion. As a matter of fact, many discussions on it have been held in order to arrive at a settlement, with the result that I have excised from the motion Regulations 85, 93, 94 and 97. These have been agreed to as satisfactory from the standpoint of reasonable administration by the department. There now remain only two regulations to which I am taking objection, Nos. 65 and 106R. In November, 1938, the House agreed to a motion submitted by me for the disallowance