Apart from his term in Parliament, he was a member of the road board for 12 years and in that capacity gave very useful service to the people. Ignoring his disability, he entered Parliament, and the strain of the work here must have contributed to his early passing. Through his death, I have lost a good friend, and to his sisters, brothers and relatives, I offer my deepest sympathy.

MR. MAY (Collie): I support the motion and join with the Premier, the Leader of the Opposition, the Leader of the Country Party and the member for Harvey, in the expressions of regret at the passing of Mr. Guthrie. I was a very close friend of the late Mr. Guthrie for more than 30 years, and I suppose that during that period and especially since our association in Parliament, I was closer to him than other people. As a result of his war service, he suffered severe physical disability. But as the Leader of the Opposition has said, he never complained.

I pay this tribute to the Opposition: We all knew that Mr. Guthrie, towards the end, attended this House under great disability, but never once was there any thought by the Opposition that he would not get a pair.

Mr. Guthrie had a wonderful personality. He was one of Nature's gentlemen, and he had no enemies. Last Sunday afternoon I was fortunate in being able to call at the hospital and see him. He was still very cheerful, although very sick. He had no thought that he was nearing the end, and he was the same cheerful Frank Guthrie that I had always known. I join in what has been said about our late member, and I know that his relatives will appreciate to the full the way we feel in regard to him.

MR. YATES (South Perth): On behalf of all ex-servicemen in this State and the R.S.L. in particular, I would like to pay a tribute to the qualities of the late Frank Guthrie. He was a good, courageous soldier and a man who carried into his civil life many of the qualities he developed while on service. His thought for the ex-serviceman was paramount throughout his life; and his service to the R.S.L., and ex-servicemen's organisations generally, was outstanding. On many occasions he discussed with me problems affecting ex-servicemen, and although he suffered disabilities as great as, if not greater than, those suffered by the ones who approached him, he was always keen to assist the under-dog in fixing up his problems. So, I say that the State generally and the R.S.L. in particular, are the poorer for the loss of the late Frank Guthrie.

Question passed; members standing.

House adjourned at 2.34 p.m.

Legislative Council

Tuesday, 27th September, 1955.

CONTENTS.

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

ADDRESS-IN-REPLY.

Presentation.

The PRESIDENT: I desire to announce that, accompanied by other members, I waited upon His Excellency the Governor and presented the Address-in-reply to His Excellency's Speech at the opening of Parliament. The Governor was pleased to reply in the following terms:—

> Mr. President and hon. members of the Legislative Council: I thank you for your expressions of loyalty to Her Most Gracious Majesty the Queen, and for your Address-in-reply to the Speech with which I opened Parliament.

QUESTIONS.

WAR SERVICE LAND SETTLEMENT SCHEME.

Planned Works, Interest, etc.

Hon. L. A. LOGAN asked the Minister for the North-West:

Referring to the statement of conditions determined by the Minister for the Interior, distributed at the time of bringing forward the 1953 War Service Land

Settlement Scheme Bill, and particularly to Clause 5 thereof, will he inform the House—

(1) If the cost of planned works completed by the settler and to be included in the "total cost" includes the cost of work done by the settler both while he is in receipt of a living allowance and also when he is not in receipt of same?

(2) If planned works not then completed (as referred to in Clause 5 (4) (d)) are never completed by the board, is the estimated cost thereof included in the "total cost"?

(3) If the planned works referred to in No. (1) are completed by the settler at his own cost (or partly so), is the full estimated cost included in the "total cost"; and if not, under what paragraph of the conditions or other arrangement is same excluded from the total cost?

(4) As interest rates in regard to war service land settlement are either at 2½ per cent. or 3¾ per cent., depending upon what it is to be charged, how is the provision in 5 (4) (e) of the statement which provides for interest at long term bond rates (now 4½ per cent.) justified?

(5) If the work actually done by a settler under the last paragraph of Clause 5 (4) of the conditions, is done at a cost less than the estimate of the cost that would be incurred if the work were undertaken by the State, does the settler obtain the benefit of the lower cost; and if so, how?

The MINISTER replied:

(1) Any planned work carried out by a settler at his sole cost is included in the total cost, provided that he is operating on lease conditions; i.e., whether he is receiving a living allowance or not.

(2) The planned works referred to in Clause 5 (4) (d) are minor items covered by an agreement as to the final date by which they will be completed. Therefore the position referred to should not arise.

(3) If planned works are carried out by a settler at his own cost (or partly so), the assessed cost is included in the total cost as set out in the final paragraph of Clause 5 (4). That is to say, the work is included in the total cost at the same figure as it would have been estimated to cost the State to carry out similar work on that farm.

(4) It is the contention of the Commonwealth Government that interest on funds provided at long term bond rates is an item of cost; hence the provision in Clause 5 (4) (e). Interest charged to a lessee under the scheme is 3¾ per cent. on the outstanding balance for structural improvements and other advances. Rental is assessed on 2½ per cent. on the balance of the capitalisation after the exclusion of structural improvements at standard value. These latter two interest rates are fixed.

(5) Yes. If the agreement with the lessee covers material only, then this is always supplied; but if the agreement covers material and labour, the full estimated cost is paid to the settler, although the factual cost of the work performed is a lesser sum.

SHOW WEEK.

Sittings of the Legislative Council.

Hon. A. F. GRIFFITH (without notice) asked the Chief Secretary:

In view of the fact that next week is Show Week, would he indicate on which days it is intended the House will sit?

The CHIEF SECRETARY replied:

The present intention is that the Council will sit on Tuesday and Thursday, but not on Wednesday. There could, however, be some alteration in that intention, depending on what happens this week and how hard we work.

BILL—TRAFFIC ACT AMENDMENT.

Introduced by the Chief Secretary and read a first time.

MOTION—WAR SERVICE LAND SETTLEMENT SCHEME ACT.

To Disallow Improvement and Appeal Regulations.

Debate resumed from the 20th September on the following motion by Hon. J. McI. Thomson:—

> That regulations Nos. 18, 19, and 24 made under the War Service Land Settlement Scheme Act, 1954, published in the "Government Gazette" on the 4th February, 1955, and laid on the Table of the House on the 9th August, 1955, be and are hereby disallowed.

HON. L. A. LOGAN (Midland) [4.42]: In supporting Mr. Thomson, I do so because regulation No. 18, headed "Care of Improvements," seems to be badly worded.

When Mr. Thomson moved for the disallowance of the regulation, he told members what it contained; but so as to remind them, I shall read it again. It states—

> All buildings, fences and other permanent improvements, on a holding shall be kept in good and tenantable order and condition by the lessee, in accordance with the terms of the lease of the holding, and the Minister or his authorised agent may at any time enter upon a holding to ascertain if the conditions of this regulation are being performed and observed—

Then without any hyphen, comma or anything else, it goes on to say—

> may cancel the lease and forfeit the holding.

It seems to me there is an obvious error somewhere.

The Minister for the North-West: A printer's error.

Hon. L. A. LOGAN: Perhaps. But I point out that this does not allow for the settler to have an equity for any of the work he may have done in the care of the improvements. It may be said that he has the right of appeal; but by the time I have dealt with the regulations with regard to appeals, members will probably realise that there is not much right of appeal at all.

Regulation No. 19 is headed "Purchase of Improvements," and I point out that—

> "structural improvements" includes a house, shed or any other type of building whatsoever, fence, dam, water supply, domestic drain, bridge road dip or weir and fruit trees, vines and plantations.

That is a pretty fair number of improvements. Under subregulation (2) of regulation No. 19, it would be possible, because of any default in payment of rent or instalment of purchase moneys, for the lessee to lose his farm; and by losing the farm, he could possibly lose all his equity in it, because nowhere in the regulations is provision made for him to have any equity in it. The subregulation states—

> Until the full amount of purchase money has been paid by the lessee and on any default in payment of rent or any instalment of purchase moneys, the holding and all improvements thereon, as well as any purchase money that may have been paid by the lessee may be forfeited to the Minister.

Let us not forget that it says, "as well as any purchase money that may have been paid by the lessee." So, irrespective of the amount of work the settler has done on the property, and of the amount he has paid off the purchase price, if he falls down in the payment of rent or instalments of purchase money, it is quite possible for him to be put off the farm with nothing whatsoever.

Once again it might be said that he has the right of appeal, but that right is so limited that it is only a right to come from the State itself, so that the settlers are not very happy about it. It is only British justice that a man should at least have an equity in his property. If we were dealing with a purely State law, the lessee, or farmer, would, under the Mortgagees' Rights Restriction Act, have some equity; but because Commonwealth law supersedes State law, the farmer or lessee is outside of that Act.

What is more, the regulation does not actually lay down who is the person to say whether the land will be returned to the board. I presume, however, that it would be the chairman of the Land Settlement Board who would make the decision.

Hon. G. Bennetts: He would be pretty fair, would he not?

Hon. L. A. LOGAN: Maybe. But with wording like this in a regulation, the position is left wide open. If it is intended that the board is not to be harsh, why put such harsh wording in the regulation? It could easily be worded to provide that the farmer shall have an equity equal to the amount of work and money he has put into the property. When I deal with the right of appeal, members will realise what I am trying to get at. Regulation No. 24 states—

> The authority to investigate and determine such matters arising between a settler and the State as the Commonwealth of Australia—

which means the State—

> and the State agree may be referred to it for determination.

The Minister for the North-West: It means both.

Hon. L. A. LOGAN: It says "the State as the Commonwealth of Australia and the State." I would say it means only the State.

The Minister for the North-West: It means both.

Hon. L. A. LOGAN: It says "the State as the Commonwealth."

The Minister for the North-West: Read it, without punctuating it yourself.

Hon. L. A. LOGAN: It says, "the State as the Commonwealth of Australia."

The Minister for the North-West: That was insisted on by the Commonwealth.

Hon. L. A. LOGAN: I understand that it is the right of every man to be allowed to appeal against a judgment. But the settler on this occasion has not the right of appeal.

Hon. J. McI. Thomson: That is all they are asking for.

Hon. L. A. LOGAN: Unless the State or the Commonwealth agrees that a certain issue shall be referred to the board, no action is taken.

The Minister for the North-West: That is so. The Commonwealth insisted on that.

Hon. L. A. LOGAN: Whether the Commonwealth insisted on it or not, we should insist that the Commonwealth alter that provision. I do not think that any Commonwealth Government should have the right to do it; that is one of the reasons why I am supporting Mr. Thomson. As far as the make-up of the board is concerned, there is nothing much wrong, but I object to the phraseology of the regulations. Also, do not let us forget that the settler has to sign a lease agreeing to these rules and regulations; and it is hard on an ex-soldier, because he cannot refuse to sign. He has to accept or walk off, because he has no option.

This scheme has cost the people of Australia a large sum of money, but it seems to me that the individual settler should have some safeguard. I hope that members will give the matter some consideration, because I believe that we are not affording the settlers the protection they deserve. After all, they should have a right of appeal. I am perfectly sure that if we disallow the regulations, the Commonwealth, in conjunction with the State Land Settlement Board, will be able to frame regulations more in line with common justice. I support the motion.

On motion by Hon. E. M. Davies, debate adjourned.

BILL—CEMETERIES ACT AMENDMENT.

Second Reading.

Debate resumed from the 22nd September.

HON. C. H. SIMPSON (Midland) [4.53]: This is a very simple Bill, which was fully explained by the Chief Secretary. It provides for the powers of the trustees of the Cemeteries Board to be strengthened in regard to taking action against individuals who might be guilty of vandalism. The board already has certain powers under Section 35 of the principal Act; and I think it would be of interest to members to read that section because, from a perusal of it, one would think that the framers of the Act had thought of every conceivable form of offence. But apparently, after nearly 60 years of operation, they have found it necessary to amend the Act to a minor degree. Section 35 of the principal Act reads as follows:—

> Every person who wantonly or wilfully destroys or injures, or causes to be destroyed or injured, any building, vault, monument, tombstone, enclosure, fence, tree, shrub, or other thing affixed to, or growing in, any cemetery, or who wilfully defaces or obliterates, or attempts to deface or obliterate, any monumental device or inscription in any cemetery, shall be liable, on conviction, to a fine not exceeding Twenty pounds, or to imprisonment for not more than three months with or without hard labour, and the trustees of the cemetery may prosecute for any such offence.

During his introductory speech, the Chief Secretary pointed out that there had been cases of vandalism, or attempted vandalism, on the part of youths, and I believe that there was a report of it in the newspapers at the time. Because the trustees felt that, even though they were clothed with certain powers under Section 35, those powers did not quite meet the case, this amending Bill has been introduced.

In passing, a minor point is that a penalty of up to £20 was considered adequate when the principal Act was passed in 1897. The value of that sum in those days was quite different to its value now. But, as the trustees have not asked for any increase in the penalty, I take it that we need not at this stage concern ourselves with it, or at least not until the question is raised. In any case, as the Chief Secretary pointed out, action can be taken under Section 80 of the Police Act, or under the Criminal Code, if so desired. This is a reasonable amendment to the Act, and I recommend to members that it be supported.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—LEGAL PRACTITIONERS ACT AMENDMENT.

Second Reading.

Debate resumed from the 22nd September.

HON. SIR CHARLES LATHAM (Central) [4.58]: This Bill is a very simple one and has been thoroughly explained by the Chief Secretary. It provides that the Chief Justice shall automatically become a member of the Legal Practitioners'

Board, upon retirement; and it also provides that every person residing in the State who has retired from an office of judge of the Supreme Court, pursuant to the provisions of Section 3 of the Judges' Retirement Act, 1937-1950, shall become a member of the board.

As members probably know, the board controls the whole of the legal fraternity in the State and, in effect, is the judiciary of the legal profession. I would have liked to see a layman as a member of the board because I believe that where there are these little close preserves within professions, there is always a chance of some unfair criticism. If an intelligent layman were to become a member of the board—I do not say that anyone off the street should be a member of it—

The Chief Secretary: I am glad you repeated that word, because at first I thought you said a lady.

Hon. Sir CHARLES LATHAM: I dare say some ladies would be quite competent to act. As a matter of fact, we have lady barristers and solicitors and, as a result, I do not think we need disregard their ability to deal with these questions. However, I do not propose to move an amendment. I think the suggestion might be passed back to the board for consideration. The public would then feel that it had someone outside the legal fraternity to express its point of view. I commend the Bill to the House and I trust the Chief Secretary will pass my suggestion back to the Minister for Justice for consideration.

HON. E. M. HEENAN (North-East) [5.1]: I would like to add a few words in support of the Bill. Members are aware that the Legal Practitioners Act is administered largely by the Barristers' Board much in the same way as, I imagine, the British Medical Association administers the Act relating to the medical profession.

Hon. Sir Charles Latham: That is a very close preserve; far too close.

The Chief Secretary: No bites!

Hon. E. M. HEENAN: At the moment, the Barristers' Board is composed of the Attorney General, the Solicitor General and a number of representative men or women from the legal profession. What I am about to point out is that judges are not members of the Barristers' Board. Neither is the Chief Justice nor any of the other judges a member of the Barristers' Board. The reason is probably a good one, because members of that board prosecute practitioners on occasions; and, of course, these prosecutions are heard by judges. Sir Charles Latham was not quite correct when he said that under this Bill the Chief Justice will become a member of the Barristers' Board. He will not become a member of that board until he retires.

Hon. Sir Charles Latham: That is so; it is clearly set out.

Hon. E. M. HEENAN: I thought the hon. member said that the Chief Justice becomes a member of the board.

Hon. Sir Charles Latham: Only on his retirement, as do the other judges.

Hon. E. M. HEENAN: That is so. No judge, while he holds his appointment as judge, will become a member of the board. He will become a member only on his retirement.

Hon. Sir Charles Latham: You will have a very big board if you keep adding to it; all those Q.C's. are on it.

Hon. E. M. HEENAN: They are all estimable people. The idea of having a layman on the board is certainly a novel one, and I do not know what the general reaction would be.

Hon. Sir Charles Latham: It would give the public a representative on the board.

Hon. E. M. HEENAN: I fail to see what purpose it would serve. I do not know how Dr. Hislop, or the medical profession, would view the appointment of a layman on the Medical Board.

Hon. Sir Charles Latham: I was going to try it out on the Medical Board.

Hon. E. M. HEENAN: I would suggest that the hon. member try it on that board first. I support the second reading of the Bill.

HON. J. G. HISLOP (Metropolitan) [5.5]: Sometimes one hears very foolish statements made in this House; but far be it from me to comment on them. The measure presents a certain amount of interest to me because the board mentioned in it differs so entirely from the one administering the Medical Act. That board comprises a number of medical men, probably appointed by the Minister on advice from the British Medical Association. But the British Medical Association is not involved in the board at all. The fact that the members of the Medical Board are also members of the British Medical Association simply means that they are members of a union; that is all there is to it.

I am not at all certain that at the moment there is not already provision in the Medical Act for the appointment of a layman on the Medical Board. There is a point I want to be made clear. What I would like to know from the Chief Secretary, and what I would have been delighted to hear from Mr. Heenan, is how this board works. From my reading of the Act, the board consists of a considerable number of members of the legal profession. I do not know how many Queen's Counsel and other gifted members of the legal profession are entitled to sit on the board, but it seems as though the number is large. If retired judges are to be added, the numbers will, of course, be increased.

The difficulties of the board, as they appear to me, are that four make a quorum; and the chairman, I understand, has a casting vote. The result is that two members and the chairman could quite easily sway the verdict of the Barristers' Board with only four members present. Are notices sent out to those entitled to be members of the Barristers' Board; and if only a small number turn up to a sitting, does the board still exercise its full rights? I would say at a guess that probably 20 or more are entitled to be members of the board and yet only four members are required to make a quorum, and with that small number the chairman has a deliberative and casting vote.

It would interest me, and I am sure it would interest the House, if the Chief Secretary could tell us whether the points I have raised are true, and explain how the board functions. I understand that under the Medical Act the members of the Medical Board are called upon to be present, and there are a relatively small number. But in this case it would seem that there is to be a large number of people called together, much in the same way as the House of Lords would be, and only a few would turn up and decide the fate of a member of the profession. I ask whether that is so.

THE CHIEF SECRETARY (Hon. G. Fraser—West—in reply) [5.8]: I am not in a position to give the information required; but I will not take the Committee stage today, in order to enable me to obtain it. The points raised were very interesting; and it is on occasions like this that I feel we could add to our knowledge by obtaining the information sought. I will guarantee to do that. There is one statement that Dr. Hislop made which was received in silence; I certainly would not have been game to make it. He suggested that from time to time he had heard some very foolish remarks made in this Chamber! The hon. member is certainly game to say anything like that.

Question put and passed.

Bill read a second time.

BILL—HONEY POOL.

Second Reading.

Debate resumed from the 22nd September.

HON. L. A. LOGAN (Midland) [5.10]: The Minister for the North-West covered the ground very well when he introduced the Bill. He explained exactly why it was brought down, and I can find nothing very much wrong with it. One important feature is that it allows for the continuity of the trustees by permitting other trustees to be present at meetings of the original trustees in order that they might know what is transpiring and keep themselves up to date. By doing that, they will be able to take their place when the present trustees retire; and this, of course, will provide a continuity of ideas and management.

The Honey Pool has probably done its best work in this State for the very reason that it is a pool. Those who know the ramifications of bees and honey are aware that there are many different varieties of honey of varying quality. All honey comes from the nectar or blossom available in the different parts of the State. I would venture to say that many small producers of honey would not have been able to sell their product if it had not been for the fact that it is pooled and blended to enable it to be marketed in a suitable condition.

One bad feature of the Bill is that it legalises something which the Honey Pool has already started. I think it is wrong for organisations to start something which is illegal, and for them to come to Parliament later to have the matter legalised.

Hon. Sir Charles Latham: Why was it illegal?

Hon. L. A. LOGAN: When the Minister introduced the Bill in another place he said that the organisation had started building and found it had no legal status.

Hon. Sir Charles Latham: That is not the case; they had no legal right to a title.

Hon. L. A. LOGAN: That may be so. There was no body capable of being, or in a position to be, granted a title to the building.

Hon. Sir Charles Latham: That is all.

Hon. L. A. LOGAN: The Bill, of course, makes the pool a corporate body and gives it that right. The organisation must have known that it was on dangerous ground when it commenced the building. It is not good practice for an organisation to come to Parliament to ratify something that is done outside an Act. Apart from that, the Bill is a good one. It might seem strange to some members that a particular firm is referred to, but as that firm has been the instigator and the backbone of the Honey Pool, I think it right that it should be mentioned.

HON. SIR CHARLES LATHAM (Central) [5.13]: I would like to clear up a point with respect to land. The trustees were not a corporate body and therefore they had no legal standing when there was a desire to acquire on behalf of the pool, a piece of property on which to place a blending works. When the pool applied for the land to be transferred to it, the reply was that it was not a corporate body and that it could not hold the land. The land could be leased by the

pool but not owned by it while it was not a corporate body. The Bill was introduced for that purpose; the idea was to incorporate the Honey Pool. Under our incorporation Act there is no provision for this sort of thing, and the Minister was asked to introduce a measure for that purpose.

There is nothing compulsory in the Bill; it does not compel every honey producer to become a member. We had a wheat pool which was not compulsory until the Commonwealth Government took it over and assumed control of all the wheat produced in Australia. The Honey Pool has done a very good job. At present Australian producers are sending to Germany quite large quantities of honey, and not long ago a lot was being exported to England and Ireland. Germany has taken a great liking to our honey, and I believe it will be buying 4,000 or 5,000 tons as soon as it is available.

A point was raised as to why the production should vary greatly from year to year. The production of honey varies according to the amount of blossom on the honey-producing trees. At times in the Manjimup area, when the karri flowers freely, there are very large yields. In my opinion, the best honey produced in this State comes from the mallee country at Ravensthorpe; for colour and flavour it cannot be excelled anywhere.

When I went to London, I took some honey and distributed a number of samples and people wanted to know whether it could be purchased. We have a ready market for all the honey we can produce, and this in a country with which we are desirous of trading. At present currency difficulty is being experienced with the Old Country because of our requiring more goods from it than we are supplying, but Germany is now taking some of our commodities in exchange for Volkswagens and other goods being brought from that country.

I am grateful to the Minister for having introduced the Bill, which is a step in the right direction. The trustees of the pool are very anxious to produce a good article. They have a high reputation and are anxious to maintain it, and the passing of this measure will give them an opportunity to do so. There are quite a number of producers who have not joined the pool. These include two lads at York who started in a small way and are now gathering a considerable quantity of honey. Some day they might find it in their interests to join the pool, and the opportunity to do so will be open to them if they so desire.

I commend the Minister for having introduced the Bill, and I hope it will be passed. I should not like it to be carried through the Committee stage today, because I believe that a slight amendment is necessary. I wish to see the manager about it; today he was at the Show and I could not get in touch with him. Possibly it is merely a mistake in the printing that needs to be rectified.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. R. Hall in the Chair; the Minister for the North-West in charge of the Bill.

Clauses 1 to 11—agreed to.

Clause 12—Firm's property and reserve funds, if any, vested in corporation:

Hon. Sir CHARLES LATHAM: Subclause (2) reads—

> Subject to the provisions of this Act, and the borrowing and other powers herein contained, the corporation shall hold any such reserve fund or funds, and all accumulations thereof, and all investments representing the same upon the trusts on which the said fund or funds was or were held by the firm.

That indicates that the whole of the property is vested in the trustees. Clause 13 (4) (e) proposes the following subsidiary power:—

> To act as trustee of any reserve fund or funds mentioned in Section thirteen of this Act, and of any future reserve fund or funds created by all or any of the corporation participants who deliver honey to any pool etc.

I feel sure that that was intended to apply to Subclause (2) of Clause 12. Therefore I suggest that further consideration of the clause be postponed.

The MINISTER FOR THE NORTH-WEST: I can accede to the hon. member's wishes to have Clause 12 postponed.

Hon. Sir Charles Latham: No, I want Clause 13 postponed.

The MINISTER FOR THE NORTH-WEST: I am agreeable to that.

Clause put and passed.

Clause 13—To establish and maintain honey pools:

The MINISTER FOR THE NORTH-WEST: This is a clause in which there is some conflict with Subclause (2) of Clause 12, and I move—

> That further consideration of the clause be postponed.

Motion put and passed; the clause postponed.

Clauses 14 to 20—agreed to.

Progress reported.

BILL—POLICE ACT AMENDMENT.

Second Reading.

Debate resumed from the 22nd September.

HON. L. C. DIVER (Central) [5.26]: The Chief Secretary, in moving the second reading, put the case for the police fairly clearly. The main amendment proposed in the measure is to Section 65 of the Act by inserting a new paragraph as follows:—

> Every person who habitually consorts with reputed criminals or known prostitutes or persons who have been convicted of having no visible lawful means of support.

This provision would empower the police to pick up known criminals practically anywhere. I think most members will agree that those who are entrusted with the policing of our laws should be granted all possible facilities in order to prevent the commission of crime. I have made inquiries and have been informed that if the amendment is approved, the detective force will be able to prevent the consorting of criminals when they are meeting possibly to hatch out some crime, and it is highly desirable that the force should have this power.

At the same time, we, as the makers of these laws, must be careful not to do anything that would permit of such power being exercised improperly and in a way that would deprive people of their rights and liberties. On that account, I felt concern because of a case that came under my notice some years ago. A man told me on Monday morning that he was going to be arrested on the following Saturday night, and he was arrested. That left a very bad impression on my mind; it indicated what could happen where perhaps an irresponsible police officer was armed with unlimited power. To clear up that statement, I should add that after the man was arrested, an attempt was made to bail him out, but he was not released for some hours because the constable alleged that he had refused to give his name and address.

Hon. J. McI. Thomson: Something like the case of Hardy and Trobridge the other day.

Hon. L. C. DIVER: Yes. Such happenings show that we have to be particularly careful in approving of any amendment to the Police Act. As a result of my inquiries, I was assured that, if we agree to this provision, it will, in the vast majority of instances, be employed only by members of the detective staff. All members know that the detectives are more highly trained in the law than is the ordinary policeman. They are more mature and know, substantially, what they can and cannot do. I am therefore prepared to support the measure, the provisions of which will be used by the ordinary policeman only on extremely rare occasions, as I am informed that the ordinary police officer is not conversant with the Police Act to the extent that would be required for him to use the powers sought under this measure.

Hon. L. Craig: This applies only to people who do such things habitually and constantly.

Hon. L. C. DIVER: That is so; and as long as the provisions of the measure are applied only to habitual criminals who consort with the types of person mentioned in the Bill, I support the second reading.

On motion by Hon. E. M. Heenan, debate adjourned.

BILL—MEDICAL ACT AMENDMENT (No. 1.)

Second Reading.

Debate resumed from the 22nd September.

HON. J. G. HISLOP (Metropolitan) [5.33]: I find it somewhat difficult to understand the necessity for certain of the clauses contained in this Bill, and I will endeavour to make my difficulties clear to the House. To begin with, Clause 1 states—

> (1) This Act may be cited as the Medical Act Amendment Act, 1955.
>
> (2) In this Act the Medical Act, 1894-1952, Act No. 36 of 1894 as reprinted with amendments to and including Act No. 65 of 1952, incorporated pursuant to the provisions of the *Amendments Incorporation Act*, 1938,

whereas we actually do find the particulars in the reprinted Acts of 1954. The wording in the Bill is not very helpful to anyone who is trying to examine the various amendments.

Clause 2 in reality simply defines the reasons for which the board may restore a medical man's name to the register. The original Act sets out that where a man has not replied to the circular sent to him, asking whether he is still practising and so on, within the period set out, it is lawful to erase his name from the register, provided that the name may be restored by the board; and then there are set out the conditions under which the name may be restored. In other words, if the man makes application in the manner prescribed by the rules and pays the required fee, his name may be restored to the register.

My interpretation of Clause 3 is simply that if any medical board elsewhere has found against the person concerned, the Medical Board in this State can accept its findings.

Clause 4 has some interesting features. Turning to Section 10 of the principal Act, one finds that the registrar is entitled

to post all notices to members of the profession; and if he receives no reply, it shall be lawful for him to do certain things. For instance, it shall be lawful to erase the name of such person from the register. In paragraph (c) of Clause 4 it is stated that the registrar, by authorisation granted under the relevant provision by the board, may do certain things.

I do not see why in one section it is necessary for the power to be given to the registrar; and then, in this provision, the power only to be given specifically to the registrar after authorisation by the board. The provision in the original Act states that the board may at any time restore to the said register or registers the name of such person. Seeing that the board is mentioned, surely its executive officer, the registrar, is the one to carry out these functions!

There is another aspect of this clause that I would like the Chief Secretary to explain to me. It states that a person whose name appears in the register, but who has not been practising in the State under the authority of this Act during a period of at least two years, and who for that reason has not paid the fee prescribed by paragraph (a) of this subsection, shall not so practise unless he first obtains authorisation to do so granted by the board. How can his name be on the register if he has not practised for two years and has not paid his fees, when under Section 16A of the principal Act, if after three months he has not paid his fees his name shall be erased from the register?

Subsection (2) of Section 16A states—

> If any person liable under Subsection (1) of this section to pay the annual practice fee prescribed in that subsection fails in any year to pay such fee within three months after the commencement of that year or within such further time as the Board shall appoint the Board shall direct the Registrar to erase the name, and the Registrar shall thereupon erase the name of such person from every register.

How, when the board has told the registrar to remove a man's name from the register, can we interpret it that a person whose name appears in the register has not paid any fees or practised for two years? Surely his name cannot be in the register!

The clause seems to be very badly worded. All it really means is that if a man has not practised for two years, provided he is of good conduct and character, he can be reregistered, and that is all that is required. Yet there is this great alteration to Section 16A, and in my opinion it is very badly worded.

For a man who has not practised for two years and then decides to practise again, the penalty prescribed for doing so without paying the board the necessary fees seems very heavy. For a first offence the penalty set out is £50, with a minimum of £2; and for a subsequent offence, £100 or imprisonment for six months. I believe this clause could be re-examined and made much simpler, because all that is really required is that a man who has not practised for the time specified should be able, having given the board certain assurances, to have his name restored to the register. I fail to see how a person can have his name on the register if he has not practised or paid his fees for two years, in view of the provisions of Section 16A. I would like the Chief Secretary to explain the points I have raised.

THE CHIEF SECRETARY (Hon. G. Fraser—West—in reply) [5.40]: I must admit that the points raised by Dr. Hislop need some examination, as there appears to be a contradiction; and so I think that when we reach that particular clause of the Bill we may be in a better position to judge the provisions contained therein. There often appears on the surface to be a contradiction which disappears on a more thorough examination. Therefore I will not take the Committee stage of the Bill tonight.

Question put and passed.

Bill read a second time.

BILL—ASSOCIATIONS INCORPORATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 22nd September.

HON. H. K. WATSON (Metropolitan) [5.42]: This is a Bill which I think the House can pass without much deliberation, as it deals with a point which escaped our notice in 1953 when we were making rather extensive alterations to the Associations Incorporation Act. As amended, that legislation provided that a memorial with respect to any proposed association should be published in a newspaper published in Perth and circulating throughout the State. While that is all right in respect of any association incorporated in Perth, it is quite unnecessary, as a matter of practice and the expense involved, for an association being formed perhaps at Carnarvon, Kalgoorlie, Esperance or elsewhere in the country districts, to do its advertising in "The West Australian". I noticed in this morning's Press an advertisement by the Cranbrook Bowling Club of its intention to register under this Act. As the law stands at the moment, that club has to advertise in "The West Australian", but I feel that the incorporation of an association such as that is of no interest except

to persons in the district concerned. This Bill will permit such associations to advertise their memorials in newspapers published in the districts in which they are to be located. That is the substance of the Bill and I support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—SPEAR-GUNS CONTROL.

Second Reading.

Debate resumed from the 22nd September.

HON. A. F. GRIFFITH (Suburban) [5.47]: As the Chief Secretary told the House, the object of the Bill is to provide for the control of spear-fishing and spear-guns. It is high time a measure of this nature was brought before Parliament. I consider that members of the general public will be pleased that legislation has been introduced to control this sport, and that they will give the measure their general support. I am also pleased to note that the Underwater Spear Fishermen's Association of Western Australia has indicated its approval of the Bill.

Therefore, I support the second reading, with one reservation, namely, that I notice, in the schedule of offences, it is mentioned that a person who has attained the age of 14 may use a spear-gun. That is an extremely young age for a boy to be in control of such a weapon. I have watched several people, armed with spear-guns entering and leaving the water, and there is no doubt that such guns are lethal weapons that could cause considerable damage if not used properly.

Consequently, boys and young men who have such instruments in their charge should be appealed to, in order to ensure that they will make themselves acquainted with the provisions of this measure, so that they may take all the necessary precautions possible to maintain the excellent record that spear-fishermen have in this State: namely, that, to date, no person has been injured by a spear-gun.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—MAIN ROADS ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [5.52] in moving the second reading said: The proposals in this very small Bill are to provide statutory authority for the appointment of civil engineering cadets to the Main Roads Department, and to validate four such appointments which have already been made.

The Public Service Commissioner is empowered by regulation to employ cadets in the various Public Service departments. These cadets enter into a form of indenture which binds them to carry out certain provisions in regard to their employment, and the Minister also contracts to honour certain obligations. No such power exists under the Main Roads Act; and as members know, officers of the Main Roads Department are appointed under that Act and not under the Public Service Act.

At present, quite a number of cadets are attached to various Government departments. These include the engineering, architectural and drafting divisions of the Public Works Department, the drafting and surveying divisions of the Lands Department, the drafting divisions of the State Housing Commission, Lands Titles Office, Mines, and Forests Departments, the veterinary branch of the Agricultural Department and the laboratory technology section of the Medical and Health Departments.

The appointment of cadets is of considerable value in strengthening the professional sections of the public service. Cadets are usually appointed shortly after passing their leaving certificate examination and on commencing their university studies. It was considered that the appointment of cadets to the staff of the Main Roads Department could not but have good results; and following interviews, four suitable appointees were selected earlier this year.

It was then discovered that there was no authority in the parent Act to employ cadets. In view of the fact that departments working under the Public Service Act had employed cadets for years, it was not thought that Parliament would object to similar power being given to the Main Roads Department. It was desirable that the four youths should be appointed without delay, and so Parliament's approval was anticipated. The cadets receive £4 10s. per week while continuing with their university studies and working part-time with the department, and are paid full Main Roads Department rates during the university vacation when they work full time.

The Bill validates these appointments and authorises the Commissioner of the Main Roads Department to make further appointments and to enter into indentures with cadets on a similar basis to that used by the Public Service Commissioner for cadets recruited for the Public Service. There is only that slight difference. Under one Act there is the power to appoint cadets, but under the Main Roads Act it is not available.

This amendment to the principal Act to provide for the appointment of cadets is a wise move. In the early part of this year some cadets were taken on, but as in many other situations, it was discovered that there was no power under the Act to make their appointment effective. That is the whole purpose of the Bill: namely, to validate the appointment of cadets who are now with the department, and to grant power to appoint more cadets in the future. I move—

That the Bill be now read a second time.

HON. G. BENNETTS (South-East) [5.55]: I think I heard the Minister correctly when he said that cadet surveyors would be covered by the Bill.

The Chief Secretary: It deals mainly with civil engineering cadets.

Hon. G. BENNETTS: There is no doubt that cadet surveyors are sadly lacking. I have written to the Minister for Lands asking that properties in my province be surveyed, but I have been informed that the work cannot be carried out because there are no surveyors available to do it. There is a great shortage of them in this State. It has been stated that there is no inducement held out to young men to join that profession.

The Chief Secretary: They would be appointed under the Public Service Act.

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

BILL—UNIVERSITY OF WESTERN AUSTRALIA ACT AMENDMENT.

Second Reading.

Debate resumed from the 22nd September.

HON. J. G. HISLOP (Metropolitan) [5.57]: This simple Bill aims at increasing the amount of money allotted to the university for its establishment, advancement and control. One wonders why such a Bill is necessary; because, since 1911, as the Chief Secretary pointed out, the amount of grant has risen very considerably, until it is approaching £400,000. This gives one some idea of how the cost of education has increased in this State, and possibly also an idea of the expansion of our university. However, the clause in this Bill states that the amount "shall not be less than". So one wonders why there is any necessity for the clause.

Hon. L. Craig: Except to impose a restriction on future Governments.

Hon. J. G. HISLOP: Only four amendments have been made to the University of Western Australia Act in the last 40 years. So apparently the university has been carried on with grants that are far too low. I wonder whether we could not get out of this present condition by some more permanent method. If the Government were charged with the duty of allotting to the University Senate an amount adequate for the establishment and maintenance of the university, that might be a much sounder idea.

My only reason for speaking to this measure is that I believe that still more money will have to be found for our university because, with the constant rising of salaries in every profession, there must come a call for the raising of salaries of the tutors and those persons who will enter such professions. In my opinion, the salaries of university professors, readers and lecturers, have always been too low. They have always been much lower than those that could have been earned by such persons had they practised the profession in which they were tutors.

If the salaries are not raised to a sufficient degree to keep them in line with the present inflationary trend, there is also the risk that we will lose some of the very good men to the universities which are prepared to offer higher salaries. I understand that the University of Western Australia has been faced with the difficulty of holding some of its very senior and promising members of the staff because they had been enticed by greater opportunies and greater emoluments elsewhere. If this State is to maintain the university at the standard it has achieved, then it is the duty of everyone to see that those who hold office as teachers receive adequate rewards.

I have no hesitation in agreeing to this measure, which will raise the grant from a meagre sum of £13,500 in 1911 to £250,000 in 1955. Even the latter amount is below the sum that has been granted to the university this year. I would like the inclusion in the Bill of a provision for adequate finances for the maintenance of the university in future.

THE CHIEF SECRETARY (Hon. G. Fraser—West—in reply) [6.2]: I admit that £250,000 is not as high a sum as the Government would have liked to provide for.

Hon. J. G. Hislop: It is not even up to the present amount that has been granted.

The CHIEF SECRETARY: Last year, the amount was £360,000. What we are doing is to lay down a minimum basis in this Bill. We must realise that future governments will be bound by this measure. Without knowing the financial resources available in future, the guarantee

of £250,000 is a substantial one. There is nothing to stop future governments from increasing that figure considerably; but for the present, it is our duty to make sure that at least that sum is available.

Hon. J. G. Hislop: What about increasing it to £350,000?

The CHIEF SECRETARY: That amount has been determined on the finances available in the last few years and anticipated for the years to come. We should not bind any government to more than that amount.

Hon. L. C. Diver: Even £250,000 could become a burden under certain circumstances.

The CHIEF SECRETARY: That is so. If we cast our minds back 20 years, we will remember that up to 1929 conditions were very prosperous; but within a space of two or three years, the depression had set in to such an extent that we had to pass legislation making compulsory cuts of 22½ per cent. in salaries. If the Government had been called upon to pay the university £250,000 at that time, it would have been compelled to adopt the same method as that applied to salaries; that is, to make a cut.

That would be an unsatisfactory method. By making a minimum amount of £250,000 available, the university can budget on that sum. The figure shown in the Bill is fairly reasonable; it is a fairly safe figure which any government of the future should be able to budget for every year without getting itself into a tight corner. If circumstances permit, I have no doubt that future govrenments will increase the grant beyond this figure.

The point raised by Dr. Hislop regarding salaries has been a bugbear in this State for many years. It applies not only to university professors but to many other vocations. We know that in the past this State has suffered because it has not been able to pay salaries equal to the more attractive ones offered in other States; and although Western Australia has gone to the expense of training men, it has not been able to retain them. It would be nice if the Government could pay the same high salaries as are paid by the other States; but this State would have very great difficulty in paying the same salaries as those paid in, say, New South Wales.

The general practice in this State is to pay as much as possible, more on the average of what is paid in the other States than by taking any particular State as a guide. Although the State would like to pay high salaries, there are financial limits, and those have to be considered. I agree with what Dr. Hislop said: that because we are not able to pay higher salaries, we are losing very good men. That has gone on for years and will continue.

Hon. Sir Charles Latham: You do not think that these men are so mercenary that they are prepared to put £ s. d. before their profession?

Hon. J. G. Hislop: No more than wheat farmers like giving away their wheat.

The CHIEF SECRETARY: I would not contend that they are mercenary. They are compelled by their station in life to maintain a certain standard; and, because of that, they have at times to look to where they can get a better return for their services. Many of the professional men employed by the university, and elsewhere, do not take the financial angle into consideration beyond considering that it should be sufficient to maintain their families at a reasonable standard.

There are, of course, exceptions who take this point of view: that if they accepted employment in other States, they would get £200 or £300 a year more. That does not apply generally. Their main consideration is their work. I know that the Government here will treat as well as possible within financial limits all those engaged on this type of work. The general basis on which salaries are fixed is the average standard for Australia rather than those salaries paid at one university.

Hon. Sir Charles Latham: There are only 615,000 people in this State to bear the cost.

The CHIEF SECRETARY: Apart from Tasmania, this State is in the worst position. In comparison with the other States, it will be found that the amount paid to the university here is not so bad.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—ELECTORAL DISTRICTS ACT AMENDMENT.

Second Reading.

Debate resumed from the 22nd September.

HON. A. F. GRIFFITH (Suburban) [6.11]: This Bill seeks to amend Section 12 of the principal Act. While I support the second reading, there are one or two observations I would like to make. The principal Act provides that a redistribution of seats shall take place in Legislative Assembly districts when a certain set of circumstances arises; and it provides that when five or more electoral districts are above or below their quota by at least 20 per cent., the Chief Electoral Officer shall report to the Minister that that state of affairs exists.

After the Chief Electoral Officer has made his report, the Governor issues a proclamation, and he appoints three commissioners for the purpose of realigning the boundaries. A period of two months is allowed for objections; and following that, another period of three months elapses before the printing of the rolls. This Bill proposes to eliminate the period of three months so that the Chief Electoral Officer can go on with the printing of the rolls, and the final recommendations made by the commissioners can have the force of law from the date of publication in the "Government Gazette."

What I would like to say is this, and it can apply time and time again. We had a general election in this State in February, 1953. Since then, in this House I have asked questions and dealt with the matter at opportune times, inquiring whether the Government intended to put into effect the provisions of the 1947 Act. The reply I received was that the matter was receiving consideration. Under the circumstances which exist today, it would be possible for this State to have a general election, and printed rolls would not be available by which the election could proceed. When the Act was first introduced, I suggested that that was not envisaged nor intended.

I consider that this state of affairs has been brought about by the delay that has occurred in fulfilling the conditions of the Act. When we realise that this is September, 1955; that the Government was elected in February, 1953; and that the Act provides that upon his report being made to the Minister certain things shall be done, it is reasonble to assume that the Chief Electoral Officer would—soon after the roll had been made out for the triennial election and the election had taken place—make his report to the Minister and fulfil his part of the obligation. The fact remains that no action was taken upon his report for some considerable time. Now we find ourselves with very little time to prepare for the general election next year.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. A. F. GRIFFITH: Before the suspension, I was mentioning that it was reasonable to assume that the Chief Electoral Officer had made his report under Section 12 of the principal Act shortly after the election that took place in February of 1953; and the fact that we now have this amending Bill has a bearing on the matter. I venture to suggest that a good deal of time was wasted between the date that the Chief Electoral Officer made his report, if he did, and when the actual redistribution of seats occurred. I am glad to see that this Bill has been introduced because it will obviate the three-month period of waiting that is required under the Act for the printing of the rolls.

I hope that on the next occasion redistribution is to take place under the provisions of this section the Government of the day will see to it that, on receipt of the report from the Chief Electoral Officer, the commissioners are appointed without delay, and that they consequently proceed to fulfil their duties under the Act.

Finally, I would like to mention that it is possible, with a delay taking place to this extent, for the country to be in such a position that a general election could take place—and it is expected that one will occur early next year—and that members would wait a considerable time for the rolls for their new constituencies, with the result that they would not know who were on the rolls and would have very little knowledge of the new districts for which they would be members under the principal Act because a delay had taken place. I support the second reading.

Question put.

The PRESIDENT: This Bill will require an absolute majority, and I will divide the House.

Bells rung; House divided.

The PRESIDENT: I have counted the House, and there being an absolute majority present and voting in favour of the motion, and there being no dissentient voice, I declare the motion carried.

Question thus passed.

Bill read a second time.

In Committee.

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

BILL—COMMONWEALTH AND STATE HOUSING SUPPLEMENTARY AGREEMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [7.38] in moving the second reading said: The object of this Bill is to approve and ratify an agreement that has already been entered into by the Commonwealth Government and the Governments of New South Wales, Victoria, Queensland and Western Australia. The purpose of the agreement is to facilitate the sale of houses erected under the Commonwealth-State Housing Agreement.

Up to the 31st August last, 10,719 homes were built in Western Australia under this agreement, and, of this number, 1,600 or 15 per cent. have been sold to tenants. As members know, the low percentage of sales is due to the Commonwealth Government's requiring payment of the full sale price. Very few tenants were in a position to obtain the entire price of a home. That this applied in other States

as well as in Western Australia can be seen from the fact that in only one other State was the percentage of sales higher than here. For several years the States have been pressing the Commonwealth to agree to the sale on terms of the houses, and at last the Commonwealth relented.

Under the agreement, it is proposed that tenants shall pay a deposit of 5 per cent. of the first £2,000 of the sale price and 10 per cent. of the cost in excess of £2,000. If the sale price of the property were £3,000, the tenant would be required to find 5 per cent. of the initial £2,000, which would be £100; and 10 per cent. of the remaining £1,000, or another £100—a total deposit of £200.

The tenant will be allowed a credit in respect of the amortisation of the weekly rental which he pays. That can be used as part of the deposit, provided the tenant finds, in cash, not less than 5 per cent. of the total cost of the property. Payment of the full purchase price is spread over 45 years, this being the same period as is provided under the war service homes scheme. The maximum amount of assistance—or, to put it in another way, the greatest amount that any occupier can receive by way of credit or financial assistance—is £2,750. Again, this is the same as under the War Service Homes Act. The interest rate is 4½ per cent., which is very reasonable.

Money is made available for erection of these homes at the low interest rate of 3 per cent., which, of course, is subsidised by the Commonwealth to enable that small charge to be levied on tenants. The difference between the 3 per cent., which the States are charged when the money is made available to them for the erection of the home, and the subsequent funding of the debt in respect of the home built and the 4½ per cent. which will be charged to the purchaser, is to pay for the administration of the housing authority to meet defaults, to attend to maintenance where such is required when the purchaser has fallen down on the job, so that the housing authority can keep the house in a reasonable state of repair, and thus not lose the value of its asset.

Hon. H. K. Watson: They get an allowance of 1½ per cent. for those various items.

The CHIEF SECRETARY: Yes. Houses will be offered to tenants on the basis of present values, less 10 per cent., provided the resultant figure is not less than the cost of construction. Perhaps it should be said now that there are certain types of houses—as, for instance, the imported units, of which the State Housing Commission has more than 1,000—to which it will be impossible to apply that formula; because, while I am unaware of the exact figure, I do not think many people would be likely to pay £3,500 or more for an Austrian prefabricated home. If tenants are occupying such a home and they desire to purchase, it will be necessary to offer them a discount, and final figures in that respect are yet to be determined.

The cost of land on which a dwelling or building is standing will be based on the current value as determined by the Taxation Department or, in certain cases, by qualified officers of the State Housing Commission. Valuations which have been so made have been exceedingly conservative. As a general rule, it can be said that the value of land, in conjunction with the homes sold by the Housing Commission, is between £100 and £200 below the true market value.

In anticipation of Parliament's confirmation of the agreement, the State Housing Commission has already commenced selling homes in the terms of the agreement. Since May last, 70 have been sold to tenants, and I am advised the same action has been taken in the other States.

This Bill sets out to do something that I am quite sure every member of this Chamber will be very happy to see take place. We all realise the value of the person who purchases his own home. I feel sure that a number would have purchased homes in the past had it not been for the fact that they were required to pay the whole amount, and there were not many who were able to do so. I am certain that a large number of tenants of Commonwealth-State rental homes will purchase them as a result of the passing of this measure. Not many of them will have any excuse for not owning their homes.
I move—

> That the Bill be now read a second time.

HON. L. CRAIG (South-West) [7.43]: I strongly support the Bill. For a long time—in fact, ever since the Commonwealth-State Housing Agreement was entered into—I have felt that efforts should be made to sell houses to people rather than let them. An owner of a house takes pride in it, and does his best to maintain it in reasonable order; whereas a tenant has no equity in it and, in many cases, utterly neglects to maintain it, the loser, in the end, being the authority that built it. Now, at long last, a serious effort is being made to encourage tenants to own the houses in which they live.

The terms set out by the Minister are most generous—much more generous than could be obtained from any other lending authority. The requirement of 5 per cent. on the first £2,000 and 10 per cent. on the balance is an extraordinarily generous gesture towards people to encourage them to own their homes, as is the fact that the present valuation less 10 per cent. is to be the base, provided it is not less than the cost of the building.

I do not think there is any member of this House who will not be delighted to know that at last the Government is, by

making these houses available on easy terms, discouraging people from occupying houses and not owning them. I have not seen the figures, but goodness knows what the cost has been of maintaining all these rental houses throughout the years! I know that the damage to them has been tremendous. The onus will now rest on the new owners to see that these places are maintained.

Once anybody acquires an equity in anything—there are innumerable evidences of this—whether it be a house, refrigerator, or washing machine, under time payment, he never lets it go. I have had some experience in providing money for the purchase of houses, and out of hundreds—almost thousands—there has not been one case of an owner who, having acquired an equity in a house, let it go. He moves heaven and earth to keep up the payments on his house. Some sell to a higher bidder; but an owner's house is his castle, and I am sure the Government will be relieved of great responsibilities and be saved many thousands of pounds by inducing people to own their homes instead of being tenants.

HON. H. K. WATSON (Metropolitan) [7.47]: I support the second reading of the Bill. As Mr. Craig has mentioned, any move which is calculated to increase home ownership among the people is one which will meet with the support of every member of this House. Like Mr. Craig, I can speak from experience; and it is a fact that when a man has signed up for a home, even though it is on terms of 20 years or 30 years, and he has paid the deposit, it is the last thing he will let go. He seems to be spurred by the motive: "This is my house. I am going to pay it off. I have a roof over my head for my wife and family, and when I pass on they will at least have a house."

It is extraordinary, the number of purchase contracts that do not run their full time. Although a man signs up for 20 years or 30 years and commits himself to a weekly payment of £2 or £3, or the lowest amount he can possibly arrange, the experience of most institutions is that long before the 20 years is reached, the house owner has completely paid off the loan or the purchase price, and has received his title deeds. Having done that, even if he does sell the house, he makes a reasonable capital profit; and he also finds that he has an asset on which he can finance to cover illness or provide for a holiday or start him off in business; and there is a variety of other benefits which all tend to promote good citizenship.

I recall that some of the earlier sales made under this particular scheme were more in the nature of gifts than sales, because they were uneconomic sales as far as the Government was concerned. The sales were made, not at the present market value, but at the cost of the building, with the result that whilst that principle was in operation many tenants in Commonwealth-State rental homes were able to purchase them for £1,500 or £1,600 and sell them for £3,000 or thereabouts. Because of those values, they were able to borrow the whole of the money required for the purchase of the homes. So they really made, at the expense of the State and the general community, an excessive profit.

In this particular instance it is proposed that the sales shall be on an economic basis. They shall be the present value of the premises less 10 per cent.; and the balance is to be paid off over 45 years at 4½ per cent. The balance is not to exceed £2,750. This appears to be fair enough. It seems to me that the terms upon which these properties are being offered are, on the one hand, satisfactory to the authorities; and on the other, such as ought to provide every opportunity to anyone who has the initiative, the effort and the will to put up the requisite deposit of 5 per cent. on the first £2,000 and 10 per cent on the balance. The agreement, I understand, has already been signed—in April of this year. So the Bill before us is really to ratify an agreement that has in fact been signed, and, as the Chief Secretary has mentioned, is being put into operation. I support the second reading.

On motion by Hon. Sir Charles Latham, debate adjourned.

BILL—CONSTITUTION ACTS AMENDMENT.

Second Reading.

HON. R. F. HUTCHISON (Suburban) [7.53] in moving the second reading said: I hope to get the support of the House for this measure. This is my first attempt at introducing a Bill, and I suppose I shall make some mistakes. But I want to draw the attention of the House to an anomaly which exists in the Constitution of the Legislative Council because of the wording of Section 15 of the Constitution Act.

The first portion of the Bill is to bring our Constitution into line with the Electoral Act which was amended some little while ago. By this measure I seek to delete all the words after the word "Commonwealth" in line 5 of the last paragraph of Section 15. This section deals with naturalised people—new Australians and others. Under the Electoral Act they can enrol for the Legislative Assembly as soon as they are naturalised, but they cannot enrol for the Legislative Council until they have been naturalised for 12 months. There seems no reason why they should have to wait that period. This state of affairs causes much confusion.

The position was brought to my attention by someone who had been given a Legislative Council card, because I found then that our Constitution had not been brought into line with the Electoral Act. New Australians can be enrolled on local government rolls, and they get hopelessly confused when, during the naturalisation ceremony, they are given cards for the Commonwealth Parliament and the State Assembly, and are then given a Legislative Council card and told that they cannot be enrolled for the Council for another 12 months. This set-up is cruel, and it makes for confusion. If they have the qualifications for being enrolled for the Legislative Council, there is no reason why they should not be allowed to enrol the same as they are for the Legislative Assembly.

The other portion of the Bill has to do with the qualification of a native who has served in the forces. The amendment to the Native Administration Act, No. 60 of 1954, passed last year, added to the interpretation of "native" the following proviso:—

> Provided that any person of the full blood or of less than the full blood descended from the original inhabitants of Australia who has served in the Territory of New Guinea or beyond the limits of the Commonwealth of Australia as a member of the Naval, Military or Air Forces of the Commonwealth and has received or is entitled to receive an honourable discharge; or who has served a period of not less than six months' full time duty as a member of the Naval, Military or Air Forces of the Commonwealth and who has received or is entitled to receive an honourable discharge, shall be deemed to be no longer a native for the purposes of this or any other Act.

The Constitution Act has omitted to keep up to date with that provision, because as it stands, such a person does not come within it. Surely the House will agree that a person who has served his country is entitled to a vote! Under the Electoral Act he is no longer a native; whereas, under the Constitution Act, he still is.

The strange thing about it is that prior to 1933 these people were entitled to enrolment qualification; but the Act was altered in 1934, and the Constitution Act has not been brought into line with the alteration made to the Electoral Act. That is causing confusion; and I thought that the alteration should be made to bring the two Acts into line. New Australians, when naturalised, should be allowed the same privileges as ordinary Australians; because as soon as they are naturalised they are Australian citizens by right, and there is no reason why, if they have the property qualification, they should not be entitled to vote at Legislative Council elections in the same way as they are entitled to vote at Legislative Assembly elections.

I ask members to support me in this matter. It is only a small Bill, but one which should be passed. I realise that it will require a constitutional majority, and I am hoping that I have explained the position sufficiently for members to give me their support. Migrants have come to me, and I have realised how hopelessly confused they are about it. They have asked me whether they are entitled to vote at Legislative Council elections, but I have had to explain to them that they have a right to vote only at city council elections. They do not seem to understand the difference between the Legislative Council and the city council and that is one of the reasons why I have introduced this measure. I do not intend to labour the subject, but I ask members once again to support me and I move—

> That the Bill be now read a second time.

On motion by Hon. C. H. Simpson, debate adjourned.

BILL—LICENSING ACT AMENDMENT (No. 2.)

Second Reading.

HON. SIR CHARLES LATHAM (Central) [8.3] in moving the second reading said: This is a very small Bill, having for its purpose the fixing of hours at which meals shall be served at hotels outside a radius of 20 miles from the Perth Town Hall. I know it applies generally throughout the State, and I have found in my travels, that a number of hotels always seem to be able to find an excuse for not serving meals to travellers.

Hon. G. Bennetts: You are right, there.

Hon. Sir CHARLES LATHAM: I could give a number of instances. I was coming from Albany on one occasion and was refused a meal at one hotel at about 1.30 p.m. I went to this hotel and it was just 1.15 p.m. when I arrived. The proprietor said that unfortunately his staff had left and he could not serve me with a meal. The Albany races were on at the time, and apparently those races were much more important than providing meals for the travelling public. I went to the next hotel and was refused a meal there also.

Recently I took a distinguished visitor from the Eastern States to Toodyay. I suggested that we have a meal at the hotel; and when I arrived, about 1.15 p.m., I went into the dining-room and the tables were all set. There was no bread or anything else on the tables, so I went into the bar and asked the licensee for a meal. He told me that I was too late, and so I asked him where we could go to get something to eat. He said we could get a meal at the restaurant, and

the best we could get was sandwiches and a cup of tea. That is not a good advertisement for the hotels of this State.

On another occasion at Payne's Find, I was refused a meal, and could not obtain even a cup of tea. The proprietress said that she did not have any staff and that the fire had gone out and she could not light it. I have a grievance over this case, because I wrote to the Licensing Court and explained the matter. A letter was sent by the court to the local policeman, and he took the letter to the woman and read it out to her.

The Minister for the North-West: When was this?

Hon. Sir CHARLES LATHAM: It was before the hon. member became a Minister. The woman remembered the number of my car, because at the time I was there on a Government job. Another Minister went along there soon afterwards and she took him to task because I had written the letter. Licensees of hotels are given a privilege, because nobody else can obtain a licence and open up a business in close proximity to them; and under the Act those licensees are expected to provide meals and sleeping accommodation.

I am not questioning their charges because, after all, I think people should pay a reasonable price for the service. But I intend to mention what I think is the cause of all this bother, and I hope the House will listen to my arguments.

The Chief Secretary: We always listen to you.

Hon. Sir CHARLES LATHAM: Sometimes members do not. If they had been listening the other evening, they would have supported the motion which I tried to have passed in this House.

The Chief Secretary: No.

Hon. Sir CHARLES LATHAM: In the old days a magistrate and two justices decided who should have licences. Then we appointed a board, after the elections of 1924, when the Licences Regulation Board came into existence. The decision of the people was to close a certain number of hotels throughout the State. Up to a certain point that board did a good deal of useful work; but now hotels have to face up to the fact that licences have been issued to clubs; and in nearly all of the country towns, clubs have been granted licences. Of course it is well known that the liquor side of the business provides a substantial part of the income of licensees who have to provide sleeping accommodation and meals for travellers.

Now these hotels are in competition with the clubs; and while the hotels have to close at 9 p.m., the clubs are permitted to remain open until 11 p.m. As a consequence, they do a great deal more trade than the hotels. While on that point, we pass the laws in this State, and the police do not carry out those laws. Whether that is under instructions from Ministers I do not know. Hotels outside a certain radius of Perth are now permitted to open on Sundays; but prior to that amendment to the Act being passed, there was always a recognised hour when the police shut their eyes to the people having drinks on Sunday in country towns.

Hon. G. Bennetts: Would you say that that happened in Kalgoorlie?

Hon. Sir CHARLES LATHAM: I would say that worse than that happened in Kalgoorlie; but Kalgoorlie has always been a privileged place. The proper thing would have been to exclude it from the Licensing Act altogether. I do not know whether the police do this on their own initiative, or whether they are acting on instructions from Ministers. But it is a bad habit, and after a short time it becomes difficult to control.

In many of the clubs throughout the State there are a number of machines which are known as one-armed bandits. In other words, they are poker machines. Poker machines are illegal in clubs; but even in the city, some clubs have as many as three of these machines operating. I ask: Why do not the police carry out the laws of this State?

Hon. G. Bennetts: There is a policeman in the gallery.

Hon. Sir CHARLES LATHAM: We want some of them here. If one goes to the commissioner one gets a nice careful answer, and one is simply reminded that he is the Commissioner of Police and that he and his officers are responsible for policing the laws of the State. I want to know when some action will be taken; and I ask the Government—in fact I ask the Chief Secretary, who is the representative of the Government in this House to ask the Minister for Police—to see that the laws in that respect are observed. Large sums of money are gambled in this way, and the fellows who are gambling are not getting it. The promoters of these machines are the ones who are making the money.

Hon. H. K. Watson: They are to assist many of the clubs that are struggling to keep going.

Hon. G. Bennetts: The previous Government did not do anything about it.

Hon. Sir CHARLES LATHAM: I do not know who is responsible for it. I want to see the law in this respect carried out.

Hon. E. M. Davies: What are these one-armed bandits?

Hon. Sir CHARLES LATHAM: As if the hon. member did not know! They are poker machines.

Hon. E. M. Heenan: When did you first hear of them?

Hon. Sir CHARLES LATHAM: When the hon. member—

Hon. E. M. Heenan: I want to know when you first heard of them.

Hon. Sir CHARLES LATHAM: Would the hon. member like me to tell him?

Hon. E. M. Heenan: Yes.

Hon. Sir CHARLES LATHAM: The hon. member knows that he is one of those who makes the laws in this House; and, as a matter of fact, it was in his own home town.

Hon. E. M. Heenan: But when?

Hon. Sir CHARLES LATHAM: I would not be able to tell the hon. member the exact date.

Hon. E. M. Heenan: Many years ago, or just recently?

Hon. Sir CHARLES LATHAM: Just recently. I had not been into these clubs until recently.

The Chief Secretary: Do not tell me that you have been a Rip Van Winkle!

Hon. Sir CHARLES LATHAM: I think the Chief Secretary knows that I am almost a total abstainer, but not quite. I do not go into these clubs, and I had not seen this sort of thing going on. But I do know that it is happening now, and more particularly since I have been given the tip as to what is happening. I have now seen it myself.

Hon. L. A. Logan: Did you play them?

Hon. Sir CHARLES LATHAM: I would say to the Government that it is of no use imposing conditions on our hotelkeepers if we allow their trade to be taken away from them in other directions. So I provide for fairly heavy fines in this legislation; and, by the way, this measure applies only outside a radius of 20 miles from the Perth Town Hall.

Hon. G. Bennetts: Have you ever been in the Toodyay Club?

Hon. Sir CHARLES LATHAM: I do not think I have; at least not for a long while. I do not think the hon. member would be permitted to go there.

Hon. G. Bennetts: They would not let me in.

Hon. Sir CHARLES LATHAM: I do not think I could go in unless I was made an honorary member. Of course, Mr. Watson, who knows a good deal about all these clubs, would be permitted to enter most of them because he would be a member, or an honorary member of most of the clubs in the metropolitan area.

The Chief Secretary: Do you think he would be able to work a one-armed bandit?

Hon. Sir CHARLES LATHAM: I do not know. He has a very good muscle in his arm, and I suppose these one-armed bandits need to be given a terrific push. The only time I saw one was in Kalgoorlie.

The Chief Secretary: My brother-in-law told me on Saturday that on the Friday night, at his club, he put 2s. into the machine and got £6 out of it.

Hon. Sir CHARLES LATHAM: I have been told that in some clubs they will not give money even if a person wins. The one who wins is given a chit, and he is not allowed to handle the cash, even though he puts in cash to work the machine. They tell me that the owners of these machines only lease them to the clubs, and that it is the owners who are making the money.

Hon. H. K. Watson: Did not you hear the story of the man who lost so much at the club that his wife bought him one and installed it in the kitchen?

Hon. Sir CHARLES LATHAM: Mr. Watson seems to be an authority on these things, and perhaps there will be some opposition in that direction. But I earnestly believe that as hotelkeepers are given the privilege of licences, they should not be able to make an excuse for not serving meals at a reasonable time. I am not questioning the right to charge, because I have paid 7s., 10s., 15s.—and even a great deal more than that—for meals when I have been outside Australia; but the main thing is to be able to get a meal.

The Minister for the North-West: Are you confining them to the hours shown in the Bill?

Hon. Sir CHARLES LATHAM: I have fixed the hours, and I think they are reasonable. Breakfast is to be from 8 a.m. to 9 a.m.; and instead of lunch being between 1 p.m. and 2 p.m., I have fixed the time from 12.30 p.m. to 1.30 p.m. That is because it has been said that some men get off from 12 to 1 and others from 1 to 2.

The Chief Secretary: What about the man who goes to work at 8 o'clock?

Hon. Sir CHARLES LATHAM: He gets his breakfast before 8 a.m. as he has always had it. Not many stay at hotels; but if they were regular boarders at the hotel, they would know that their meal would be at 8 o'clock.

Several members interjected.

The PRESIDENT: Order! Members can argue the provisions of the measure when they rise to speak.

Hon. Sir CHARLES LATHAM: If there is any desire to amend the breakfast hour in order to make it 7.30 to 8.30, I would have no objection. On Sundays meals are served between 8.30 and 9.30 at most hotels.

I would like the Government to look into this question of licences, because I do not think that the Licensing Act intended that every Tom, Dick and Harry should be licensed. Western Australia was famed for the courtesy in its hotels 20 years ago. I remember that on one occasion when we were bogged at Nannine, there was no difficulty at all in getting a bite to eat. On another occasion, however, we went to Payne's Find and we could not get anything to eat. From Wubin to Mt. Magnet is about 160 miles. I asked if there was a chance of getting a meal, and I was told that there was a hotel on the way. Unfortunately, however, the lady was not very obliging. I think the provisions in the measure are more reasonable than is that one which permits people to take a couple of bottles of beer home on a Sunday. Members will recall that we passed a provision to that effect last session. This matter affects people who travel through the State, and it is important that women and children should be able to obtain reasonable accommodation and meals. I move—

That the Bill be now read a second time.

HON. G. BENNETTS (South-East) [8.19] In supporting the hon. member regarding the provision of meals, there is a particular occasion of which I would like to speak. Only last year the Minister for Police, myself and four others travelled from Kalgoorlie to Esperance and back to Perth through Lake Grace. At Esperance we wired to Ravensthorpe for lunch for six. By our time-table we knew that lunch would be the last meal we would get before arriving in Perth. There was heavy rain, the roads were bad, and we were bogged on many occasions.

When we arrived at Ravensthorpe, I tried to obtain a meal, but the proprietor said that it would not be possible for me to get one there. I asked him whether he had received the wire we sent from Esperance to the effect that we were arriving, and he replied that the lines were down, and that there would be no meal.

Just as I was about to inform the Minister of this, a schoolteacher by the name of Carmody asked me what I was doing there, and said he would introduce me to the publican. He introduced me as Mr. Bennetts, M.L.C., and asked me who was with me. I replied that it was the Minister for Police and the publican then said, "I had no idea that was the case; and if you are not in a hurry, we will get you some lunch." He said it would not take long.

We waited a matter of 10 minutes; and to our surprise, one of the best meals I have ever had was placed in front of us. It consisted of soup grilled chops and other nice dainties; and after that, we had apple pie and beautiful fresh cream. If we had been ordinary individuals we would not have got that! It must have been our youthful appearance that did it.

Hon. Sir Charles Latham: If you had been Charlie Latham you would not have got it.

Hon. G. BENNETTS: I remember that last year I tried to find accommodation for some Perth people during the race round in Kalgoorlie. One hotelkeeper, who I know does the right thing, suggested that some of the hotels needed a shaking-up. He mentioned one place that had the dining-room closed. I checked and found that although the table was laid, and all the appointments were there, it was only to meet the possibility of a member of the Licensing Court or somebody else of importance coming along. The proprietor was not worrying about catering for the individual. When I asked about it, I was told that he was unable to get staff for the dining-room and kitchen. We all know that most hotels today only want the bar trade and nothing else.

Different parts of my district have different meal times. At Merredin, breakfast runs from 8 to 8.45 a.m. In another hotel, lunch is from 12.30 to 1.30, because there are a number of schoolteachers and railwaymen to be catered for.

Hon. Sir Charles Latham: All the hotels in Kalgoorlie have breakfast from 8 a.m. to 9 a.m.

Hon. G. BENNETTS: In Esperance breakfast is from 8 a.m. to 9 a.m. and lunch from 1 p.m. to 2 p.m. At Norseman it is the same. I do not agree with the hon. member, however, when he says there should be no clubs. I think there should be clubs.

Hon. C. W. D. Barker: Where are clubs mentioned in the Bill?

Hon. G. BENNETTS: Sir Charles Latham mentioned the fact, and I am merely referring to it. There are several hotels in my district that import everything from outside. They are setting up a club, and that club will sink all the profit to provide amenities for club members and their families.

Hon. N. E. Baxter: Will they provide meals?

Hon. G. BENNETTS: No; but where there is a big population there is room for both. I will support the hon. member in relation to meals; and I think that all hotels should be made to comply with the Act. A short while ago in Perth, I was speaking to a member of the Licensing Court, and he told me that the court had recently checked on a place in the North-West where a man was not providing meals. They ensured that he complied with the Act, and no further trouble has arisen. I think that if a complaint is made, the matter will be looked into.

HON. C. W. D. BARKER (North) [8.27]: While I agree entirely with what this Bill is intended to do, I do not agree with the

hours set out. This is something for the idle rich. The provision applies to a 20-mile radius outside Perth, and says that every hotel shall supply meals between the hours of 8 a.m. and 9 a.m. and 12.30 p.m. and 1.30 p.m. The evening meal is to be between 6 p.m. and 7 p.m. A lot of country hotels have men staying at them. There are men working on wheat silos and on all types of jobs who require their breakfast at 7 o'clock.

Hon. Sir Charles Latham: This does not restrict the time to 8 o'clock.

Hon. C. W. D. BARKER: It states that meals shall be obtained between 8 a.m. and 9 a.m., which means that the man who has to go to work at 8 a.m. gets no breakfast.

Hon. Sir Charles Latham: What is there to prevent the hotel from serving it before or after?

Hon. C. W. D. BARKER: A man who knocks off at 12 has half an hour for his lunch before he gets back to work. The same applies to the man who knocks off at 1 p.m. The time for the evening meal is the most reasonable, but even that requires a little more latitude. If we are to compel these places to serve meals, let us make them do so at a time to suit everyone. Not enough latitude has been allowed.

Hon. Sir Charles Latham: Read the Licensing Act now and see what is in it.

Hon. C. W. D. BARKER: I have just done so.

Hon. Sir Charles Latham: They are compelled to find meals at any time.

Hon. C. W. D. BARKER: If the hon. member is prepared to make the time from 7 a.m. to 9 a.m. for breakfast; from 12 p.m. to 2 p.m. for lunch; and from 6 p.m. to 7.30 p.m. for the evening meal, I will agree. If he does not, I will not, because I think my suggestion is more reasonable. If he can convince me that the hours he suggests are more suitable —and I do not see how he can, because there are plenty of men who want their breakfast before 8 o'clock—I will agree with him. Many men knock off work at 12 o'clock and have their dinner hour from 12 to 1, and there should be a little more latitude in the evening by making the hours 6 to 7.30. If Sir Charles is prepared to alter the hours so that they will be more suitable for everyone concerned, I shall support him; but as the Bill stands, I cannot agree with it.

HON. R. F. HUTCHISON (Suburban) [8.31]: I intend to support the second reading, and I do so largely in the interests of mothers and children who may be travelling. I have known of several cases where meals have been refused, and I have some knowledge of the subject. Of course, if there is a boarder at a hotel, the licensee knows what time he has to go to work and meals can be arranged accordingly; but it is the ordinary traveller who needs some protection of this sort, and that is my main reason for supporting the Bill. I wish to ensure that meals shall be made available to travellers, and particularly to mothers and children.

Hon. C. W. D. Barker: But will the measure help in that direction?

Hon. R. F. HUTCHISON: I think it will. Under existing conditions, it is very difficult for people travelling with children. There is nothing in the Act to say that meals shall not be served at any time; but for people who are travelling, provision of this sort is necessary to ensure that they shall be able to get meals within certain hours.

HON. A. F. GRIFFITH (Suburban) [8.33]: I believe that Mr. Barker has not interpreted the words in the Bill correctly. The measure proposes that meals shall be made available by licensees between the hours stated. If it read that meals shall be available only between those hours, it would be different.

Hon. C. W. D. Barker: I agree there.

The PRESIDENT: Order! The hon. member must not argue across the Chamber.

Hon. A. F. GRIFFITH: If the word "only" were included, there would be good sense in his argument; but the word does not appear, and so there is nothing in his argument. The Bill provides that meals shall be obtainable between the hours of 8 and 9, 12 and 1.30 and 6 and 7; but as has been stated, there is nothing to prevent a licensee from providing meals at any other time he thinks fit. Therefore, there is no reason whatever for objecting to the hours mentioned in the Bill. They are provided in order to ensure that the travelling public shall know that between the hours specified they will be able to demand a meal.

HON. E. M. HEENAN (North-East) [8.35]: I do not like the proposal in the Bill. In my travelling, I have met with quite different experience. My province is one of the most extensive in the State, and I think I do as much travelling as does the average member.

Hon. Sir Charles Latham: It will not apply to licensees who do a fair thing.

Hon. E. M. HEENAN: My experience is that the great majority of licensees on the Eastern Goldfields and in the towns in distant goldfields are doing a good job in difficult circumstances. Why legislate for the minority?

Hon. Sir Charles Latham: They are the ones that starve you when you are on a long journey.

Hon. E. M. HEENAN: I have travelled as much as has any member here, and I can honestly say that I have never been refused a meal.

Hon. Sir Charles Latham: Then you are a very lucky man. I could take you out to places where you are not known and show you.

The Chief Secretary: That is the test.

Hon. E. M. HEENAN: There are ample provisions in the Act to meet the case of anyone who is refused a meal unreasonably.

Hon. Sir Charles Latham: Who would undertake the prosecution?

Hon. E. M. HEENAN: The prosecution would be taken just as for any other ordinary offence. A complaint could be laid at the nearest police station.

Hon. Sir Charles Latham: Read Section 118 so that you will know what the provisions are.

Hon. E. M. HEENAN: Members have copies of the Act before them and can read Section 118 without my imposing it upon them. My construction of that section is that any licensee who refuses without reasonable cause to supply any person with food commits an offence, and the penalty is £50.

Hon. Sir Charles Latham: I can imagine I hear you, as a solicitor, arguing on the meaning of "reasonable cause" in a case against a hotelkeeper.

Hon. E. M. HEENAN: The hon. member may imagine what he likes; but has he ever complained or tried to implement that section of the Act?

Hon. Sir Charles Latham: I told you I had.

Hon. E. M. HEENAN: I consider that we should not tamper with the Licensing Act in the way proposed by this Bill. As Mr. Barker has pointed out, under this measure, the meal hours would be hard and fast.

Hon. Sir Charles Latham: Would you support two hours instead of one hour for meals?

Hon. E. M. HEENAN: No, leave the Act as it is, and the time for meals 8 to 9, 1 to 2 and 6 to 7 as is the usual practice.

Hon. Sir Charles Latham: You know that it is only three quarters of an hour in hotels now.

Hon. E. M. HEENAN: I do not know that. I also think it rather unfair to seize this opportunity of charging licensees with not doing their duty. The hon. member mentioned a case that he had heard of only recently. That concerned a Minister of the Crown.

The Chief Secretary: That is why he has only just heard of it.

Hon. E. M. HEENAN: He also said that clubs have been operating certain machines.

Hon. Sir Charles Latham: Are they legal or illegal?

Hon. E. M. HEENAN: I am prepared to take the hon. member's word for it that they are illegal. The police do their best to suppress illegal acts, but they cannot always achieve 100 per cent. However, I would not seize an occasion like the present to criticise something that is outside the scope of the Act and is not a fair criterion to apply to licensees generally. We ought to leave the Act alone. I have not heard of women and children being denied meals when travelling in the country, and I would be interested to hear how many members have received complaints on that score. I can honestly say that I have not heard of any.

HON. A. R. JONES (Midland) [8.44]: I intend to support the second reading of the Bill in the hope that it will be amended in Committee. I have had an experience, such as Mr. Heenan has not had, of being told, when I asked for a meal, that the dining-room was closed, and it was closed at 6.30 p.m. I consider that there should be some set time, and that it should extend over one hour, leaving it to the licensee to decide when that hour should be. That is a matter which the licensee himself should determine. In travelling long distances in the country, where hotels might be 30 or 40 miles apart, I have had the experience of arriving at one town just too early for a meal and of reaching the next town just too late, because the times for meals vary.

I suppose that cannot be avoided, as a licensee might be catering for a number of people in the township, such as bank officers, store employees and so on. Those people comprise his main patronage and he must arrange his meal times to suit the greatest majority of his customers, but I think we could stipulate that the meal time should be of one hour's duration. As an instance, I would quote the Three Springs hotel where, last year, the door opened for dinner at 6 p.m. and I was refused a meal at 6.30. Naturally I went to the proprietor and I obtained a meal; but I feel sure that if I had not been known to be a member of Parliament, I would have had to go hungry. I know that on the same night another person was turned away without a meal.

Such things do occur and I do not know what our Licensing Court is doing in view of the treatment one receives at some hotels, because it is little short of shocking. I feel that some of these people should be stirred up. I hope that Sir Charles will be prepared to consider an amendment when the Bill is in the Committee stage. I support the second reading.

HON. F. R. H. LAVERY (West) [8.46]: I am interested in this question; but the point which intrigues me is why Sir

Charles stipulated the 20 miles, because 20 miles from the Town Hall cuts out the Narrogin Inn at Armadale, for instance.

Hon. Sir Charles Latham: That is only 18 miles out.

Hon. F. R. H. LAVERY: The hon. member said "within 20 miles."

The Minister for the North-West: Outside 20 miles!

Hon. Sir Charles Latham: I am referring to where there are not the restaurants and so on which are found within 20 miles of the Town Hall.

Hon. F. R. H. LAVERY: But there are hotels which are just inside the 20 miles and from which one would have to go another 20 or 25 miles before being able to obtain a meal. I think there is some substance in the complaint certain members have made, however. When I was working with the oil companies I would receive notice at 4 p.m. that I must be at Merredin to commence work the following morning, and I might have to remain in that centre for a fortnight before going to Albany or somewhere else. One had no hope of getting breakfast before 8 a.m. I think Mr. Jones has the right idea and that while Sir Charles is endeavouring to make these people provide the public with meals, the actual meal hours should be made more elastic. I am still interested to know why Sir Charles has included this distance of 20 miles.

HON. L. A. LOGAN (Midland) [8.49]: I believe that Sir Charles Latham, in endeavouring to ensure that the travelling public are provided with meals, is placing a burden on the small hotelkeepers in the country. The reason why the three-quarter-hour meal period was brought in, usually from 8 to 8.45 a.m., from 12 noon to 12.45 p.m. and from 6 to 6.45 p.m., was the shortage of staff. If the housemaids-cum-waitresses are to work an extra quarter of an hour three times per day for a 6-day week that is an extra 4½ hours overtime that must be paid to them; and, in addition to that, the girls do not want to work the extra time. The 40-hour week was responsible for the reduction of hotel meal hours and therefore I am afraid Sir Charles would place a burden on some of the hotelkeepers by enforcing three one-hour meal periods per day.

In most instances there has been a reason for the shortening of meal hours; and surely, when there is a function at night in a country town, the hotel staff are entitled to some consideration! Perhaps the traveller who is unable to obtain a meal has been at fault in not arriving earlier. Under Subsection (2) of Section 118 of the Licensing Act, the Licensing Court may prescribe the hours during which meals can be obtainable; so it is obvious that the court could not prescribe the hours for these hotels, as otherwise it would have done so—

Hon. C. W. D. Barker: The position varies.

Hon. L. A. LOGAN: —unless the court is not doing its job.

Hon. Sir Charles Latham: I said they are not doing their job.

Hon. L. A. LOGAN: Either it cannot prescribe the hours or it is not doing its job; and I think it would be almost impossible to prescribe the hours at which country hotelkeepers should serve meals. While I am inclined to agree to the second reading, I believe that in the Committee stage it will be difficult to arrive at a satisfactory solution of the difficulty.

HON. C. H. SIMPSON (Midland) [8.52]: I wish first to put Mr. Lavery right in regard to the interpretation of the provision relating to the 20 miles from Perth. Mr. Logan supplied the wording: that it should be at the discretion of the Licensing Court to fix the hours, or words to that effect; and this simply adds the provision relating to licensed premises situated within a radius of 20 miles from the Town Hall, Perth. In respect of licensed premises outside that radius, meals shall be obtainable at the hours set out in the Bill.

I support the measure because I think the variation would be very little from the hours recognised at present. At most country hotels breakfast is from 8 to 8.45 a.m., and tea from 6 to 6.45 p.m., I see no hardship in asking them to provide the extra quarter of an hour at those mealtimes. The midday meal might need adjustment at some hotels. When travelling one finds that at many hotels lunch is from 1 to 1.45 p.m., while at others it is from 12 noon to 12.45 p.m., and at still others from 12.30 to 1.15 p.m. The usual lunch hour is 45 minutes, and again I see no particular hardship in asking for an extension of 15 minutes so that travellers will know what meal hours to expect. If they knew the meal hour was from 12.30 to 1.30, they would know that they could expect a meal anywhere during that hour; and I think that hotelkeepers could adjust their hours accordingly.

Hon. C. W. D. Barker: What if some people in the town are working different hours?

Hon. C. H. SIMPSON: My experience is that where reasonable hours are laid down, both staff and hotelkeepers work to those hours. I can remember when the recognised luncheon hour was from 12 noon to 2 p.m. but that gradually contracted to from 12 to 1 and then 12 to 12.45. Forty-five minutes was then allowed as compared with two hours, during which the customer could get a meal.

Under those conditions a traveller arranging his stages could say, "I am too early for a meal here, but I will make the next stage of 50 miles and be in time for a meal there." I think there is merit in the measure, and believe it will lead to uniformity and give travellers and hotelkeepers standard times to work to.

HON. N. E. BAXTER (Central) [8.55]: I have listened with interest to the debate; and like Mr. Logan, I feel that Sir Charles, by introducing the measure, is trying to do something that will not work. The Licensing Act at present makes it mandatory for a licensee with a publican's general licence or a wayside-house licence to provide the travelling public with food, liquor or refreshments and lodgings. The penalty if he refuses without reasonable cause is £50, and no publican would risk that penalty without reasonable cause. If the travelling public are refused a meal, having been there during meal hours, they can complain to the local policeman and take action against the licensee, as most members know.

Hon. C. W. D. Barker: Does that apply to lodgings also?

Hon. N. E. BAXTER: Yes.

Hon. C. W. D. Barker: What is a lodger?

Hon. N. E. BAXTER: The hon. member may choose whichever he likes of the versions he has heard. The Act sets out that the licensee must supply food, lodging etc. for travellers, and the Bill will not make one iota of difference to those who are accused of not supplying meals today.

As regards the one-hour meal period, I would point out that the Bill provides that meals shall be obtainable, in the case of breakfast, between 8 and 9 a.m. That means that up till one minute to nine a traveller can walk in and demand breakfast, finishing his meal perhaps at 9.20 The same applies at lunch-time or at the evening meal. At night, the traveller may walk in at one minute to seven and it will be 7.20 before he leaves the dining-room; and after that the waitress must do her washing-up and so on, so that she will not finish before 8 p.m.

With a breakfast hour from 8 till 9 a.m., the waitress starts at 7 a.m. to carry out her duties and have the dining-room ready. If the meal hour continues till 9 a.m., and a traveller walks in at one minute to 9 he probably will not finish his breakfast till 9.20 and the waitress will not be finished until 10 a.m. at least. Between then and the lunch period she has to do all her other duties, such as cleaning silver, polishing floors, and so on. If luncheon is from 12.30 to 1.30 again there is at least two hours preparing and washing up afterwards. At night it would take from 5.30 to 7.30 before the waitress had cleaned up. That would make a total of 6½ hours per day in meal hours and washing-up without any additional duties. Yet people wonder why a dining-room closes a quarter of an hour early! It is done to have the meal completed at the end of the hour.

Travellers may stay in the bar in the evening until 6.55 and then go in and demand a meal. They expect to be served; but again the staff is held up. The publican must pay the overtime and the meals consumed would not pay for that overtime at today's rates. We must have some commonsense when considering who is to pay the piper.

If we agree to this measure we will penalise every country hotel licensee in Western Australia merely because one or two have not complied with that which is mandatory under the Act, and for which they can be fined. If Sir Charles will agree to the words, "provided meals are consumed within the hour" being added at the end of the words he proposes to insert in Subsection (2) of Section 118 of the Act, I will agree to this measure; but I cannot agree to it in its presnt form.

HON. L. C. DIVER (Central) [9.1]: I support the Bill. I have had experiences similar to those mentioned by other members when calling at hotels by being told, "I am sorry; the dining-room is now closed." And that has been before 1 p.m. and 7 p.m. One of the first points we have to consider is: What is the function of a hotel?

Hon. N. E. Baxter: To make a profit for a start.

Hon. L. C. DIVER: Is there any law which states that a person must seek a publican's licence? We know there is not. A publican's licence is issued to any person who desires to sell liquor and it grants all the privileges associated with such licence. In turn, a licensee is expected to provide other facilities such as accommodation for travellers who may wish to stop there for varying periods, and meals.

Hon. N. E. Baxter: Well, what have you to say about a club?

Hon. L. C. DIVER: I thought we were dealing with hotels at present, and I see nothing in the amending Bill concerning clubs. Before a would-be hotel proprietor or licensee makes application for a licence he is fully aware of what is expected of him. He should have made a study of the provisions of the Act; and if he is still of the opinion that he wants a licence and is prepared to accept the responsibility of conducting a hotel, it should be his bounden duty to discharge that responsibility. Therefore, I wish to ally myself with this measure to ensure that every man and woman travelling in this State

from one point to another will be certain that the dining-room of any hotel will be open during the hours specified. I support the Bill.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland —North) [9.4]: I can foresee some difficulties if the Bill is passed. I agree with some of the previous speakers who stated that to fix specific meal hours—such as those provided in the Bill—in hotels that are located in areas outside the metropolitan area beyond a radius of 20 miles from the Town Hall, would be to impose considerable hardship on the small hotelkeeper in the outback; and I think that that would be extremely unfair.

There is no doubt the licensees of hotels, even in large country towns, are always experiencing difficulty in obtaining and keeping staff. Probably that has been the major factor which has caused some hotelkeepers in the country to restrict the meal time to three-quarters of an hour, or even half an hour, instead of the full hour. Personally, I have never yet been in a hotel that allows only half an hour for a meal; but I will admit that I have been in some where the time allotted for the meal is only three-quarters of an hour.

I know that some of the difficulties experienced by hotelkeepers, as outlined by Mr. Baxter, definitely exist. Under the Bill, a hotel dining-room would be open for a full hour; but the position is tied up with staff problems. The restricted periods aim at encouraging people to complete their meals within a reasonable time, and not to enter the dining-room two or three minutes before closing time. If the specific hours mentioned in the Bill were imposed on hotelkeepers in the far outback areas, I am certain that they would be faced with the problem of trying to retain their staff. Therefore, I cannot agree to specific hours being provided. I think a traveller could be supplied with meals within reasonable periods. That would cover the situation.

Hon. Sir Charles Latham: Who is to enforce it? The individual cannot.

The MINISTER FOR THE NORTH-WEST: I have not yet had the experience of being refused a meal. Even when I have known that the normal meal hour has expired, I have been told by the hotelkeeper or the person in charge, "We will get you a cup of tea or something to eat."

Hon. Sir Charles Latham: I would like you to be with me sometimes.

The MINISTER FOR THE NORTH-WEST: I agree that Sir Charles has probably been in one or two hotels where he has been refused something to eat.

Hon. Sir Charles Latham: I told you of several instances that occurred recently.

The MINISTER FOR THE NORTH-WEST: One member raised the query as to why these hours should be imposed only in the outback and not in the metropolitan area, and was informed that the reason was that there are plenty of restaurants in the city. However, in one case that Sir Charles quoted in detail, I am sure that there would be one type of eating-house in such a town where he could get something to eat.

Hon. Sir Charles Latham: I told you that all we could get were sandwiches and tea.

The MINISTER FOR THE NORTH-WEST: The hon. member wants to say that that is good enough for a person who travels from the country to the metropolitan area.

Hon. Sir Charles Latham: No; one can get chops and grills and good meals at any time in the city.

The MINISTER FOR THE NORTH-WEST: It is admitted that, in the city, meals are available in quantity and this would also apply in most large country towns. However, to impose restrictions on a hotel such as that at Payne's Find for instance, would be rather harsh. The only population at Payne's Find would be those people who lived in the hotel.

Hon. Sir Charles Latham: Could you get anything to eat at Payne's Find outside the hotel?

The MINISTER FOR THE NORTH-WEST: No. However, in a small place such as Payne's Find a traveller would not be turned away without being given something to eat. There are several similar hotels scattered around the North-West, and many travellers do not arrive at them during the normal meal period. Nevertheless, I have never heard of any individual or any traveller being refused a meal in such circumstances at any North-West hotel.

I have not heard, except in regard to those cases quoted by Sir Charles this evening, of any instances of travellers not being able to obtain meals within reasonable hours in other parts; but I do not profess to have been in close touch with such people who frequent those parts. I think it would be dangerous for this House to specify that certain meal hours should be complied with generally. I believe that some consideration at least could be given to adding at the end of sub-section (2) of to adding at the end of Section 2 of the Licensing Act, the following words:—

> The Licensing Court may prescribe the hours during which meals shall be obtainable.

The words which Sir Charles seeks to add by his amendment do not meet with my approval. However, I suggest that consideration could be given to making a reservation that the Licensing Court

should prescribe the hours when meals can be obtained, but that the period during which a meal can be served—

Hon. Sir Charles Latham: Shall be left to the discretion of the hotelkeeper.

The MINISTER FOR THE NORTH-WEST: No; but that the period of time during which a meal can be obtained shall be not less than 45 minutes. To specify that all hotelkeepers throughout the State shall serve meals only during certain periods would not be practicable, at least outside the metropolitan area. I know that I have stayed at some hotels in the North where breakfast is served at 6.30 a.m., particularly in the summer-time, because the days are so long in those parts. The people have their breakfast in the cool of the morning, and take two hours off for lunch in the middle of the day. They do not require the full two hours to have their lunch, but that period is allotted so that they may have a longer break at that time of the day. That practice is followed in several towns in the North-West.

Hon. Sir Charles Latham: Do you still have only three meals a day?

The MINISTER FOR THE NORTH-WEST: The same applies to business establishments in the North. They close for two hours in the middle of the day during the summer-time. The licensee would have to be given sufficient latitude to arrange with his boarders for the fixing of the meal hours to suit their convenience and the conditions prevailing in the town.

Hon. Sir Charles Latham: The travelling public do not count.

The MINISTER FOR THE NORTH-WEST: They do count.

Hon. Sir Charles Latham : Not with you.

THE MINISTER FOR THE NORTH-WEST: The travelling public do count with me. As I explained, in half of the State I have not had a complaint from the travelling public about a meal being refused. Furthermore, I have not heard any discussion or conversation anywhere to indicate that the travelling public have been refused food by a licensee. They might have been refused sit-down meals because there was no one to serve them, but the licensee or his wife would always be prepared to serve something. That is my experience. For those reasons I cannot agree to the amendments in the Bill.

HON. W. F. WILLESEE (North) [9.16]: In the province I represent, this Bill could have a dangerous effect. North of the 26th parallel the meals are consistently served at different hours to those in other places. Breakfast is almost wholly regarded as at 7.30 a.m.; but at Broome, Derby, Wyndham and Hall's Creek it is at 7.a.m. At certain times of the year 5.45 p.m. is the time for the evening meal in Wyndham. In those areas, because the towns are very far apart, it is the custom of the travelling public to notify the licensees of their accommodation and meal requirements. If trouble is struck on the road, as the Minister for North-West said, and the travellers arrive at 11 p.m., a meal is still provided.

Hon. Sir Charles Latham: This Bill will not affect those hotels.

Hon. W. F. WILLESEE: It would be inadvisable to tie the hotels up to a given hour and to a definite period for meals for travellers. As it is now, there is a certain amount of license in the hours right throughout that area. In lots of instances many people board at the hotels, and special provisions have to be made in order to get them away to work early. The proportion of bona fide travellers who would not give notification of their arrival would be negligible, yet they would have the effect of forcing the hotels to remain open for meals to be provided that might not be used. This is quite apart from the staff problem that goes with the provision of meals. Speaking for my province, I think the provisions in the Bill are unnecessary adjuncts to the Licensing Act and would create a position wherein the licensee would say, "Very well, I provide meals for that hour and that alone."

Hon. Sir Charles Latham: The Act provides for the after hours. That has never been enforced.

Hon. W. F. WILLESEE: Why then make an addition?

Hon. Sir Charles Latham: Simply because nobody takes action.

Hon. W. F. WILLESEE: I have not taken action because I have not had the need to do so. To quote an instance. When passengers have arrived by M.M.A. between the hours of 6.50 a.m. and 7.15 p.m., never at any time, whether there have been two or 10 passengers, has a meal been refused if required. The provisions in this Bill have no application to the province I represent.

On motion by Hon. J. G. Hislop, debate adjourned.

House adjourned at 9.20 p.m.