

registered as an optometrist. I do not blame the Honorary Minister, as she gave the House all the information she had. My complaint is that she was not given the information that should have been made available to her.

I placed an amendment on the notice paper, but since then I have discussed the matter with Professor Currie, of the University, who I think instigated the proposal that there should be optometry classes at the University. He assures me that the proposal is that students studying optometry, after passing the second year, can be admitted to an optometrist's premises and under a registered optometrist do at least 15 hours per week, while also doing about 15 hours per week at the University. In that way they will get both technical and practical training over four years. If my amendment were carried it would mean the end of the University course, because they would only have done the two years and my amendment provided for at least 12 months so that they would then automatically become registered. I am informed by Professor Currie that there is contained in regulations—which may not yet have been printed—provision that after they have had at least 15 hours per week at the University and 15 hours per week under a registered optometrist over the period, at the end of four years they will automatically become registered. In view of that, I have nothing further to say about the Bill as presented by the Honorary Minister.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

House adjourned at 10.45 p.m.

Legislative Council.

Tuesday, 4th November, 1947.

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

ASSENT TO BILLS.

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

- 1, Dentists Act Amendment.
- 2, Stipendiary Magistrates Act Amendment.
- 3, Coal Mine Workers (Pensions) Act Amendment.
- 4, Public Service Act Amendment.
- 5, Crown Suits.
- 6, Public Trustee Act Amendment.

BILLS (6)—FIRST READING.

- 1, Stallions Act Amendment.
- 2, Plant Diseases Act Amendment (No. 1).
Introduced by the Honorary Minister.
- 3, Increase of Rent (War Restrictions) Act Amendment.
- 4, Farmers' Debts Adjustment Act Amendment (Continuance).
- 5, Municipal Corporations Act Amendment (No. 2), (Hon. E. H. Gray in charge).
- 6, Road Districts Act Amendment (No. 2) (Hon. E. H. Gray in charge).
Received from the Assembly.

BILL—COMPANIES ACT AMENDMENT.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Mines in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Amendment of Section 28:

Hon. L. B. BOLTON: I would like an assurance from the Minister that the reference to the foreign companies to be registered in this State relates only to local shareholders.

The Minister for Mines: That does not apply to this provision.

Hon. C. G. LATHAM: There is some association between the amendment embodied in the clause and the section in the Act.

Hon. L. Craig: It deals only with the names of firms.

Hon. C. G. LATHAM: I know that, but it also applies to the registration of foreign companies for which there has been no provision previously. If we do not mention the point now and we disallow a later amendment embodied in the Bill we may have to further amend this clause.

The MINISTER FOR MINES: The provision in the Bill is to correct an anomaly. The Act at present provides that we cannot register a company having a similar name to that of another business. But as originally framed the measure did not include foreign companies carrying on business in this State.

Clause put and passed.

Clauses 5 and 6—agreed to.

Clause 7—Amendment of Section 154:

Hon. G. FRASER: I move an amendment—

That in lines 1 and 2 of paragraph (c) the words "of a proprietary company or" be struck out.

The intention of the amendment is obvious and the exemption provided for will apply only to directors of co-operative companies. To apply the exemption to directors of proprietary companies would be rather dangerous when we consider that the membership of such firms could be up to 21 which would bring them almost into line with public companies. To allow a director

who has an interest in some contract to vote upon it would be altogether too dangerous.

Hon. L. CRAIG: An amendment of this description should have been placed on the notice paper because it could have a far-reaching effect. I do not know if Mr. Fraser is aware of the repercussions of such a proposal. Most private companies are family affairs, and rarely is there one with a membership of 21. If there are such, they are still mostly family affairs, and there is a restriction upon the transfer of shares in that they must be sold within the company. I and my family are concerned in one applying to a pastoral property, and that is purely a family affair. To say that one member of the family shall not make a contract is wrong. The effect of such an amendment, loosely moved, is too far-reaching altogether. Members who know anything about this matter will, I hope, reject the amendment without hesitation. A Select Committee that was converted into an Honorary Royal Commission dealt with these matters, and the provisions included were on the recommendation of that body, of which Mr. Fraser was a member.

Hon. G. FRASER: If agreed to, the amendment will leave the position as the Honorary Royal Commission proposed. The point at issue concerns contracts in which a director may be personally interested. The provision of the Act concerned is Sub-section (6) of Section 154. The amendment deals only with that phase and will not extend to proprietary companies the exemption accorded co-operative companies. I consider that the director of a private company should not be permitted to have a personal interest in contracts with the company. I am prepared to make an exception of co-operative companies, but would not extend the privilege to private companies.

The MINISTER FOR MINES: Section 37 of the Act deals with proprietary companies, and Section 154 prohibits—quite rightly—directors from entering into contracts with a company. As Mr. Craig has explained, these private companies are usually family affairs. As a man progresses in business, he decides to form the business into a limited liability company and consequently he becomes a vendor really to himself and a few others. Almost invariably, the vendor is the managing director. If this section is not altered in the way pro-

posed, it will mean the end of proprietary companies. Similar legislation in England and in the Eastern States is in line with the amendment. Mr. Fraser may rest assured that the public will be fully protected in every way. The provision is essential.

Amendment put and negatived.

Clause put and passed.

Clauses 8 to 13—agreed to.

Clause 14—Amendment of Section 347:

Hon. C. G. LATHAM: This clause provides for the keeping of a shareholders' register by a foreign company in this State. For some years there has been an agitation for this provision, but does the alteration mean that the proposed register must contain the names of all the shareholders of the company irrespective of whether they are residents of Western Australia or not? Will the Minister please explain to the Committee exactly what is meant by the amendment?

Hon. L. Craig: The Act explains the position.

Hon. C. G. LATHAM: Is the hon. member in charge of the Bill or not? I think the Minister might explain.

Hon. L. B. BOLTON: I, too, am a little worried about the amendment. I am associated with a company incorporated in South Australia which has an agency and a factory here. Is it intended that this company must keep a register in this State of all its shareholders? If so, much work will be cast upon both the Adelaide and Perth offices of the company. Will the Minister explain whether the amendment applies only to local shareholders or all the shareholders of the company?

The MINISTER FOR MINES: I assure hon. members that only such shareholders of a foreign company, that is to say, any company not a Western Australian company, as may so desire, may apply to be put on the local register. It is important to have a local register of shareholders. May I instance the Swan Brewery Co.? Some years ago it was found that this company had no local register. Accordingly, the executor or trustee of a local shareholder who died would have to apply to re-seal probate in Victoria. Victoria obtains the probate duty on the value of the shares, because the shareholders are on

the Melbourne register instead of on the Western Australian register. There will in future be a register in Western Australia so that in the case of any local shareholder who dies the probate will be granted in Western Australia and the whole matter dealt with here. Then there is the question of stamp duty and the transfer of shares. There are many foreign companies trading in Western Australia which have no local shareholders' register, with the result that probate has to be granted in, say, the Eastern States and we lose the probate duty which, together with the fees, is payable in the State in which the register is kept. This clause insists that the register shall be kept in Western Australia and that anyone who applies shall be put upon it. This refers only to local shareholders.

Hon. C. G. LATHAM: I understand that the transfers of shares will be registered, that the duty will be payable here on the shares of deceased persons, and that probate of the will will not have to be re-sealed and sent to some other State. If that is so, I have no objection to the clause.

Clause put and passed.

Clause 15—agreed to.

Clause 16—Repeal of Section 359:

Hon. C. G. LATHAM: Unless I am wrong, this clause will amend Section 359 and not repeal it, although the side note says that the section is being repealed. Is there not an error in the marginal note?

The Minister for Mines: The word should be "amended."

The CHAIRMAN: A marginal note is not part of a Bill. In this instance, the clerk will correct what is a clerical error.

Hon. C. G. Latham: The side note is very misleading.

Hon. G. Fraser: Not if you read the clause.

Clause put and passed.

Clauses 17 to 21, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—OPTOMETRISTS ACT AMENDMENT.

Returned from the Assembly without amendment.

BILL—TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Mines in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Amendment of Section 18:

Hon. Sir HAL COLEBATCH: I move an amendment—

That Clause 4 be struck out and a new clause inserted in lieu as follows—

4. Insert a new section after Section 18 of the principal Act to stand as Section 18A as follows:—

“18A. (1) A local authority may appeal to the Supreme Court subject to the Rules of Court regulating the procedure to be adopted for the purpose of such appeal in any of the following cases:—

(a) If the Minister refuses to approve any scheme either absolutely or except with modifications or conditions under Section 7.

(b) If the Minister makes any order or approves any scheme under Section 18.

(2) On such appeal the Court may receive evidence in any manner which may seem best for the purpose of deciding the appeal on the merits.

(3) The costs of the appeal shall be in the discretion of the Court.

(4) There shall be no appeal from the order of the Court.

The purpose of the Bill is to facilitate co-operation between local governing authorities and the town planning authority in the matter of having plans prepared and approved. The Perth City Council has represented to me that whilst it welcomes the Bill, it is of opinion that the arrangements made for appeals to the court from the decision of the Minister are not adequate. There is no provision for an appeal if the Minister refuses to approve of a scheme submitted by a local authority. It is contended that the privilege of appealing will in other directions come too late and will not be effective. My amendment will only carry out what apparently is the intention of the Government, and I hope it will be agreed to. I understand that intention to be that there shall be a right of appeal by local governing authorities in the case of a difference of opinion between them and the Minister in regard to town planning schemes.

The MINISTER FOR MINES: The Government feels that it has gone as far as it can, in the Bill before the Committee, to meet the wishes of the City Council. Subsection (2) of Section 18 reads as follows:—

If the Minister is satisfied on any representation, after holding an inquiry, that a local authority has failed to enforce effectively the observance of a scheme, which has been confirmed, or any provisions thereof, or to execute any works, which, under the scheme or this Act the local authority is required to execute.

When the Minister makes an order under that provision, if the Bill is passed it will mean that the local authority may, within 28 days, appeal to a judge and have the Minister's order annulled. The Government feels that the present provision is sufficient, but the City Council apparently desires to go further. It is felt that that might make the provision too cumbersome, and perhaps litigious. The proposed amendment states—

(a). If the Minister refuses to approve any scheme either absolutely or except with modifications or conditions under Section 7.

That would throw the onus back on the Minister. The Town Planning and Development Act is what might be called the ministerial Act. When speaking on the second reading I said that the local governing authorities have power to make bylaws and enforce certain town planning measures under them, subject to the Minister permitting the bylaws to be approved by the Governor-in-Council. It is thought that the Town Planning and Development Act makes better provision for the ratepayer to make his objections, as he has notices, and so on. If the Minister then decides to make an order, the Council or municipality has the right of appeal to a judge within 28 days.

Hon. A. Thomson: Is that in the present Act?

The MINISTER FOR MINES: It is in the Bill before the Committee.

Hon. Sir Hal Colebatch: Has he any right of appeal if the Minister refuses to accept the scheme?

The MINISTER FOR MINES: I have already referred members to Subsection (2) of Section 18. The Minister may make the order and there is an appeal against that order. Sir Hal Colebatch wishes, by means of this amendment, to provide for an appeal

where the Minister refuses to make an order.

Hon. Sir Hal Colebatch: No.

The MINISTER FOR MINES: I think that is going behind the essentials of what we consider to be good government; that is to say, that the municipality can go to the Government and, if the Government refuses, can appeal to a judge. I do not think that is a good principle. If the Minister makes an order, the municipality can appeal to the judge and the order may be cancelled. It is wrong to go to a judge to force the Minister to do something, and that would be the effect of the amendment. I ask members to pass the Bill as it stands.

Amendment put and negatived.

Clause put and passed.

Clause 5, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—STREET PHOTOGRAPHERS.

Second Reading.

Debate resumed from the 28th October.

HON. E. M. DAVIES (West) [5.22]: At the outset, Mr. President, I am not enamoured of the Bill, but due to the fact that provision has been made to limit the number of street photographers licensed to one for each 10,000 of population, I am not prepared to offer a great deal of opposition to it. There are, however, one or two phases of the Bill with which I do not agree. First of all, I think that if some returned Servicemen are to be given the privilege of street trading, they should be those who have suffered injury, either through loss of health or loss of portion of their anatomy. I therefore intend to move an amendment when the Bill is in Committee. I feel that if the number of street photographers were not limited they would eventually become a nuisance.

My experience last year in parts of New South Wales proved to me that, if they are given licenses to utilise public highways for the purposes of trading they will, if not restricted, become a nuisance to the pedestrians who desire to traverse the footpaths. There were so many street photo-

graphers in Sydney and competition was so keen that they became a nuisance by attempting, with a great deal of agility, to prevent pedestrians passing by until their photographs had been taken. Had the Bill not provided for the limitation of licenses to one for every 10,000 of population I would not have supported it. I believe that there is a section of men, who have returned from active service and are suffering disabilities, who should be granted the right of street trading. Then any pension that they might be receiving would be augmented by the amount received as commission on the photographs taken.

I think local authorities should be empowered to say whether they are prepared to grant licenses to ex-Servicemen who might be capable of performing some other work of a more productive nature than that involved in what might be called the occupation of a street pedlar. Those who are suffering incapacity as the result of war service should be given preference, but I think we should leave it to the local authorities to decide whether able-bodied men or those suffering some incapacity should be granted licenses.

Hon. G. Bennetts: Would you consider some of the turned-down miners, as well as the returned Servicemen?

Hon. E. M. DAVIES: I think the Bill limits it to returned Servicemen. I believe local authorities should be empowered to decide where they should grant licenses for street photography, as they are the ones with power to go into this question. If it is desired that a certain number of licenses be granted on a population basis, I think local authorities should be allowed to decide where and when photographs should be taken. When the Bill is in Committee, I shall move two or three amendments.

HON. G. FASER (West) [5.27]: In connection with this Bill, for the first time this session, I find myself sharply in disagreement with my colleagues. I want first to ask the sponsor of the measure in this House to explain, when replying to the second reading debate, one portion of the Bill that does not appear to dovetail. I refer to the definition of "street photographer," which is "a person, firm or corporation." That gives a firm the right to employ street photographers. In Clause 6

it is provided that the number of licenses to be granted shall be one for every 10,000 of population. With that provision in operation the limit for Perth will be about nine licenses, and I understand that there are about eight such firms in Perth at present. It would mean that at most one firm could have only one such employee, because I assume that in the licensing everyone would be treated fairly.

Under this provision a firm could have only one such photographer employed, though I am not forecasting what might happen to the provisions of the Bill in Committee. I believe there should be some alteration in the definition or else that the provision limiting the number of licenses to be granted to one for every 10,000 of population should be struck out. Like Mr. Davies, I am not concerned about limiting it to any number as I think each of those engaged in the trade would find his own level after a short period. I do not think they would hang on if they were not making a living.

The provision to permit a street photographer to be employed by the person who obtains a license raises a number of points. Assuming that a firm gets a license and employs two or three street photographers, when the man taking photos in the street is challenged, he must produce his license. If the license is granted to the firm, what will happen in that event?

Hon. C. G. Latham: It would be the firm's license.

Hon. G. FRASER: And that would mean that the firm could employ only one man as a street photographer. Another point is that a firm might ask for licenses for three photographers. I am dealing with the Bill as it is printed. We provide that a license may be granted and that somebody may be employed, but is the license to be issued to the firm and may it be passed on from one street photographer to another, and if so, to how many? I favour the Bill, but these matters, unless straightened out, may cause difficulties. I have no objection to the licensing of street photographers and I am not prepared to support any action to limit them.

We have been told that objection has been raised by professional photographers, but I consider there is no substance in their opposition, because the type of photograph taken by the street photographer is entirely

different and caters for a different class of clientele. Consequently, I cannot see that there would be any interference by the one with the other. I am prepared to support the deletion of the clause that proposes to limit the number of street photographers; otherwise there will be much difficulty in allotting the licenses. If the number be limited, favouritism might be shown to some, and I do not agree with the contention that the provisions of the measure should apply only to those persons who were operating on the 1st April last. If we are to have street photographers—

Hon. W. J. Mann: Let them all come!

Hon. G. FRASER: Not necessarily. If a person wishes to enter the business, he should be able to do so. Why limit it to those who were in the business on the 1st April?

Hon. J. A. Dimmitt: A very appropriate day!

Hon. G. FRASER: For those who were licensed or those who wish to take out licenses? I do not want to confine licenses to those who were in the business six months ago. Possibly other people will desire to enter this occupation later on, and they should not be barred by a limitation of this sort. Often we make provision in our legislation to grant protection to those people who have been in an industry for a certain time, but this proposal goes beyond that. The Bill ought to apply, as the early part of the clause stipulates, to discharged members of the Forces, though I would not go so far as my colleague and say that it should apply only to those who are partially incapacitated, because, in my opinion, a street photographer needs to be a fairly active man.

If we license these men, we should be prepared to give them a fair go. We should not license them and then permit the local authorities to put them in places where it will be impossible for them to earn a living. A local authority might assign a place such as the Esplanade, or some other locality where it would be impossible for them to make a living. I hope the sponsor of the Bill will give us some information as to how, when licenses are issued to a firm, they will be given to street photographers, whether a firm may employ more than one street photographer or whether the number will be limited to one to each firm.

HON. C. G. LATHAM (East—in reply) [5.35]: I am pleased with the reception accorded the Bill.

Hon. L. B. Bolton: You are an optimist.

Hon. C. G. LATHAM: I always was. The Bill may not be quite as clear in its phraseology as could be desired, but I propose to explain the points that are causing members some concern. Sir Hal Colebatch desired that there should be no interference at all with local authorities, but I point out that local authorities operate only under powers delegated to them by Parliament. This Bill proposes merely to delegate to local authorities the powers we desire them to exercise. Certainly this provision could be made in another way, but I contend that the measure deals with a form of employment that has sprung up here and in other States and that this seems to be the best way to give effect to what is desired.

The meaning of "public thoroughfare" is clearly set out in the Bill, and provision is made that, for the purposes of this measure, it shall not include any street in the city restricted to one-way vehicular traffic. Sir Hal Colebatch, when speaking on the second reading, indicated that he would move an amendment to include one-way traffic streets. Under the measure, nobody may operate in any part of the State unless he holds a license, and a local authority may grant licenses to operate only in what the Bill defines as a public thoroughfare. So it could not grant a license for a street photographer to operate in a one-way street.

Hon. Sir Hal Colebatch: Then, according to the Bill, a one-way street is not a thoroughfare.

Hon. C. G. LATHAM: No, one-way streets have been purposely excluded and street photographers may not operate in such streets.

Hon. Sir Hal Colebatch: No, it only excludes street photographers from operating.

Hon. C. G. LATHAM: And so they cannot operate in any part of the State except when in possession of a license, and a license may be granted to operate only in a thoroughfare, and that thoroughfare could not be a one-way street.

Hon. Sir Hal Colebatch: According to the definition, a person taking photographs in a one-way street would not be a street photographer.

Hon. C. G. LATHAM: He might not be a street photographer within the meaning of this measure, but he would not be permitted to take photographs in the street. This Bill is intended to provide for the licensing of street photographers. If a person were not licensed, he would be liable for taking photographs whether in a one-way street or any other thoroughfare. All we are concerned about is the licensing of certain people to take photographs in the streets. Consequently, the powers of local authorities will not be altered by the passing of this legislation. At present they have no authority to license street photographers, and this Bill will provide the requisite power and instruct them to issue licenses. Otherwise, there will be no interference with the local authorities. If a person operates without a license, the local authority will be in control and we do not propose to interfere with its powers in that direction. I think I have made that point clear even to Sir Hal Colebatch.

Persons operating before the 1st April may apply for licenses and, subject of course to their satisfying the local authority, a license may be granted. The reason for this provision is that these people have set up business premises in the city. Objection has been raised by professional photographers, who are men operating in a big way, but these people, in a lesser degree, have established businesses. They have their studios where they carry out the printing and mounting of the photographs taken in the streets. Therefore, if it be contended that the professional photographers should be protected on the ground that they are ratepayers, these people are equally entitled to protection on the same ground. I cannot see why we should differentiate, except that the professional photographer is a man operating in a big way—

Hon. L. B. Bolton: And observes the law.

Hon. C. G. LATHAM: Certainly he is engaged in a legitimate business, while the other man operates on the street, and it was proved to the satisfaction of the magistrate that the man was breaking the City Council bylaw; otherwise he would not have been fined. The municipality of Claremont is not taking any action against street photographers, and I believe that town has

professional photographers. I want members to understand that these street photographers are people trying to make a living for themselves. They are starting in a small way and may be the professional photographers of tomorrow. In this Chamber and elsewhere, I have repeatedly urged that men should be afforded opportunities to start life for themselves in a decent way. Unless we approve of this sort of business, it will be tantamount to saying that only the big men should be permitted to undertake it. Members do not desire that. We should not do anything to keep wages men as wages men all their lives or salaried men as salaried men all their lives. This business of street photography will give men an opportunity to get away from wages and build up a competency for the future. McKay of Sunshine started as a blacksmith and built up one of the largest industries in Australia.

Hon. W. J. Mann: With the aid of a very wealthy family.

Hon. C. G. LATHAM: He did not have a wealthy family when he made his first harvest.

Hon. W. J. Mann: He did; I happen to know.

Hon. C. G. LATHAM: He might be related to the hon. member and therefore would be entitled to be called wealthy. Some members consider that, by the licensing of street photographers, we shall be authorising a hawking class of business. We still have hawkers of some types in the city. Whether they are licensed or not is not my business. We have house-to-house canvassers but these people are not house-to-house canvassers.

Hon. L. B. Bolton: They are street canvassers.

Hon. C. G. LATHAM: There are other people selling things in the street and I have no objection to it. I do not think we need complain about their conduct. There is a man who walks around the streets selling matches. Not that I think it is necessary for him to do so, because the law provides that he can be cared for without that. However, he does it and I do not think he is offensive to any person any more than is a street photographer. There is no difference between having a photo-

graph taken by a street photographer and having one taken with a camera of one's own, except that an ordinary camera would not perhaps take such a good picture.

Hon. J. A. Dimmitt: Do you think that we should license one match-seller to every 10,000 people?

Hon. C. G. LATHAM: I am not interested in that. My attention is centred in street photographers.

Hon. E. H. Gray: Why limit them?

Hon. C. G. LATHAM: The reason is that there must not be too many so that it will not be possible for them to earn a living. I know that Mr. Gray himself has no desire to throw this open so that a whole lot of people will start buying expensive cameras—and these are not cheap cameras, even if they are small—and set up in a business which would require them to have accommodation and facilities for printing and mounting photographs. It is in order to give those taking part a reasonable chance of success that we are limiting the number.

Hon. G. Bennetts: How many would Perth be restricted to?

Hon. C. G. LATHAM: Nine, I think.

Hon. G. Bennetts: I understand there are about eight firms and I do not think any of them could make a living without having three operators.

Hon. C. G. LATHAM: I do not think they could. I understand that for every man on the street seven employees are required in the studio. I think, as a matter of fact, that we had it put up to us that it was not the man who takes photographs but those employed in the establishment behind the doors, developing, printing and mounting—

Hon. W. J. Mann: Do they mount them?

Hon. C. G. LATHAM: There is one person employed at the counter checking in and out. All the photos have to be numbered.

Hon. J. A. Dimmitt: What would the other 63 be doing?

Hon. C. G. LATHAM: What other 63?

Hon. J. A. Dimmitt: You said that in addition to the person taking photographs there would be seven employed inside.

Hon. C. G. LATHAM: That is the estimate.

Hon. J. A. Dimmitt: I cannot believe there would be 63 people employed.

Hon. C. G. LATHAM: I do not know. I have not had a photograph taken and I do not desire to, but that was the statement made the other day, when the hon. member was present, concerning the number employed inside the building.

Hon. E. M. Davies: Who will be employed in the studios?

Hon. C. G. LATHAM: I do not know. Probably girls.

Hon. L. B. Bolton: I do not think you know too much!

Hon. C. G. LATHAM: I hope I shall never know too much. I can still learn. May I commend that wisdom to the hon. member?

Hon. L. B. Bolton: I am following you closely.

Hon. C. G. LATHAM: I hope so. I have not reached the stage where I know everything.

Hon. W. J. Mann: A candid admission!

Hon. C. G. LATHAM: Mr. Fraser was very worried about the meaning of the words "street photographer." The definition in the Bill is—

a person, firm or corporation who either on his own account photographs or attempts to photograph, or employs any person to photograph or attempt to photograph in a public thoroughfare any person or thing, and who in connection with or incidental to such photography tenders, issues or distributes, or causes so to be any card, ticket or other printed or written matter whatsoever identifying the photograph or the photographer or the employer or containing any information as to the place where the result of such photography may be seen or inspected.

A "street photographer" means a person, firm or corporation. The three are identical, inasmuch as each is regarded as an individual so far as the issue of licenses is concerned. The Bill also states—

On and after the coming into operation of this Act, it shall be unlawful for any street photographer to operate as or carry on the business of such in any place whatsoever within the State of Western Australia without having previously obtained a license as hereinafter mentioned.

It is a single license and a firm will have only one man licensed. What may happen, of course, is that a number of people may be working on a co-operative basis.

Hon. W. J. Mann: Then they would all have licenses.

Hon. L. B. Bolton: They would be transferable?

Hon. C. G. LATHAM: No; a license can only be issued to the firm and that would be handed over to one member of the firm—the employee taking the photographs—and the holder of the license would be the only person who could operate. That might mean that such person would obtain relief in the street; but the point is that there can be only one active photographer whether the license is held by one person, a firm or a corporation.

Hon. L. B. Bolton: They could work in relays.

Hon. C. G. LATHAM: There must be only one photographer at a time. The firm would be operating under one license only. I want that to be perfectly clear, because it is the most contentious point in the minds of members.

Hon. J. G. Hislop: They could not do a 24-hour service.

Hon. C. G. LATHAM: Not for that class of work. I do not think it would be possible at night. They conduct a daylight service.

Hon. W. J. Mann: You contend that a firm or corporation could have only one man on the street at one time?

Hon. C. G. LATHAM: They could have only one license. Members will understand that if they read the measure carefully. All we are doing is licensing the man in the street who will subsequently take films back to the place of business where the rest of the processes are undertaken.

Hon. J. G. Hislop: Only the man in the street would be licensed?

Hon. C. G. LATHAM: That is so. Nobody else is licensed.

Hon. W. J. Mann: I cannot follow that exactly.

Hon. C. G. LATHAM: It is proposed to give power to local authorities to make such bylaws as are necessary to give effect to the measure. It is provided also that the card or other printed matter issued by street photographers shall not contain any information other than that which is set out in the Bill, including the number of the license granted to the street photographer

concerned and the name of the local authority granting it and where the photographer may operate. It is not likely that a local authority will issue licenses for all the main streets. Licenses could not be issued for Murray-street, or Hay-street, but for Barrack-street, William-street and the Terrace.

Hon. L. B. Bolton, Street photographers who are operating are breaking the law.

Hon. C. G. LATHAM: They are not breaking the law! There is no law in respect to it. There is a bylaw framed prohibiting certain things such as people distributing papers in the street. I think it is very questionable whether under that provision people have the right to distribute electioneering pamphlets. Regarding the cards that are issued by street photographers to-day, I do not think that people drop them in the streets. They put them in their pockets and probably not 50 per cent. of them are used; certainly not more than 50 per cent. I hope members will not throw this matter wide open for the world, because that would create hardship for those people who have already spent a considerable amount of money on this work. So far as I know they are all returned soldiers.

Hon. E. M. Davies: I thought they had to be.

Hon. C. G. LATHAM: They will have to be in the future.

Hon. J. G. Hislop: That cannot be right. I was photographed by a girl recently.

Hon. C. G. LATHAM: She was probably a returned Service-woman. I feel sure members will agree to the second reading of this measure and we will then be able to discuss in Committee some of the problems exercising their minds.

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

Ayes	15
Noes	9
				—
Majority for	..			6
				—

AYES.

Hon. O. F. Baxter	Hon. C. G. Latham
Hon. G. Bennetts	Hon. L. A. Logan
Hon. R. J. Boylen	Hon. A. L. Loton
Hon. L. Craig	Hon. H. S. W. Parker
Hon. E. M. Davies	Hon. C. H. Simpson
Hon. G. Fraser	Hon. G. B. Wood
Hon. E. H. Gray	Hon. H. L. Roche
Hon. W. R. Hall	(Teller.)

NOES.

Hon. L. B. Bolton	Hon. J. G. Hislop
Hon. Sir Hal Colebatch	Hon. W. J. Mann
Hon. H. A. C. Daffen	Hon. F. R. Welsh
Hon. J. A. Dimmitt	Hon. G. W. Miles
Hon. F. E. Gibson	(Teller.)

Question thus passed.

Bill read a second time.

BILL—WHEAT MARKETING.

Second Reading.

Debate resumed from the 29th October.

HON. L. A. LOGAN (Central) [6.0]: As the Minister has pointed out, this Bill is only brought forward provisionally on the Commonwealth Government handing over the defence transitional powers at the end of the year. Unfortunately, it seems that that Government intends to carry on. The wheatgrowers of this State would be far better off with a wheat marketing scheme of their own. It must be apparent to everybody that one of the biggest robberies ever perpetrated in this country is going on in connection with wheat, because it is being sold at £1 0s. 3d. a bushel while we are guaranteed the magnificent sum of 4s. 6d.! Our wheat was even sold to New Zealand for 5s. 9d., and we were told by the Commonwealth Government that it was on account of some concession given to us by the New Zealand Government. That has been repudiated. The New Zealand Government was asked what concession was given to the Australian wheatgrowers, or to Australia, and the answer was that no concession had been given.

It has been said that the farmers favour a Commonwealth scheme. I believe they do. But, when they talk of a Commonwealth scheme, they do not mean a Government-controlled scheme. There is all the difference in the world between a Commonwealth scheme and one controlled by the Commonwealth Government. It would be much better if we could get our wheat away from political control, no matter what party was in power. I am opposed to our wheat transactions being controlled by politics. It is wrong for them to be buffeted by one party or another. Unfortunately it looks as if the Commonwealth Government is going to carry on. We must, however, have some scheme prepared so that we will not be left with wheat on our hands and no

way to market it. We certainly do not want to go back to the open market.

We want a certain amount of control, but it has to be farmer-control. The producers of this country have lost the best opportunity they ever had of rehabilitating themselves. For a good many years the land has been depleted, because farmers have not had sufficient reserves to put back into it what has been taken out. Had we received our just dues, we would have been able to build up our land so that it would have been of some value in the future. As it is, we have no reserves to draw on. If a depression came to this country tomorrow the farmers, or the producers, could not carry the rest of the community for six months. Ordinarily, if they were in a good position, with credit behind them, they could carry on for two years, which would give the rest of the people a chance to right themselves. I am afraid that opportunity has now gone. I have gone fairly closely through the Bill and can see nothing in it that should be opposed. I have pleasure in supporting the second reading.

On motion by Hon. L. B. Bolton, debate adjourned.

BILL—COMMONWEALTH POWERS ACT, 1943, AMENDMENT.

In Committee.

Resumed from the 29th October, Hon. J. A. Dimmitt in the Chair; the Honorary Minister in charge of the Bill.

Clause 2—Citation of principal Act as amended by this Act (partly considered):

Clause put and passed.

Clause 3, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—COMMONWEALTH POWERS ACT, 1945, AMENDMENT.

Second Reading.

Order of the Day read for the resumption from the 29th October of the debate on the second reading.

Question put.

The PRESIDENT: To pass this measure, an absolute majority is required. I shall divide the House.

Bells rung and a division taken.

The PRESIDENT: As all members are voting with the ayes and there is an absolute majority present, I declare the question passed.

Question thus passed.

Bill read a second time.

In Committee.

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

Sitting suspended from 6.15 to 7.30 p.m.

BILL—CHILD WELFARE.

Second Reading.

Debate resumed from the 29th October.

HON. E. H. GRAY (West) [7.30]: This Bill is very important. I assume that the experiences of the Child Welfare Department have been taken advantage of and have been applied in framing the provisions of the Bill. The Child Welfare Department is a very important one and from my own experience, I know that the very highest credit should be given to both the men and the women—particularly the women—attached to the department. They work in close co-operation with the women police, who are also doing great work in looking after children. The Minister announced that a properly trained legal man is to be appointed as magistrate in charge of the court when Mr. Shroeder retires. That being so, I was surprised to find a very grave omission from the Bill.

The principal Act, which was passed in 1907, in dealing with the jurisdiction of the court refers to offences committed "by or against" children, which is all embracing. There may be some explanation for the omission of the words "or against," but if, as indicated, the court is to be presided over by a properly trained magistrate—I would not agree to it in any case—I cannot understand why it is necessary for offences against children to be dealt with in a police court. I can see no argument at all in favour of that course. The duty of this properly trained magistrate will be to devote his full time to looking after the interests of children and dealing with offences against them. Surely he would be a far better man to try the cases I have in mind

than that young children should be forced into the police court to give evidence in connection with offences against them.

The Honorary Minister: They would be there merely as witnesses.

Hon. E. H. GRAY: But the whole background of the Children's Court is to dissociate them from the atmosphere of a police court and those who go there.

The Honorary Minister: And let criminals get away with it!

Hon. E. H. GRAY: They have not done so.

The Honorary Minister: They have in the past.

Hon. E. H. GRAY: This omission of the words included in the principal Act means that children who are witnesses must be dragged into the police court. That is against all the reasons for the establishment of a children's court. The object of that step was to keep those under a certain age completely away from the atmosphere that prevails in a police court. It was that they should not be contaminated by it or be subjected to interrogation by the magistrate of a police court and those who attend there. I have given notice of an amendment with the object of including in the Bill the words that have been omitted, and then the applicable provision would read to the effect that "the court shall exercise jurisdiction in respect of all offences alleged to have been committed by or against children." In this legislation we followed the example of New Zealand, and the Dominion Act embodies a provision along those lines. I can see no reason at all why the Government should have omitted it from the Bill. Surely a specially trained magistrate who is to preside over the Children's Court with the assistance of justices of the peace, should be quite sufficient, otherwise it is merely a waste of money in paying the magistrate's salary.

Hon. L. B. Bolton: Do not you think that the magistrate, as a trained man, would be better able to handle these matters than the man you had there for so long?

Hon. E. H. GRAY: No, I do not.

Hon. L. B. Bolton: Then you are, in my opinion, a very bad judge.

Hon. E. H. GRAY: I do not think so.

Hon. L. B. Bolton: I would not have him.

Hon. E. H. GRAY: Could not this legally trained magistrate deal with cases of crimes against children? If it were a serious crime, the case would have to be taken to the Supreme Court, but there are many offences against children that proceed no further than the police court. In the interests of the children themselves they should be kept from going beyond the Children's Court in respect of offences of this class, except when the seriousness of the offences requires that they should be dealt with finally in the Supreme Court.

The Honorary Minister: They would have to go to the Supreme Court on many occasions.

Hon. E. H. GRAY: But in many instances they would not. It would be a mistake to require such matters to be dealt with in the police court. I hope the Minister will reconsider that phase and agree to the amendment I will move in Committee.

The Honorary Minister: I am afraid I will not do that.

Hon. E. H. GRAY: There is another matter I want to bring under the notice of the House. Ministers do not bother to reply to important criticism of any Bill.

The Minister for Mines: We have not had any yet.

Hon. E. H. GRAY: I am speaking generally. There have been important contributions respecting other legislation. It has been a matter of tradition in this Chamber that when members speak to any Bill—

The Honorary Minister: What about the Address-in-reply?

Hon. E. H. GRAY: —the Leader of the House and his Assistant Minister make the fullest possible inquiries and furnish a considered reply on the floor of the House.

The Honorary Minister: On the Address-in-reply we both spoke, and that had never been done before since I have been a member.

Hon. E. H. GRAY: When an important provision is included in a Bill the Ministers concerned in both Houses should inform Parliament of the fact. A very important amendment has been included in the Bill, and it should have been mentioned to members. I refer to paragraph (c) of Clause 107. The matter dealt with was the

subject of a private Bill two or three years ago, and it seeks to prevent children under 14 years of age from selling newspapers in the street. That is a very important matter in these days when there is so great a shortage of labour. Surely an innovation like that was worthy of mention by the Minister!

The Honorary Minister: I did mention it, and I was criticised by Mr. Baxter.

Hon. E. H. GRAY: If that is so, then I am sorry I mentioned it.

The Honorary Minister: I made special reference to it and said that it would create some interest.

Hon. E. H. GRAY: In the circumstances, I will certainly withdraw my remark. However, I was surprised that such a provision should reach this Chamber. I am certain the Minister will have some trouble in justifying its inclusion. Everyone knows that today it is most difficult to obtain junior labour from the ranks of lads at the age of 14 years. To agree to the provision in the Bill would not be in the interests of the boys themselves because the parents want to see their lads apprenticed or employed in a trade or at work with some future ahead of them. The very fact that there is such a shortage of junior labour makes the situation more difficult, and this particular provision in the Bill should receive short shrift.

The Honorary Minister: I am surprised at your countenancing child labour.

Hon. E. H. GRAY: I am not, but we must face facts as they are. The position is that boys from 12 to 14 years of age have an opportunity to augment the family income without doing any harm to themselves. That is especially important where widows and people in poor circumstances are affected. Anyone with knowledge of what goes on must be aware of the care that is taken by the proprietors of the newspapers of the boys employed by them. As a matter of fact, some of those boys have turned out to be first class citizens and have filled important positions in the community. The newspaper proprietors have a system of efficient supervision and the boys are well looked after. They are not allowed to roam all over the place or to get into mischief; consequently it would be doing an injury not only to the

lads but to the parents themselves if this prohibition were agreed to. It would certainly not be in the interests of the young people themselves.

The work of selling newspapers is only temporary employment but it furnishes the lads with good experience. The proprietors of the evening newspaper will be mostly concerned and when one realises how that company has organised the business and the provision it has made for looking after the lads, one must give credit where it is due. We will seriously disadvantage these lads if we agree to the provision in the Bill. I certainly hope that when the measure is dealt with in Committee the two points I have referred to will receive serious consideration. If that is done, we will have an improved Act, one that will be a credit to the Child Welfare Department. I am rather surprised at the amendment to increase the age under which lads may not engage in street trading, as such a provision was defeated in this Chamber some two or three years ago.

The Honorary Minister: The age limit was then 15 years, not 14.

Hon. E. H. GRAY: In the interests of the boys themselves we should defeat this amendment. The other provisions in the Bill I think will be agreed to by the House. The measure is essentially a Committee Bill. With the exceptions I have mentioned, I shall support it.

HON. SIR HAL COLEBATCH (Metropolitan) [7.46]: This Bill has my complete support and I commend the Government for introducing it. I am still more pleased at the action of the Government in appointing a child council. It will be remembered that some years ago Hon. E. H. H. Hall, then a member of this Chamber, moved that a Select Committee be appointed to inquire into the question of child delinquency. At Mr. Hall's request, I assumed the office of chairman of that committee. A little later, when the end of the session arrived, the then Premier (Hon. J. C. Willecock) very kindly consented to convert the committee into an Honorary Royal Commission in order that there might be no delay in the presentation of its report. The members of the commission were selected from all parties and each member worked indus-

triously on the very considerable job that confronted him. The recommendations of the commission were unanimous and it has always been a mystery to me that the previous Government did not give them effect.

The present Government has now given effect to the first recommendation, a recommendation which to my mind covers the whole lot, because I care not how far the Government goes with regard to any other recommendation of the Royal Commission. Having appointed a child council, that will be the proper authority to make such recommendations as it thinks fit to the Government. Having appointed that child council, the Government has done all that is required to implement the recommendations of the Royal Commission. I have two small amendments on the notice paper which I will briefly explain. One relates to Clause 47.

The Minister is given power to order the release of any ward from the control of the department or from any institution; but there are certain limitations to his power. Provided that before any such order is made by the Minister, the clause says, the parents of the ward shall—if their whereabouts are known or can be ascertained by reasonable inquiry, and the matron or manager of the institution be notified that it is proposed to release them, be heard by the Minister in opposition to the proposal or as to the custody of the ward after release. The succeeding proviso says—

Provided further that a parent, feeling aggrieved, by the order of the Minister to release the ward or to hand the ward over to the custody of any person, may within three months from the date of the order, appeal to the magistrate of the local court at Perth.

I cannot understand why that right of appeal is given to the parent and not also to the matron or manager of the institution. To my mind, the matron or manager of the institution is a much more suitable person than are the parents, because, as was made very clear to the Royal Commission to which I have referred, child delinquency is generally the result of lack of parental control and therefore it must be assumed that in many cases the parent of the child who has been committed to the institution is not the most fit and proper person to look after it and is very likely to desire its release without having the capacity to control it

in the future, whereas the matron or the manager of the institution would have a very much better idea than the parent as to whether the child should be released.

It is not suggested that the matron or the manager of the institution should set the Minister's wish at defiance; but it is suggested that they should have the same right of appeal as is proposed to be given to the parent. It will be understood that in suggesting this amendment I am not reflecting on the present Minister or past Ministers or on anybody. I think it is a power which a Minister ought not to exercise in opposition either to the wishes of the parent or the wishes of the matron or manager of the institution and I therefore propose to amend the provision by inserting after the word "parent" the words "or the matron or manager of the institution."

This amendment is not put up frivolously. It is put up because a number of cases have occurred in which the Minister has ordered the release of a child from the institution in opposition to the wishes of the matron or the manager of the institution. The child has been released and within a short time has got into trouble again and been sent back. I do not think the Minister should regard the giving of a right of appeal to the matron or manager of an institution as in any way reflecting on him; he should regard it as assisting him. Several heads of these organisations—principally the heads of the Roman Catholic and Anglican Churches—are extremely anxious that this amendment should be inserted.

Their anxiety arises not from suspicion of what might happen, but from actual experience of what has occurred in the past, when children have been released by order of the Minister and against the wishes of the matron or manager of the institution. These children have lapsed into trouble again and been put back in the institution within a few months. It can be taken for granted that the heads of these institutions will make no frivolous appeal. They will not appeal unless they feel they are justified in doing so.

The other amendment I propose to make is to substitute the word "twelve" for the word "fourteen" in the paragraph relating to street trading. I refuse to be influenced by any consideration except the welfare of

these children themselves. Personally, I consider it a great mistake to have boys over 14 selling newspapers on the street. I am not suggesting that they should be barred, but I think lads of 14 should be encouraged to go into some occupation which leads somewhere. For a boy over 14 years to persist in selling newspapers in the street is to my mind putting him into a dead-end occupation. At present I know there is a very keen demand for boys in all sorts of occupations that will lead them somewhere. When they reach 14 years, let them get into some of these occupations; but when they are between the ages of 12 and 14 there is abundant evidence that newspaper-selling is extremely helpful both to them and their families. The boys earn, I have been told—I have no opportunity of verifying it and I am not concerned with the amount of their earnings—an average of about £4 a week.

Hon. G. Fraser: That is in the city.

Hon. Sir HAL COLEBATCH: Yes. It seems to me that when the boys permitted to carry on that occupation are carefully selected by the Child Welfare Department, it is a great advantage that they should be allowed to earn this money both for their own purposes and for the help of their families. It may be taken for granted that the boys who go on to the streets selling newspapers are not the children of well-to-do families; they are probably the children of families that are pretty hard up against it. Therefore, it will be easily realised that their earnings will be of great help to the family. There are cases on record, I believe, in which children who are allowed to trade have enabled themselves to carry on their education after the age of 14.

I have no objection if, in addition to the amendment which I propose, a further amendment is inserted making the granting of a license, or its continuance, subject to the child council. Let the child council say whether a boy should have a license, but do not bar the boys who the department says are suited in every way for this occupation. It is not interfering with their education: it is needed by them, it is needed by their families and it is helpful to them. If this matter is looked at purely from the point of view of the interest of the boys themselves, this House will agree to the amendment, which would have the effect of enabling licenses to be issued—

not of forcing them to be issued—to boys over 12. These licenses at present can only be issued on the recommendation of the Child Welfare Department. Should the House consider it necessary to impose a further condition that the licenses shall be subject to cancellation by the newly-appointed child council, I would have no objection; but for this House to say that no child under the age of 14 shall be allowed to sell newspapers is a retrograde step and the only people to suffer from it will be the children themselves and their families. I support the second reading.

HON. C. F. BAXTER (East) [7.56]:

This Bill is one upon which I compliment the Government. It is to their credit and is long overdue. The present handling of cases before the Children's Court is on a wrong basis. The Bill is one which should be passed by this Chamber, subject to some slight amendments. The main objection I have to it is the one with which Sir Hal Colebatch dealt. I refer to the provision dealing with street trading. Those in business know how extremely difficult it is to secure the services of boys over 14 years. I can speak feelingly on the subject, because we have been waiting now for five months to secure the services of two boys. The employment is congenial and the wages are good, but we cannot get them. Thousands of other employers are in the same position.

If it is proposed to take boys under 14 years of age away from the vocation in which they have been engaged for some time, with credit to themselves, the position will become even more difficult. An employer cannot afford to pay a lad of 14 or 15 years £3 5s. a week, whereas these lads engaged in street-trading are earning an average of about £4 a week. The majority of these lads are engaged by "The Daily News" and are a great credit to that newspaper. In 1945 we had before this Chamber a private member's Bill which was slightly different from the present one. That measure provided that no lad under 15 years of age could engage in street-trading. That provision, of course, was ridiculous.

I say without hesitation that the provision in this Bill with regard to street-trading is also ridiculous. The sponsor of the earlier Bill was Mrs. Cardell-Oliver, now a

member of the present Government. It is amusing to consider that her influence was so great that she could secure that alteration in the Act, especially as two Ministers in this House strongly supported the rejection of her Bill. As a matter of fact, the Minister for Mines made, I think, the strongest speech of any member in this Chamber in opposition to that Bill. It might be interesting and help my case if I inform the House what he said.

The Honorary Minister: What was the age limit in that Bill?

Hon. C. F. BAXTER: Fifteen years, but what difference does that make?

The Honorary Minister: A whole year, a big difference at that age.

Hon. C. F. BAXTER: When the Honorary Minister introduced this Bill the other evening, I mentioned his change of front in two years. He replied, "Yes, but I have noticed a great deal happening since." It is strange that other members and I, who are in the city all the time and are acquainted with this matter, have not noticed any serious happening. What we have noticed is an improvement, if anything, in the position of two years ago as regards these boys about the town. So the Honorary Minister's change of front cannot be justified, unless he can put up a very strong case.

The Honorary Minister: The strong case is another year.

Hon. C. F. BAXTER: That is only quibbling. The last two years have acted against him in that respect. Nowadays we are wanting boys in industry at the age of 14 years. Industry is starving for them. We do not want boys of from 12 to 14 years to be running about the town useless and idle. The case is stronger today than it was against this amendment when brought before the House in the shape of a private member's Bill.

Hon. E. M. Davies: He might vote with you.

Hon. C. F. BAXTER: I think I can claim his vote. On the 6th November, 1945, at page 1627 of "Hansard," Mr. Parker, who is now the Minister for Mines, said—

There are many reasons for my opposition to the Bill. I do not know that we want to make our city dull and unpleasant. All said and done, there is a certain amount of charm

in hearing newsboys. A city would be very dull if we did not have that. What is the alternative? When we leave our offices in the evening we desire to get a paper. Are we going to turn to the nearest stationer's office for one, or are we going to have the street littered with newspaper kiosks all over the place and have no boys at all in the street? It is suggested that all sorts of evils come to boys between the ages of 12 and 15 when selling newspapers. I have made it my business to inquire from what I believe the correct sources as to the exact position. I have not found anything against existing practices in any shape or form. On the contrary, a person who should know tells me that the smartest boys in the school are the newspaper vendors, that the trading brightens them up and makes them more alert, keen, intelligent and active. It has been suggested that the boys hear a lot of bad language. I venture to say there is far less bad language heard on the streets where newspaper boys operate than is heard on various playing fields, at street corners and in back yards where youngsters of 12 to 15 play after school.

Hon. C. G. Latham: A very good speech.

Hon. C. F. BAXTER: The Minister was speaking along the right lines. Further on he said—

One of the curses of Australia today is that we do not make our children do some good for themselves in their early years. I am not referring to slavery or sweating conditions; what I mean is that they should be encouraged to do something of a useful nature and help themselves in every possible way.

He concluded by saying—

I oppose the Bill because I think these lads should be permitted to sell papers in the streets both for the benefit of themselves and the community at large.

The Honorary Minister: You had better read what I said, now.

Hon. C. F. BAXTER: I will.

The Minister for Mines: It is two years old.

The Honorary Minister: It is not very incriminating.

Hon. C. F. BAXTER: The point is that these boys will be cared for. They will procure licenses from the Child Welfare Department, which will go into the matter. Secondly, they must be approved by "The Daily News," the employer. When that approval is granted the boys will be taken over by two inspectors, who will keep them in order and see that they are well clothed. They will have their own places in which to sell papers and will be given every encouragement. If they are under 14 years

of age they will not be on the streets after 8 p.m. Most of them will not only be doing something for themselves, but a great deal to help their homes. In the case of a lad, perhaps with an invalid father, a few pounds a week would help a great deal in the home. The boys will receive excellent training for their future, learning the value of money, and how to keep it. They will learn to become good citizens. As Sir Hal Colebatch said, there is one at present who is practising accountancy, and another who is qualifying as a lawyer.

The Honorary Minister: We have Mr. Williams, who was a newsboy? You have not mentioned him.

Hon. C. F. BAXTER: I think it is unbecoming of a Minister to reflect on a member of this Chamber.

The Honorary Minister: I was praising him, not reflecting on him.

Hon. C. F. BAXTER: Speaking on the second reading of that measure the present Honorary Minister, who was then a private member, said:—

I intend to oppose the second reading, because no arguments have yet been submitted to convince me that these children are doing anything detrimental to themselves or anybody else. In answer to an interjection from me, Mr. Dimmitt said that these boys were out all hours of the night.

Hon. J. A. Dimmitt: On Saturday nights.

Hon. G. B. WOOD: That is entirely in the hands of the department that issues the license. I intend to read from the parent Act something about these licenses.

I think that provides every safeguard that is necessary. The people responsible for the Bill should have approached it in a different way. They should have suggested amending the license to provide that selling should not take place after a certain hour at night. The proposal may have had a certain merit. As the Bill stands, however, I must oppose the second reading.

There is nothing to warrant the Honorary Minister being so keen on the present Bill, beyond the fact that the lady member of the present Cabinet brought it forward. When the newsboys are operating on the streets there will be two men to inspect them, so that they will have to be respectable and lead good lives. Apart from that, they will be linked up with the Y.M.C.A. and will be able to gain all sorts of exercise and learn to lead good, clean lives. "The Daily News" provides them

with a cricket set in the cricket season and a football in the football season.

Hon. W. J. Mann: They cannot use a football in the streets.

Hon. C. F. BAXTER: As the hon. member knows, they are not selling newspapers all the time. Everything possible will be done to bring them up as good citizens, and they will be good citizens. Many years ago I had experience of a lad who would not open a bank account, as he had a horror of banks. But in a little time he had saved £140 odd, and eventually he was able to educate himself. I attribute his success to the fact that he was busy in parts of the day when otherwise he might have been going around with undesirable boys. That lad finished up as lieutenant in charge of one of the ships that kept the North Sea free during the First World War. Unfortunately, he went down with his ship, or he would eventually have occupied a very high position.

If the boys are taken off the streets, who will sell papers? It will not be lads of from 14 upwards. If they were engaged on that work it would simply mean a dead-end for them as the wages would be higher than they would receive in industry for the time being. On reaching a more advanced age they would have to undertake some menial employment for the rest of their lives. It is not desirable that we should bring men on to the streets, as I do not think the class of men we would get to sell newspapers would be desirable. They would probably be in the public house more often than not and we would not have the clean service that exists today. Men would have no-one to superintend them, as they simply would not stand it.

When the Bill is in Committee I hope members will make an excellent measure of it, by agreeing to the amendment suggested by Sir Hal Colebatch, and leave well alone. I have always been interested in helping and advising lads. There have been three, during my time in this House, that I have talked out of reading trash and into going to night school, and they all occupy good positions today. Some of the best men in the world have sold newspapers in their day. I compliment the Government on having introduced the Bill, the general policy of which has been long overdue. I support the second reading.

HON. G. FRASER (West) [8.2]: I intend to support the second reading, but there are one or two points to which I might raise objection when the Bill reaches the Committee stage. My main objection is on the same lines as that of the two previous speakers, the raising of the age for street trading from 12 to 14 years. I object to it from three points of view; firstly, from the point of view of the earnings of the boys themselves; secondly, from the point of view of the damage that will be done to many suburban newsagents and, thirdly, from the point of view of the convenience of the public. On the first point it has been said, truly, that the earnings of many of these lads are of great assistance to their families.

Most of the debate so far has centred round lads in the city, where it has been said their earning capacity approaches £4 per week. If the raising of the age to 14 years applied only to the city blocks, I might not raise so much objection to it, because there would be a possibility of getting boys of 14 to the detriment of some industry—to take on the selling of papers, as there would be a living wage in it. Once outside the city, there is no living wage in the business. The earning capacity of most boys in the suburban areas ranges from 15s. to 30s. per week at the highest.

The Honorary Minister: Do not you believe in the raising of the school leaving age?

Hon. G. FRASER: The raising of the school leaving age has already been adopted.

Hon. C. G. Latham: It would not make any difference to this, anyhow.

Hon. G. FRASER: It has been decided that when the Act is proclaimed the higher school leaving age will come into operation. If the hon. member then introduces an amendment similar to this, it might receive more consideration. At present a boy of 14 may leave school, and I for one would not suggest that he should go out selling newspapers at that age. I would prefer him to go into some industry or other occupation and leave the selling of newspapers to boys between the ages of 12 and 14.

I was mentioning that the earning capacity of newsboys in the suburban areas would, in few if any instances, exceed 30s. a week, and it would be absolutely impos-

sible to get boys of 14 or over to do the job. If boys were not available for this work, it would be a serious matter from the point of view of the shopkeepers. Quite a number of ex-Servicemen, widows and elderly people who conduct newsagencies in the suburbs employ such boys. A widow I know employs 10 boys, the ages of all of them being under 14. If we pass this provision, that business will be gone because it will be impossible to get boys of 14 or over to do the work. In my district there are two newsagents each employing six boys, and their hours of work are from after school until 5.30 or 5.45, while their earnings range from 15s. to 30s. a week. This is typical of the whole of the suburban areas. Where it might be possible and profitable for a boy of 14 years to take on the selling of newspapers in the city, it is impossible in the suburban area.

If this amendment be passed, the earning capacity of boys between 12 and 14 will be lost to their families. Many businesses will be ruined because they depend to a large extent upon the trade in the evening newspaper. Further there is the convenience to the public. The boys in the suburbs stand in the street for only 15 or 20 minutes, and the rest of the time is taken up in their round delivering papers to the various homes. This convenience is well appreciated by the people and we should hesitate before depriving them of it. The Honorary Minister, two years ago, opposed the alteration on the ground that no case had been presented. The Honorary Minister, in moving the second reading on this occasion, hardly dealt with the matter so I can throw back at him the words he used two years ago. He gave no reason why we should agree to this amendment.

The Honorary Minister: I might when I reply.

Hon. G. FRASER: The Minister certainly did not do it when he should have done in moving the second reading. I have heard nothing from the Honorary Minister or anyone in favour of this clause or why we should approve of it. On the contrary I have heard quite a lot against it, and speaking from personal experience, I know quite a number of reasons why we should not carry it. I shall support the second reading with the reservation that I shall oppose that clause in Committee.

HON. L. B. BOLTON (Metropolitan) [8.19]: I commend the Government for having introduced this Bill as in several instances it proposes to amend the Act in a very desirable manner. The main contention seems to centre around the amendment restricting the age or increasing the age of youths permitted to sell newspapers. I say very definitely that the amendment suggested by Sir Hal Colebatch is highly desirable and I intend to support it. My reason for so doing is that, having some little knowledge of industry, I know that there are opportunities for boys from the age of 14 onwards to get positions in industry and in business houses that years ago would not have been available to them. Today a lad has an opportunity to earn reasonable money almost from the day he commences work. If he enters a factory, even during the six months of his probation, he earns a reasonable amount, nearly enough to keep himself. Taking into consideration the increased rates paid to junior workers or apprentices, it would be quite wrong, in my opinion, to continue encouraging boys to earn, as we have been told by some speakers, up to £4 per week.

Hon. L. Craig: They average that.

Hon. L. B. BOLTON: It is entirely wrong that such lads should be encouraged to earn so much money as it definitely keeps them out of industry, and unless we get a lad away to work in a store, in industry, or on a farm, at an early age, he will not make the man he would if he had entered business earlier. My experience—and I am justified in saying I have had some little experience of apprentices—is that lads who start their apprenticeship or enter a factory between the ages of 14 and 16 usually make by far better tradesmen than lads who start later in life. The average term of apprenticeship is five years, and if it is possible to start a lad at 15, he completes his time before he is 21, and that is a great advantage to him. I would prefer to see the law prevent a boy from selling papers when he became 14 rather than reduce the age as is proposed in the Bill. I entirely disagree with that amendment and would sooner see the maximum age at which a boy was permitted to sell newspapers made 14 years instead of 16 as at present.

Today there is a cry throughout the State in every industry and business and in

every walk of life for junior labour. Under existing conditions, we are forcing these lads into dead-end jobs, and that is something we ought to avoid. What we require in this State and in the Commonwealth is more skilled artisans. There is a great shortage of skilled workers everywhere. I think members will agree that this is due to the fact that, throughout the war years, it was impossible to get apprentices. Youth could get almost any money—as much in many instances as an adult. The consequence was that boys would not become apprentices and today we have very few apprentices in the various businesses. Therefore I consider that, at the age of 14, a lad should be prevented from selling newspapers.

In view of the conditions of supervision exercised over the boys, I see no harm in the work that is done today being carried on by lads between 12 and 14. I may have something further to say on this subject in Committee. Controlling a large industry as I do, I hope to have some very interesting figures to submit about junior workers and apprentices over a period of years. I am proud of the fact that the firm with which I am associated has at all times maintained its full quota of apprentices. I consider it the duty of every employer in industry to train as many men as he can and I have always adopted that policy. Over the last few years, however, it has been practically impossible to get the quota to which I am entitled, and that of course applies to many other industries. In those circumstances, I shall support Sir Hal Colebatch's amendment.

HON. G. BENNETTS (South) [8.26]: I support the second reading. I am pleased with many features of the Bill. Some few years ago I was a member of the Kalgoorlie Council and was interested in child delinquency. I consider that anything that can be done by legislation for the betterment of those children should be done. I cannot see that any harm could result from children of 12 being permitted to sell newspapers. I think it makes them active and alert and develops their business instincts, so that such children become good citizens. I know many men who as boys sold newspapers, and today are occupying good positions, and no slur cast upon them because they once sold newspapers.

Many boys are doing worse jobs than selling newspapers. Mr. Bolton mentioned the difficulty of obtaining boys for the trades. Perhaps the terms that are being offered are not attractive, or perhaps certain boys do not like a particular line of business. In view of the number of boys leaving school each year, I consider there are insufficient trades to employ them all. On the Goldfields there are not enough trades for the apprenticeship of boys and many of them find employment in delivering groceries or carting vegetables.

Hon. L. B. Bolton: That is not a trade.

Hon. G. BENNETTS: The newsboy has a better job than those boys have. Apart from the goldmining industry, there are few openings on the Goldfields, as we have no factories there. I shall support the amendment that the age be 12 because, according to the remarks that have been made, these boys are controlled and supervised.

On motion by Hon. A. L. Loton, debate adjourned.

BILL—LAND ALIENATION RESTRICTION ACT AMENDMENT (CONTINUANCE).

Second Reading.

THE HONORARY MINISTER (Hon. G. B. Wood—East) [8.28] in moving the second reading said: This is quite a small Bill, a continuance Bill, and merely proposes to alter the year 1947 to 1948. The Act provides for the non-alienation of land held by the Rural and Industries Bank that may be required for Servicemen being settled by the Land Settlement Board. The original legislation was introduced by a private member in 1944, and we wish to continue it because there are many properties now held by the bank which it is desirable should be passed over to the Land Settlement Board. I move—

That the Bill be now read a second time.

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

House adjourned at 8.30 p.m.

Legislative Assembly.

Tuesday, 4th November, 1947.

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

QUESTION.

PASTORAL LEASES.

As to Re-appraisal of Rents.

Mr. RODOREDA (on notice) asked the Minister for Lands:

(1) When does he anticipate that the report of the Board of Appraisers on the re-assessment of pastoral leases will be presented to Parliament?

(2) Does the Government intend to make the new scale of rents retrospective to 1942, when, under the Act, rents should have been re-appraised?

The MINISTER replied:

(1) It is anticipated that the report will be made available early in the coming year, and accordingly it will be presented at the first opportunity after the opening of the next session of Parliament.

(2) Yes.

ASSENT TO BILLS.

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

- 1, Dentists Act Amendment.
- 2, Stipendiary Magistrates Act Amendment.
- 3, Coal Mine Workers (Pensions) Act Amendment.
- 4, Public Service Act Amendment.
- 5, Crown Suits.
- 6, Public Trustee Act Amendment.