

not expected to pay for some time to come. It, therefore, savours a little of inconsistency that the Commissioner should not have objected to the construction of this new line. If he has objected, apparently he has been over-ruled by the Ministers who are interested in it. One of the greatest justifications for the line seems to be that, as so much money has been spent on the harbour at Geraldton, it is just as well to put as much work as possible in its way. If the line is built I hope the work will be done by contract, so that it may be carried out at the cheapest possible rate.

Hon. H. J. Yelland: You are not likely to get that.

Hon. J. J. Holmes: Why not? We can provide for that in the Bill.

Hon. Sir EDWARD WITTENOOM: I hope it will be carried out by contract. I am certain that a number of people who are out of work would be able to secure employment from the contractor whoever he might happen to be. I will withhold any statement as to how my vote will be given until I have heard a little more about the measure.

On motion by the Honorary Minister, debate adjourned.

House adjourned at 9.33 p.m.

Legislative Assembly.

Tuesday, 5th September, 1933.

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OBITUARY—THE CLERK ASSISTANT.

The PREMIER: I am sure that every member of the House feels regret that, since last we met, the Clerk Assistant of the House, Mr. Norman Wilkinson, has passed away. To the older members of the Chamber Mr. Wilkinson was a very familiar figure, having joined the staff as a small boy about 14 years of age some 22 years ago. By intelligence and attention to his duties and his efficiency generally he gradually raised himself from the small beginning of sessional messenger to the position of Clerk Assistant of the House. I offer this expression of sympathy to the bereaved family of the late Mr. Wilkinson. We all deeply regret that Mr. Wilkinson's genial nature and kindly temperament will not be with us any longer.

Mr. LATHAM: I desire to associate myself with the remarks of the Premier. All of us who had the privilege of knowing Mr. Wilkinson for a number of years were aware of his kindly disposition and his anxiety to do all in his power to assist members of this Chamber. The passing of a young man like that is especially to be regretted. The late Mr. Wilkinson served the House well over a long period, during which he offered himself to the nation for war service. It was on account of that service he suffered the bad health which he experienced after his return. I desire to express the deepest sympathy with the late Mr. Wilkinson's widow and children.

The SPEAKER: I wish to endorse what the Premier and the Leader of the Opposition have said. For some 20 years I have been personally acquainted with Mr. Wilkinson, not only within this House but outside it. Just as he was of a kindly nature in this Chamber, so he showed himself genial to everyone who met him outside. Unfortunately he is another of the late war victims. Not only has this House lost a bright young officer, but I personally have lost a valued friend.

QUESTION—EDUCATION, REPAIRS TO BUILDINGS.

Mr. TONKIN asked the Minister for Works: What amounts have been expended annually during the last six years on repairs to teachers' quarters and Government schools?

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

The MINISTER FOR WORKS replied: Year ended 30th June, 1928, £21,994; year ended 30th June, 1929, £26,819; year ended 30th June, 1930, £25,590; year ended 30th June, 1931, £9,309; year ended 30th June, 1932, £5,016; year ended 30th June, 1933, £7,300.

QUESTION—SANDALWOOD, DISTILLATION, ETC.

Mr. WISE asked the Minister for Forests: 1, What quantities of sandalwood from the North-West were used for distillation purposes in this State for the years ended (a) 30th June, 1932; (b) 30th June, 1933? 2, What is the approximate value of the plant used in this industry for distillation purposes? 3, What is the possibility of orders in the near future for the northern type of wood?

The MINISTER FOR FORESTS replied: 1, 1931-32, 131 tons; 1932-33, 187 tons. 2, The plants referred to are privately owned, and the Government have no information concerning the value of such plants. 3, Large stocks of oil are held by distilling firms, and the possibility of placing orders in the near future depends on overseas sales.

QUESTIONS (2)—UNEMPLOYED, COLLIE.

Sustenance Workers.

Mr. WILSON asked the Minister for Employment: 1, When a worker is stood down from his basic wage quota of work and put on sustenance, is he compelled to work for such sustenance allowance? 2, Will sustenance men in the Collie district be employed by the municipal council or road board of Collie? 3, If such sustenance men are employed by the Forests Department, will they work on day wages or on the piece-work block system?

The MINISTER FOR EMPLOYMENT replied: 1, No. 2, Whether sustenance men will be employed by either of these bodies or on forestry work will depend upon circumstances. 3, Under the system operating in respect of the particular work to be performed.

Sustenance and Relief Applications.

Mr. WILSON asked the Minister for Employment: 1, As applicants for Government sustenance and relief in the Collie district at

present have to apply through the unpleasant medium of the police station, will he consider the advisability of removing the office to a more dignified, suitable, and central portion of the town? 2, Will he also consider the advisability of appointing an officer of his department to receive and deal with such applications, thus eliminating any unnecessary delay in dealing with them and ensuring that they will be dealt with in the same expeditious manner as is the case in Perth?

The MINISTER FOR EMPLOYMENT replied: 1 and 2, The system obtaining at Collie in regard to applications for sustenance and relief is satisfactory, and the suggested alterations are not necessary.

QUESTION—WATER SUPPLY.

Collie Weir Workers.

Mr. WILSON asked the Minister for Works: 1, Under what agreement or award are the workers on the Collie water supply weir working? 2, What is the distance that a man must be working from his home town before he is entitled to draw the camping-out allowance?

The MINISTER FOR WORKS replied: 1, An agreement of 1926 (as amended) with the Australian Workers' Union covering general construction work. 2, No distance is prescribed, but the allowance of 5s. 3d. per week is paid to construction workers who are required to live in tents at or in the neighbourhood of the job.

QUESTION—WHEAT CARTING SUBSIDY.

Mr. MANN asked the Premier: Do the Government intend to continue the wheat carting subsidy to settlers east of Narembeen and Hyden Rock?

The PREMIER replied: The Government will give full consideration to the needs of the settlers in this district.

QUESTION—RAILWAY CONSTRUCTION, EAST OF NAREMBEEN.

Mr. MANN asked the Minister for Railways: 1, Do the Government intend to construct a railway from Hyden Rock to assist settlers east of Narembeen? 2, If so, as

these settlers are carting up to 50 miles. will the Bill be brought down this session?

The MINISTER FOR RAILWAYS replied: The Railway Advisory Board has been instructed to investigate and to make a report to the Government.

QUESTION—UNIVERSITY SALARIES.

Mr. LAMBERT (without notice) asked the Minister for Education: Can he obtain from the University a balance sheet showing revenue and expenditure for the last financial year and the salaries paid to the various professors, officers, and members of the staff?

The MINISTER FOR EDUCATION replied: I think the hon. member might address his question to the Treasurer, who is the only Minister concerned with financial assistance to the University, such assistance being given by way of grant. The hon. member might give notice of the question for tomorrow's sitting.

BILL—TENANTS, PURCHASERS, AND MORTGAGORS' RELIEF ACT AMENDMENT.

Introduced by the Minister for Employment, and read a first time.

BILL—POLICE ACT AMENDMENT.

Second Reading.

Debate resumed from the 29th August.

MR. DONEY (Williams - Narrogin) [4.43]: I do not think the Minister responsible for this Bill could have done otherwise than bring it down. The measure, as I see it, is justified by considerations of justice and economy. For that reason I shall support the second reading. The position confronting us is that now, and for some time past, certain men have been defrauding the Treasury by means of false declarations wherein they describe themselves generally as destitute, when in point of fact they may be quite comfortably off. It seems to me to be the duty of every member of the Chamber to defend the people's money against this type of attack. Until two or three days ago I had thought that Section 66 of the Police Act made ample provision for this class of *mi-demeanour*, but apparently it

does not. Subsection 2 of the section reads—

Every person imposing or endeavouring to impose upon any charitable institution or private individual by any false or fraudulent representation either verbally or in writing with a view to obtain money or any other benefit or advantage shall be proceeded against, and may be deemed a rogue and vagabond.

That provision at first sight appears comprehensive enough, but the Crown Law Department seemingly regard it as altogether inadequate. They appear, strangely to me at all events, to differentiate between a fraudulent person who works and a fraudulent person who does not work, despite the fact that the fraudulent intent is exactly the same in each case. The Crown Law authorities apparently have decided that no civil action whatever can lie against the person who by means of a false declaration takes from the Treasury more than his share, if at some subsequent date he works for the amount that he has wrongfully received. But if that man does not or cannot work for the sustenance money, the Crown Law Department holds that a case does lie against him. It may be seen that in those circumstances a man's guilt or innocence is an accidental matter. It might easily be that if the man who was charged happened to be living in the vicinity of relief work what time he was wrongfully receiving the sustenance money, he would be required to work for that sustenance and consequently would be within the law: whereas, if on the other hand he was unfortunate enough to be living in a place where no relief works were available, he would be held by the Crown Law Department liable to prosecution. That is a very stupid differentiation which should be corrected, and the Bill aims at correcting it. To my mind, a person in those circumstances is guilty or not guilty according to whether he wilfully made a false declaration as a result of which he benefited at the expense of needier people, but he certainly cannot be guilty according to whether or not he lives close to the relief work. Although I have no major fault to find with the Bill, I suggest that perhaps the proposed amendment should not be to Section 66 of the Act, a section which imposes altogether too harsh a maximum for this class of wrong-doing, but should be made in either Section 64 or Section 65, which carry as a maximum penalty only six months' imprisonment. I re-

cognise that a magistrate's discretion would probably save a man from a harsher penalty than he deserves, but the Minister will agree that magistrates' discretion and sense of proportion cannot always be completely relied upon. The idea has been expressed, I think by the Minister when moving the second reading, that it would not often be necessary to resort to the penalty proposed by the Minister—on the ground, presumably, that the Bill would act as a deterrent to would-be offenders. It might have that result during the time it is passing through Parliament, when it will get a good deal of publicity, but it is clear that its deterrent influence would be only temporary. The Minister, when moving the second reading, said this proposed legislation, together with certain actions taken by his department, had already frightened some 300 persons off sustenance—apparently persons who were liable to prosecution—and that the resultant saving to the State would mean £50,000 per annum. I am a little sceptical of the Minister's total, but if it be correct I can only say he is to be complimented, and that his appointment as Minister for Employment has been justified. I note the word "wilfully" in the amending clause. If that word were sympathetically interpreted, it would admit of the plea that a person being charged had erred inadvertently. The Minister will agree that there will be many cases of false declarations without fraudulent intent. However, I am pleased that provision has been made for the offenders pointed to, and in conclusion I suggest that the Child Welfare Department will probably be just as pleased as the Unemployment Board that legislation of this kind is being undertaken.

HON. N. KEENAN (Nedlands) [4.50]: In every part of the House, I presume, members will feel sympathy with the idea put forward by the Minister of protecting the public funds from exploitation, and to that extent he will receive support from every member; but I confess that on reading the measure it seems to me that whilst there is due warrant for some change of the law, the proposal is most drastic. The present position of the law has been explained by the last speaker, who read to the House, Section 66 of the Act, which provides that any person obtaining money or money's worth by false pretences is liable to prosecution and to a very

serious penalty. Also it is provided in the Criminal Code, Section 409, that any person who by false pretences obtains from any other person anything capable of being stolen—that includes money or money's worth—is guilty of a crime. So the existing law provides ample safeguard against any person who commits the offence of obtaining money or money's worth by false pretences. But it is said that the law does not give the department protection against persons who obtain work by false statements or false pretences. That is correct; the mere obtaining of work would not be in the nature of obtaining money or money's worth, because it is merely obtaining work for which money will be paid. The mere offence of obtaining work by giving a name which is not the real name of the applicant for work appears to me to be a very small matter indeed. It is not morally wrong, so we are going to create it a legal wrong. Goodness knows how many have obtained from time to time work by using a name which, perhaps, was more pleasing to the probable inquirer than the real name. For instance, in Germany to-day I think any Jew would certainly do so.

Mr. Marshall: And he would be justified.

Hon. N. KEENAN: Yes. In many parts of the world where persons of certain races are not persona grata it may be quite legitimate to adopt another name in order to obtain employment. So this proposed statute would go very much farther than any moral law would warrant. What the Minister requires protection against is the application for sustenance work of a man already in employment, or of a man who has means and is not therefore eligible for sustenance work. But the Bill covers everything possible, for it reads—

Any person who by wilfully making any false statement or representation as to his identity or circumstances obtains or attempts to obtain under any scheme for the relief of unemployed, destitute, or indigent persons any work, etc.

Meaning sustenance work. It is going to far too great a length. A man in seeking to obtain sustenance work may pretend that he is Smith, when his own name is Keenan or some other objectionable name. I am not going to be a party to altering the law so as to create the proposed state of affairs. The proposal goes to far too great a length, and I hope the Minister will have the clause so amended as properly to protect what we all want to protect: to prevent a man with

private means, and therefore not entitled to sustenance work, from obtaining it by a representation that he has not those means, or by some other offence which is resorted to by those who set out to defraud the public funds. However, this proposed legislation would be far too drastic, and not in any sense justified.

MR. LATHAM (York) [4.57]: I will oppose the second reading for reasons similar to those put up by the last speaker. If the Minister desired to bring down some legislation to protect the public funds, he should have brought down a Bill which would not amend the Police Act at all. It is proposed that we should put into the Act this amendment, and I think members ought to know something about what it is. Section 66 of the Act contains this—

Every person who shall commit any of the next following offences shall be deemed a rogue and vagabond within the meaning of this Act, and shall on conviction be liable to imprisonment for any term not exceeding twelve calendar months with or without hard labour . . .

(2) Imposing or endeavouring to impose upon any charitable institution or private individual by any false or fraudulent misrepresentation either verbally or in writing with a view to obtaining money or any other benefit or advantage—

Shall be liable to a penalty. Then, as the member for Williams-Narrogin pointed out, provision is made for the punishment of certain individuals who come under the Police Act. The Minister himself made out a case the other day, showing clearly that under the sections of the Police Act he had had successful prosecutions.

Mr. Doney: Not for all offenders.

Mr. LATHAM: For all offenders against whom he took action.

The Minister for Employment: The hon. member could not have been listening very attentively.

Mr. LATHAM: The Minister secured convictions against all those whom he charged. I have no objection to protecting the revenues of the State—the Government usually seem to have ready means for dealing with a person who desires to get something for nothing—but I have strong objections to making a rogue and vagabond of a man who merely tries to obtain work. I know of a single man who, anxious to obtain work—he is opposed to accepting charity—has passed himself off as a married man. I admire a man who really tries to obtain work.

Perhaps even the Minister has not always spoken the truth when it came to an attempt to get work. I admit candidly that I have not. Years ago when things were bad, I had to make a mis-statement in order to obtain employment. Consequently I am not going to allow the Bill to pass without entering a protest for the man who is genuinely desirous of getting work. I will help the Minister to protect the funds of the State against exploitation, but I will not help him to make a man a rogue and a vagabond and render him liable to imprisonment for 12 months simply because he endeavours to obtain work. The Government should carry out their promises. The Minister said he was going to change the orders of the previous Government. Is this the way he intends to do it? I hope not. Similar legislation was proposed to the previous Government; we were asked to introduce it.

Mr. Marshall: Who asked you?

Mr. LATHAM: The same people.

Mr. Marshall: Who are they?

Mr. LATHAM: The Unemployment Board and the people who know the circumstances because of their intimate association. Could supporters of the Government picture us introducing such a Bill? I could imagine members opposite talking for days and weeks in opposition to it. It is remarkable that proposed legislation that we would not introduce should be sponsored by the present Government. I hope members will consider the Bill seriously. I am not going to make it a party matter. That is shown by the fact that the member for Williams-Narrogin (Mr. Doney) is supporting it. I regard the Bill from the point of view of the man who desires not to receive charity but to get work. I appeal to the Minister and his supporters not to make of a man who attempts to get work a rogue and a vagabond liable to 12 months imprisonment.

Mr. Marshall: We know as much about it as you do.

MR. McDONALD (West Perth) [5.2]: I join with those who desire that all possible protection should be afforded the public funds for the benefit of sustenance workers, but with the Leader of the Opposition I feel that this House should be reluctant to increase the penalties already provided under the criminal law. It has always been a feature of British legislation, as far as possible, not to increase the list of penalties.

of which there are already a considerable number. I believe that in the peculiar circumstances prevailing we should be very chary about imposing criminal liabilities upon a class of people who are singularly defenceless. The people applying for sustenance in many instances, are not people of any great education; they are people unaccustomed to reading regulations or Acts of Parliament, and they are people in very great distress. If any legislation be passed, it should be the minimum necessary to protect the State funds against imposition. I think this Bill will go beyond what is essential, because it contains provisions that are very drastic. It would be better if the clause were restricted to apply to cases of misrepresentation regarding some material circumstance. As the member for Nedlands (Hon. N. Keenan) pointed out, almost any circumstance would give rise to a charge under this measure. Regarding paragraph 2 (b)—

Mr. SPEAKER: I remind the hon. member that he is not allowed to discuss the clauses at this stage. He may discuss the Bill generally.

Mr. McDONALD: I should like to see the Bill confine the obligation to statements that may be regarded as material, and not to statements which may be immaterial, and which would cause the representor to be liable to a penalty up to 12 months imprisonment.

MR. SAMPSON (Swan) [5.51]: I find myself in agreement with the Minister in his efforts, not so much perhaps to defend or protect the public exchequer as to defend and protect those who require assistance because of their destitution. The Minister is striving to do the best possible in most difficult circumstances. If there are opportunities for those not in necessitous or destitute circumstances to secure work or relief under any scheme for the help of the destitute, then the really destitute persons will suffer. From that standpoint there is justification for the fullest effort to prevent public funds being diverted into a wrong channel. Many local authorities have been provided with funds with which to pay for work, but the funds have been restricted to the payment of persons approved as being destitute or in sufficiently needy circumstances to justify their benefiting. I should like to direct the attention of the Minister to a class of per-

son who so far has not been approved. There are many men who, by the practice of thrift, have got together a few pounds, and they, unfortunately, have not been permitted to engage in any Government work. I hope consideration will be given to such men.

The Minister for Employment: We are not dealing with that aspect at all.

Mr. SAMPSON: I realise that men will gladly work to earn money, and their circumstances, if not sufficiently hard to justify their coming under a relief scheme, would tempt them to mislead those charged with the responsibility of distributing the money as intended by the Treasurer. It is painful that there is not work for everybody, but the circumstances must be considered and the money available distributed according to the necessities of those concerned. It would be immoral for any man, in circumstances not warranting relief, to obtain work by misrepresentation, whether in respect of identity or otherwise, and thus reduce the amount available for those genuinely in need of relief. I hope that in all cases where real need is shown, assistance will be given, and that it will be given without unnecessarily humiliating the sufferers. I shall support the second reading because I feel a good deal of sympathy with the Minister and the officers concerned with the administration of relief funds.

MR. STUBBS (Wagin) [5.10]: The Minister desires to protect the Treasury from being defrauded by persons making false declarations. I do not think there is any member who has not been approached by persons regarding their financial position and asked for relief to assist them temporarily to tide over their financial difficulties, and probably there is no member who has not been taken down. This Bill is designed to protect the Treasury, but in my opinion there is a distinction without much difference. I ask members, before consenting to enact a measure authorising increased penalties, to consider who should throw the first stone. I appreciate that the Minister is charged with the responsibility of ensuring that the Treasury is not defrauded, but I am not satisfied that the Minister has not already sufficient power to punish any misdemeanour severely.

Mr. Doney: We all thought that, but the Crown Law Department do not agree.

Mr. STUBBS: I ask the hon. member to remember that there are hundreds of people who make statements that are not correct in order to shield an innocent person or perhaps their own offspring. I would not attempt to prevent the Minister from doing his duty, but I ask members not to brand as a criminal every person who may make a false statement perhaps on the spur of the moment or to hide some little skeleton in the cupboard. We have all been guilty of making mistakes and we do not want to be imprisoned for them. When the time comes for people to be judged for every offence or trouble they have got into or mistakes they have made, if they are not also going to receive credit for the good points that stand in their favour, no court in the world will hold them all. I therefore ask that before the Bill is passed, the Minister should make quite sure that this is a step in the right direction. I am not in favour of the Bill on the grounds set out by the Minister in his second reading speech.

MR. SLEEMAN (Fremantle) [5.16]: I do not like the wording of this Bill. I believe, if it goes through as printed, it will give the department too much power. Things may be all right while the present Minister is in office, and if he decides that every case must come before him prior to a prosecution being launched, but the Minister will not always be in his present position.

Mr. Latham: He should not be asked to accept all that responsibility.

Mr. SLEEMAN: Another Minister will take his place some day. We know that some officials, if they had possessed this power, would have launched quite a number of prosecutions during the last 12 months, and in my view it would have been wrong to have done so. I know of cases in which people could have been convicted under this proposed new law, whereas I think they were quite right in doing what they did to obtain the scanty work they required in order to live.

Mr. Doney: Such people would have been proceeded against under this Bill.

Mr. SLEEMAN: I know of a single man who in the last 12 months did obtain some work by declaring that he had no relations who were in employment. He had previously tried to get work. He had a brother with whom he has not been on friendly terms for many years, but who was in employment, and the department ruled that

because of that the applicant for work could not be given any, as it was the duty of the brother to support him. This unfortunate man told a white lie, and I would have done the same had I been in his position. If the Bill is placed on the statute book, it will be possible for prosecutions to be launched in such cases. I know of men who have been refused sustenance because they have had single daughters at work, although those daughters were not working anywhere near their homes. The fathers might have had to deny that their daughters were working in order that they themselves might have got the wherewithal to live. Although I am willing to assist the Minister in putting down any wrong doings, such as he described, through people trying to get sustenance by devious means, I do think the Bill could be worded differently. People of the kind I have referred to should not be branded as rogues and vagabonds because they need work. I should like the Minister to put the Bill on one side so that it may be re-drafted in a form that will be more acceptable to the House.

HON. W. D. JOHNSON (Guildford-Midland) [5.20]: I feel that the Minister has done good work in launching prosecutions in certain instances, and that as a result of his activities in using the law as it stands, he has prevented quite a number of people from continuing to defraud the State. He made it clear in his second reading speech that time has not permitted him to go as far as he might in investigating cases, and in protecting the State through the medium of the law as it now stands. Up to date, however, he has accomplished a fair amount of good. He anticipates that he will be able to do more in the future with the existing law. The methods adopted by Governments to give relief to the unemployed have not changed a great deal, and are much the same under this Government as they were under the previous Government, who were able to get through with the law as it stands. It would appear they were not as active in the administration of the affairs of State as is the present Minister for Employment, but they did administer the law and seem to have been satisfied with what they were able to do. I am of opinion that the Minister requires a little more experience of the existing law before asking Parliament to amend it by this Bill. I do not think the time is ripe for the mea-

sure. The Government might have a little more experience of administering the law as it stands. The fact that it has been possible to achieve as much as the Minister disclosed, convinces me that a Bill of this kind is unnecessary in the existing circumstances. Therefore I cannot support the second reading.

MR. MARSHALL (Murchison) [5.22]: I sympathise with the Minister and the Government in their attempts to protect what little money the taxpayers are compelled to contribute to provide for social services and other requisite departmental expenditure. When bringing down this Bill the Minister should have given closer consideration to the wording of the section of the parent Act, which he proposes to amend. I suggest that Section 66 of that Act is badly in need of amendment. The Act was brought into operation in 1892. Under the section I refer to, even in the case of petty offences, a person may be deemed to be a rogue and vagabond. Because a man happens to loiter around a lodging house or some vacant building, if he cannot explain his presence immediately the limb of the law places his hand upon him, he is charged under Section 66 and may be classed as a rogue and vagabond. Had the Minister first of all amended that section, he might have induced members to give the Bill more kindly consideration. Because of the economic pressure, scores of worthy citizens sleep out during the warmer season of the year, to avoid stuffy rooms, or borrowing money, cadging it, or going into debt. That sort of thing has become very popular since the depression came upon us. Scores of honest citizens take advantage of the warm weather to sleep in some particular spot around the city or town, and if the police like to be officious and take advantage of the law, those people can be proceeded against under Section 66 and immediately be classed as rogues and vagabonds.

Mr. Stubbs: A kind of drag-net section.

MR. MARSHALL: That is where the Minister made a mistake. Had he gone to the trouble in the first place of amending that section, we would probably have given more favourable consideration to the measure now before us. Whilst that section remains, no conscientious person could possibly support the Bill. Why should a man be deemed to be a rogue and vagabond, because in his desire to get work he tells a little tale to the

"bobby"? He is also liable to imprisonment for 12 months.

Mr. Ferguson: We would all do that if we wanted a job.

MR. MARSHALL: Of course. The general consensus of opinion amongst the older people of the community is that the younger section do not want to work. I refer to those old hands who were young in the days when we had "ships of wood and men of iron." One hears that the older citizens are so fit that they could jump over this building or swim from here to India, but they maintain that the present generation neither wants to work nor can work. Under this Bill, if an individual, young or old, is so ambitious that in order to get employment he tells a little falsehood, he becomes a rogue and a vagabond. The Minister cannot expect us to support the Bill although we deeply sympathise with the object he has in view. I will endeavour to anticipate his reply. You, Mr. Speaker, were a member of the Chamber when a heated discussion took place between the predecessor of the present Minister for Industries and myself in respect of the employment of a certain individual. Under this Bill a person will be deemed to be a rogue and a vagabond, and be liable to imprisonment for 12 months if he tells a falsehood. The individual in question was of a very industrious and saving type. He lived on the goldfields for many years, was married and reared a family. Due to the malady that is peculiar to the mining industry his lungs were affected. He came to Perth, and secured employment in the sewerage department. As he was thrifty and his life partner was also thrifty, he saved money. When the depression occurred, his services were dispensed with, and he was out of work for two years. His reserves were gradually eaten up. He could not get sustenance because he had been thrifty and economical and had saved money. But he wanted to live as a respectable citizen and had to fall back on his savings. He was compelled by the previous Government to eat up everything he had saved, and even sacrifice his home, before he could get any relief. I suppose there are still a few of such people alive. If I am correctly informed, an inquisitorial examination is made into every application for sustenance, into the home as well as the banking account of the individual. Not much can be left in the banking accounts of any of these individ-

nals. If, in order to save things that were near and dear to him and his wife, he were to say that he was not in possession of them so that he could get a job, he would be immediately declared a rogue and vagabond, and would be liable to 12 months' imprisonment. I do not say that the department would take advantage of the position and would deal with the man in that way. The fact remains, however, that the Government have not altered that phase of the conditions governing the employment of men. The man who has funds at his disposal should not be a charge on the taxpayers of the State, but he should at least be permitted to enjoy a portion of the work made available by the Government. I would not for one moment advocate that an individual in the position I have indicated, should be a responsibility on the taxpayers, but, out of consideration for his worthy citizenship and past thriftiness, he should have the right to participate in available departmental work. If the Bill be agreed to, that would be impossible without a danger of prosecution and of being declared a rogue and vagabond, notwithstanding that he merely made an honest attempt to secure employment, which is an ambition that we should admire in every individual. Perhaps not too many members of Parliament like work, but should ever the time arrive when, through economic conditions, we are forced to seek employment, I for one would not hesitate at a little falsehood to secure employment. There is another aspect. It is abhorrent and objectionable to most of us that individuals in possession of wealth or of an assured income should be guilty of imposition. The Minister quoted one or two instances of individuals with incomes well above the basic rate of wages and with little financial responsibility to shoulder, who had imposed upon the department. I think the Minister said that the department had been called upon to provide sustenance for one. No doubt the Minister's information was authentic because individuals have been prosecuted. It is abhorrent to think that persons in that position should secure employment and even sustenance at the expense of others who had to go hungry. I am nonplussed as to what to do regarding the Bill. I am inclined to support it because of the little virtue that it possesses. We should not tolerate the imposition that the Minister has referred to, but, on the other hand,

we should be very loth to prosecute because of good citizenship. Weighing the measure in the balance, I believe that if the Minister were prepared to adjourn the debate until some more acceptable legislation were introduced, he would receive the assistance of members to achieve the object he has in view. Rather than risk doing a grave injustice to worthy citizens, I feel I must vote against the second reading of the Bill.

MR. F. O. L. SMITH (Brownhill-Ivanhoe) [5.35]: I oppose the second reading of the Bill. My views coincide with those of members who have expressed the opinion that the objectionable practices the Bill has been introduced to cope with, should be dealt with in a separate legislative enactment. I have a good deal of sympathy for the Minister for Employment, particularly regarding his administration as it relates to sustenance operations. I realise his great sincerity and I also acknowledge that he appreciates the fact that if the State is defrauded in respect of sustenance matters, the measure of relief that can be extended is in consequence correspondingly modified. I realise, too, that the Bill has been introduced because of instances that came under the notice of the Minister for Employment who found that he could not deal with them under the existing legislation, although the practices were of such a nature that prosecutions should have been instituted. Owing to the comprehensive nature of the Police Act, with the drastic provisions embodied in the Bill included, I feel there would be no cases in future that could not be dealt with. I rather think, too, that the legislation, as it would be amended if the Bill were agreed to, would also cover many cases that, in the general run of circumstances, would not necessitate action. However warranted this legislation may be in existing circumstances because of the fact that we have to deal with so many indigent individuals under one existing social system, there is no justification for the Bill being placed on the statute-book for all time. That is what will happen if we agree to this measure. The Police Act in its amended form will not only cover relief workers, who are affected at present by the sustenance schemes, but it will apply to relief work for unemployed for all time, however circumscribed the effort may be.

Mr. Latham: It will not be restricted to Government activities, either.

Mr. F. C. L. SMITH: I am aware of that fact. There have been times in Western Australia when work has had to be found for unemployed even in prosperous days. I recollect that the closing of a mine on the Golden Mile on one occasion threw about 500 men out of work. For the purpose of finding employment in that particular district, a certain amount of road work was undertaken. If I read the provisions of the Bill aright, in the future any person securing employment in similar circumstances, in even a circumscribed scheme, who happens to indulge in a little misrepresentation, will be brought under the provisions of the Police Act. During my career I have met many men who have secured work at which they have been successful, and in their effort to secure work at the outset, they made misrepresentations. I know a man who secured a position as a window-dresser who had never before dressed a window, yet he made a success of the job. Another man secured work as a drapery salesman, after representing himself as an experienced hand. He had never before served behind a counter, and yet he was successful in the job. There are times in our lives, when, being out of work and looking for a job, it is essential for us to indulge in a little misrepresentation in order to secure employment. There are a large number of men who have adopted that course and have secured work. Some men are good at holding down a job when they secure it, whereas others are good at getting jobs but are not so successful in holding them down. Those who are good at getting jobs usually employ a little misrepresentation in order to secure their positions. I notice the Bill provides that it is only where a false statement is made wilfully that a prosecution will follow. Naturally, a man would not be prosecuted who made false representations as the result of misunderstanding. I trust the Minister will reconsider the whole position and withdraw the Bill with a view to introducing another that will be confined to sustenance relief work, which the Government have in hand.

MR. J. H. SMITH (Nelson) [5.43]: I shall vote against the second reading of the Bill and in the circumstances I do not desire to cast a silent vote. Like other mem-

bers who have spoken, I know of instances where false declarations have been made in order to secure employment. In my opinion, the Minister has not made out a sufficiently strong case to warrant the House agreeing to such drastic amendments to the Police Act. When we consider that the persons who will be affected are those who are seeking employment, it will be appreciated that the Bill is too drastic. Some members think we could alter the Bill in Committee, but I do not think that will be possible. The Leader of the Opposition made the definite statement that the Mitchell Government were asked to introduce legislation of this description, but it surely is not desired to make everyone a rogue and vagabond. I trust the Minister will see his way clear to follow the advice of the member for Fremantle and withdraw the Bill. He can then substitute another Bill that will give him the power that he requires. The Minister does not want unnecessary power; already I imagine he has power to deal with the cases it is intended to cover. He told us when introducing the Bill that 300 people had gone off sustenance. If that is the case, it shows that the Minister has been doing his job. I cannot understand the member for Williams-Narrogin supporting the Bill, but I do hope the Minister will listen to the expressions of opinion that came from other members and withdraw the Bill.

MR. LAMBERT (Yilgarn-Coolgardie) [5.47]: I do not know that great exception can be taken to the passing of the second reading of the Bill. If it does not entirely meet with the approval of every hon. member, it can be modified or amended in Committee. As I read proposed Section 2 (a), it merely sets out that—

Any person who, by wilfully making any false statement or representation as to his identity or circumstances—

That compels him to say exactly who he is or what he possesses. It is only proper that when we are giving relief to a person, that person's identity should be established, and it should also be disclosed whether he is possessed of anything, so that it might be determined whether he is deserving of relief. The proposed section goes on—

—obtains or attempts to obtain under any scheme for the relief of unemployed, destitute, or indigent persons, any work, employment, or benefit in money or money's worth for himself or any other person.

The Minister is quite right in claiming that a person who is seeking employment or relief should most definitely establish his identity as Jack Smith or Bill Jones, and next, as to whether he is possessed of any means. I cannot see that any grave exception can be taken to that. The Bill can be modified in Committee so that no injustice will be done.

Mr. Latham: My argument is that this will be permanently on the statute-book.

Mr. LAMBERT: Under the principal Act the Minister has power to prosecute anyone. That Act seems to me to be perfectly clear. Any person who endeavours to impose on any charitable institution can be prosecuted now. Section 66, Subsection (2), of the principal Act sets out—

Every person imposing or endeavouring to impose on any charitable institution or private individual by any false or fraudulent representation, either verbally or in writing, with a view to obtaining money or any other benefit or advantage—

Probably the Minister may see fit, in view of the activities of his department, to amend the Police Act along those lines. I cannot hold with the member for Brown Hill-Ivanhoe (Mr. F. C. L. Smith) that there would be any hardship in a man's setting out that he was a carpenter when he was not a carpenter, or a window-dresser when he was not a window-dresser. Because of the money that is being expended, an amount that may yet have to be increased, it is necessary to fortify the Minister with legislation to prevent rogues and vagabonds getting away with misrepresentation. In view of that fact, and in view also of the many deserving cases that require assistance to-day, we should give the Minister whatever safeguarding legislation he deems necessary in the proper conduct of his department. There are many people to-day who would impose upon the Government if they could. I do not say that a great number of unemployed are doing so, though we know some are. With the aid of this legislation the Minister will have additional money for the deserving cases so many of which exist in the State. I support the second reading.

MR. HAWKE (Northam) [5.55]: I am surprised indeed at the many statements that have been advanced on the second reading debate of the Bill. Some of them have bordered almost on the amazing. More than

one speaker has expressed the opinion that everybody would do the sort of thing that the Bill contemplates stopping. I deny that. I say that everybody would not do what has been suggested and that everybody does not do it. Of the thousands of men who to-day are on relief, not more than 10 per cent. do what has been suggested; the other 90 per cent. make honest statements concerning their circumstances. It would be possible for every man in receipt of relief to set out that he has more dependants than actually is the case; but that is not done. Ninety per cent. of them are absolutely honest with the State and ask nothing more than they are entitled to receive. Therefore it is wrong for hon. members to say that everybody would do that kind of thing if the opportunity presented itself. In my opinion, that is a libel upon the great majority of men on unemployment relief to-day.

Mr. Latham: I did not hear it said.

Mr. HAWKE: I heard it, not only in speeches, but by way of interjection, and it is useless the Leader of the Opposition denying it. If 10 per cent. of those in receipt of relief are making false statements, and are doing so wilfully for the purpose of getting more than they are entitled to, then the Minister of the day or the Police Department should have the power to punish whoever is trying to exploit the State.

Mr. Latham: What about candidates at election time.

Mr. HAWKE: Yes, I am afraid the Leader of the Opposition would be serving a life sentence. The member for Nelson (Mr. J. H. Smith) made a most amazing statement when he claimed that the Minister already had power to deal with the cases the Bill was intended to cover.

Mr. J. H. Smith: I said I anticipated he had that power.

Mr. HAWKE: The hon. member said it definitely. The Minister in his second reading speech clearly pointed out that the department had power to prosecute and had punished those men who had made false representations in their applications for sustenance, but he had no power to prosecute and punish those who made false representations in regard to the obtaining of actual work, and it was that weakness the Minister desired to correct. If it is proper that the Minister should have power to punish those

who make false statements in their applications for sustenance, it is equally proper that the Minister should have power to punish those who make false statements for the purpose of getting relief work on Government employment schemes. There is no difference in the offence and members should demonstrate some consistency in that respect. The member for Nelson said that if the Bill became law we would be declaring people rogues and vagabonds for attempting to obtain employment. That is a false statement. The Bill will not declare people to be rogues and vagabonds if they attempt to secure work, but they will be declared such when they dishonestly attempt to obtain it. That is an entirely different thing. Other speakers have declared that if the Bill is passed, it will become a permanent part of the Police Act. There is no strength in that contention. Even if it does, it will only operate when the law is broken; it will only operate when men are prepared to take the risk of making false statements for the purpose of obtaining from the State something to which they are not entitled. Therefore I see no danger in this becoming a permanent part of the Police Act. If the evil mentioned by the Minister is indeed an evil, there is every reason why the provisions of the Bill should become a permanent part of the Police Act, so that there may be power to punish the offenders when breaches occur. I presume that the Minister from time to time in charge of the department will have the responsibility of authorising prosecutions, and that the police will not be left to rush in and launch prosecutions whenever they think fit.

Mr. Latham: Under this Bill they will be able to do so.

Mr. HAWKE: Possibly, but the Leader of the Opposition will agree that in practice the Minister's authority will be the deciding factor.

Mr. Latham: If the present Minister is to be perpetually Minister for Employment, that may be so.

Mr. HAWKE: That point does not affect the matter. Every Minister holding the position would prevent the launching of prosecutions out of a spirit of viciousness. He would not authorise prosecutions unless they were entirely justified. I would support the alteration of the clause so as to make it obligatory on the Minister to authorise prosecutions. In addition, para-

graph 2a of Clause 2 should be made clearer and more definite. I am certainly not in favour of prosecuting a man merely because he misrepresents his identity.

The Premier: Unless he does it for the purpose of obtaining money to which he is not entitled.

Hon. N. Keenan: That is an offence now.

Mr. HAWKE: I suggest to the Premier that if a man merely misrepresents his identity and not his circumstances, no great crime is involved. As the provision now reads, a man would be liable for merely misrepresenting his identity irrespective of whether he misrepresented his circumstances or not. We need not go to the extent of making it possible for a man to be prosecuted for mere misrepresentation of identity, and that part of the provision might well be deleted. I am largely in agreement with the member for West Perth (Mr. McDonald) that something more definite should be set out as to the circumstances involved. That could be done under three headings. The main circumstances which could be misrepresented are the number of dependants, the amount of past earnings, and the existing financial position of the applicant. If the measure passes the second reading, as I believe it will, I shall move an amendment along those lines; and I feel sure that the Minister will offer no objection to it. As regards paragraph (2b) of Clause 2—

Mr. SPEAKER: I hope the hon. member is not going to follow the bad example of discussing each clause on the second reading.

Mr. HAWKE: In regard to another portion of the clause there is need for clarification, the part setting out that any person who continues to receive work from the Government when he has become disentitled, through any circumstances, to receive it, shall also be liable to prosecution and punishment under the Police Act. We and the public ought to know when a man is no longer entitled to receive relief work. There are not too many people in the State to-day, and not too many members in the Chamber this afternoon, who could say with any definiteness when a man on relief work actually becomes disentitled to continue receiving it. I hope that in Committee it will be possible to make amendments clarifying the position and rendering the measure perfectly satisfactory and workable.

MR. PIESSE (Katanning) [6.7]: To some extent I sympathise with the Minister for Employment and his officers. At the same time I do not feel that I can support the severe provisions of the Bill. While adopting that attitude I do not want it to go forth, and I am sure other members opposed to the Bill do not want it to go forth, that the House would countenance the making of any false representations to the Unemployment Board and the officers concerned. However, we should take into consideration the special circumstances to-day surrounding unemployment, circumstances which can safely be said never previously to have arisen in Western Australia. When framing legislation to deter those who have flouted the law, we should take all those circumstances into consideration. The severity of the penalties is, in my opinion, too great.

The Minister for Justice: Those penalties represent the maximum.

MR. PIESSE: For a person out of employment obtaining work by misrepresentation a fine should suffice the first offence.

The Minister for Justice: In practice that is always so.

MR. PIESSE: I certainly do not approve of what has been done in many instances, and I feel sure that many hon. members are not cognisant of all the circumstances attending some of the cases. One feature of the unemployment question which has always struck me as highly difficult to deal with is the untruthfulness of some applicants. There is a tendency on the part of many out of employment to tell almost any story in order to create sympathy and secure work. In estimating such an offence, all extenuating circumstances should be taken into account. I hope that in view of the opposition raised to the Bill, the Minister will redraft the measure, or else introduce some other Bill that will more fittingly meet the case.

MR. WANSBROUGH (Albany) [6.9]: I rather fear that if the Bill is not amended as proposed, many members of this Chamber in addition to myself will be brought on the carpet. I will give an instance which concerns me. In my electorate a case occurred in which an individual on sustenance picked up a job, went away to the Old Country, and remained away two years. His wife and six children he left behind in Western Australia. Consequently I, as

member for the district, had to set to work to obtain assistance for the family. I admit that in doing so I told falsehoods, but not for the sake of the husband; only for the sake of the wife and children.

MR. LATHAM: And that is what the man himself does.

MR. WANSBROUGH: I should be liable under this Bill. The man remained away from Western Australia, as I say, for two years. He went off sustenance to go on a boat. While he was away the State maintained his wife and six children. He returned to Western Australia last Christmas, and on the 3rd January he was again on sustenance. Upon his return he himself made false statements in that connection. Since going on sustenance again, however, he has been able to purchase a business for £400. Such a man should be punished, and should be made to refund every penny his wife and children drew while he was away.

MR. MARSHALL: We all say that.

MR. WANSBROUGH: I say it with emphasis. Such doings should not be allowed to continue. I hope that the second reading will pass, and that in Committee the Bill may so be amended as to make it more reasonable. I acknowledge, however, that in principle the Bill is right.

Sitting suspended from 6.15 to 7.30 p.m.

THE MINISTER FOR EMPLOYMENT

(Hon. J. J. Kenneally—East Perth—in reply) [7.30]: There seems to be some misunderstanding in regard to the measure and the reason why it is necessary. The member for Williams-Narrogin remarked that I had said there would be a saving of £50,000 per annum. What I really said was that the prosecutions already taken in the law courts meant a saving of over £30 a week, that since those prosecutions over 300 men had disappeared from sustenance, and that I had a good idea of the reason why. But of course even if we take those 300 men, estimate what their sustenance would be and add it to the £30 per week saved, it does not run into £50,000 per annum. The member for Nedlands said it was not a very great crime to give a wrong name in order to obtain employment. I am afraid the hon. member has not paid very serious attention to the object of the Bill. From the Government point of view and from the point of view of protecting the funds of the State, it is a very serious wrong for a man to give

a false name to secure work rightly belonging to people more in need of it. At present it is possible for a man to obtain his quota of the available work, notwithstanding which, according to the member for Nedlands, that man without any serious wrong could under another name secure an additional amount of full-time work and so deprive a person actually in want from getting it. The hon. member says that is not to be regarded as a serious wrong. It is a very serious wrong for those who are wanting the work and who perhaps have been waiting many months for it. The proposal of the Government to provide a period of full-time employment embraces the payment on the one side out of loan moneys of no less than 2½ million pounds, and on the other side from sustenance money of £400,000. At present the State has power to protect payments out of the £400,000 fund, and we have come here to ask for the right to protect payments out of the 2½ million pounds fund, and we are told that it does not matter. It will matter very materially to the consummation of this scheme if the amending legislation is not passed in order to protect the public funds. When the hon. member says it is not a serious crime for a man under an assumed name to get work, he is not touching the real question at issue, which is that a man under an assumed name fraudulently takes from those actually in want what should be theirs. It is only if he does it fraudulently we ask for power to deal with him.

Hon. N. Keenan: No, wilfully, not fraudulently.

The MINISTER FOR EMPLOYMENT: And fraudulently. Under the existing law it is possible for some men to get all the benefit of the scheme, while others get none at all. Members will agree when I say that would be a wrong scheme for us to tolerate. The Leader of the Opposition said the Unemployment Board had put it up to the Minister to get this legislation through. It is shown on the file that it was put up to the previous Minister, but without avail. When I found what was happening, I authorised prosecutions.

Mr. Latham: There were previous prosecutions.

The MINISTER FOR EMPLOYMENT: There were not. There were previous prosecutions asked for.

Mr. Latham: And obtained.

The MINISTER FOR EMPLOYMENT: They were not obtained.

Mr. Stubbs: That is serious.

The MINISTER FOR EMPLOYMENT: I am going to make it still more serious in a moment. The Leader of the Opposition admitted that it was suggested to the previous Ministry to inaugurate legislation such as this, and that they did not do it. Some of those cases I have referred to extend back for years beyond the regime of the previous Government. Is it not a serious statement for the Leader of the Opposition to say that even though such cases were brought under the notice of his Government and it was suggested that they bring down legislation to prevent any recurrence, they did not do so?

Mr. Latham: I will get you the proofs of the prosecutions, and will even make you produce them.

The MINISTER FOR EMPLOYMENT: The hon. member is adept at making people do things; if only he were just as adept at making correct statements, it would be much more satisfactory. The hon. member has admitted that even though the matter was brought under the notice of his Government, no effort was made to save the State from being wrongfully deprived of money; and that although the Crown Law authorities informed his Government that they could not prosecute unless the law were altered, that Government made no effort to have the law amended. Now the Leader of the Opposition says that I presented a case showing that I had the power necessary to do what I required. I thought I had made it clear that I had the power and had exercised it in regard to those on sustenance, but that the Crown Law Department had advised the Government—as it advised the previous Government—that when a person, instead of taking sustenance made a false declaration as to his position and affairs—in the words of the Crown Law Department, “Seeing that it is not a declaration permitted or required by law, therefore the prosecution would not stand.” The object of this legislation is to make such declarations permitted and required by law, so that when it is a declaration made in order to get money from the Government, and is falsely made, the Minister will be able to protect the funds of the State. The member for West Perth said those requiring sustenance are usually

not men of any great educational qualifications. That is right, and that is why there is in the Bill the word "wilfully." It is not proposed to prosecute people who by lack of education have fallen into an error. Provision is made that the offence must be wilfully committed.

Mr. Stubbs: Who is to judge of the wilfulness? Under the Police Act a policeman may say that it was wilfully done.

The MINISTER FOR EMPLOYMENT: No, the police do not determine any of these questions. Action is taken in court, and the presiding magistrate decides the question.

Mr. Stubbs: But who is to say that the person shall be prosecuted?

The MINISTER FOR EMPLOYMENT: If a man wilfully makes a statement that will procure for him from the Government money to which he is not entitled, and enables him to take from others in need money that should be theirs, and if the House will say that we should not introduce legislation to prevent that sort of thing, I am sorry for the future of the House. Of course, anybody accused of a crime can be prosecuted.

The Premier: Innocent men are prosecuted every week.

The MINISTER FOR EMPLOYMENT: Power must be given to the Government to protect the funds of which they are the custodians. It does not matter whether a previous Government have done it; if they have neglected their duty it is not the fault of the Government, and is no reason why this Government should not protect the funds for which they are responsible. When first this state of affairs came under my notice, I authorised prosecution, but could not even get to the court, because the Crown Law Department declared that under the law it would be only a waste of money to go to court. Since a conviction could not be obtained, I have come to Parliament to ask for a remedy. Whether Parliament will grant that remedy is for Parliament to say; but if they do not grant it they cannot hold the Minister responsible for the due observance of the undertaking he has given to protect the funds of the State. The member for Wagin spoke of a skeleton in the cupboard. We cannot legislate with the idea that there may be a skeleton in the cupboard of each person in the community. If we attempted to do that, we would get

nowhere. There may be skeletons of which the hon. member is possibly aware, but this is not the place to deal with skeletons in the cupboard. We are concerned, not about skeletons, but about persons who get money to which they are not entitled. If a man does that, there should be power to deal with him adequately. The skeleton plea could be used in every case of fraud.

Mr. Stubbs: In every walk of life.

The MINISTER FOR EMPLOYMENT: es. The authorities could be asked not to take action against a certain man for having committed a fraud because there might be a skeleton in his cupboard. I hope the House will not be influenced by that argument.

Mr. Stubbs: I think it will.

The MINISTER FOR EMPLOYMENT: Then I shall be surprised. The member for Fremantle (Mr. Sleeman) mentioned the prosecutions in the last three years. There have been prosecutions, and quite a number in the last two weeks, but they have been launched under the section that empowers us to prosecute—in cases of sustenance only.

Mr. Latham: You have power except for those for whom you find work.

Mr. Sleeman: They have to be on sustenance before they can get work.

The MINISTER FOR EMPLOYMENT: This Bill seeks power to apply the same rule to the expenditure of 2½ millions of money as applies to the expenditure of £400,000.

Mr. Latham: They give you work for the money.

The MINISTER FOR EMPLOYMENT: I am not concerned with that aspect. Like the flowers that bloom in the spring, it has nothing to do with the case. Many people want work and there is only a limited amount of work available. Whether the person gives work for the money or not, he is not justified in taking it fraudulently and leaving nothing for the other man. Have members given serious consideration to the figures I quoted in moving the second reading? A man, into whose home £8 a week was being received made a false declaration, applied for work and obtained it, to the detriment of the people who had nothing going into their homes. Would the Leader of the Opposition say that should continue?

Mr. Latham: You promised to give them work.

THE MINISTER FOR EMPLOYMENT: And we are giving it to them, in a greater degree than did the hon. member's Government. In order to be able to continue to give them work, I am asking for this power. I think the hon. member will agree that until we can provide work to absorb the people on sustenance, we should not provide work for people with £8 a week going into their homes. If the hon. member let them go unchallenged, can he blame the present Government for wishing to alter it? Another man I mentioned was receiving £4 19s. a week and obtained Government relief. We are bound to protect the revenue, but we have not sufficient power to do it. We want to get out of the present impasse and absorb in work as many of the unemployed as possible. If members desire that, they will give us the power to say, not to the honest man who desires work, but to the man who has enough to live on, that if he makes a false declaration and deprives people in want of their rights, he shall be placed in the same position as any other man who, by fraud, obtains that which belongs to other people. The member for Fremantle spoke about those who sometimes tell a little white lie. I do not know the colour of lies, but I direct the hon. member's attention to the fact that the word "wilfully" appears in the clause. We are not out to reach after people of the white-lie brigade. We want to reach people who wilfully and fraudulently obtain, or attempt to obtain, from the Government money to which they are not entitled. Another part of the Bill makes provision for throwing on the person concerned the onus of discontinuing the receipt of relief when the circumstances under which he made the claim have altered so as to render relief unnecessary. This is my reply to the member for Northam (Mr. Hawke). When a man applies to the department for relief, he may be entitled to it, but if he becomes possessed of wealth, and becomes independent of Government assistance—

The Premier: He might win a sweep.

Mr. Latham: There are only four a year.

THE MINISTER FOR EMPLOYMENT: The hon. member is wrong again; there are more than four.

Mr. Latham: Not being a gambler, I do not know.

THE MINISTER FOR EMPLOYMENT: The hon. member is wrong, as usual. If the circumstances of such a man alter and he is

no longer in want, we should be able to require him to notify us of his altered circumstances and to cease from receiving the relief. There have been other cases in which men have claimed to be supporting a wife and family who were purely mythical. We should be able to say that such a man should be answerable to the law. A man may truthfully make a statement that a wife and family are dependent upon him, but domestic differences may arise and the wife and family may leave him and receive relief from the Welfare Department. There have been instances in which the husband has continued to receive the money for the wife and family. That must cease.

Mr. Stubbs: Will you deny that any person making a false statement in any court of law can be prosecuted for perjury? What more drastic Act do you want.

THE MINISTER FOR EMPLOYMENT: I can only give the hon. member the facts. I would not attempt to usurp the right to invest him with the necessary intelligence to assimilate the facts.

Mr. Stubbs: Of course all the intelligence is on your side!

THE MINISTER FOR EMPLOYMENT: I would not claim that. I have given the facts three or four times. I am not putting my opinion against that of the Crown Law Department. The department say that those people cannot be prosecuted, and members have to judge between the legal knowledge of the member for Wagin and of the Crown Law Department. The department point out that the declaration is not a declaration made or required by law to be made.

Mr. Stubbs: Could not the regulation be altered without altering the Act?

THE MINISTER FOR EMPLOYMENT: It is not a regulation.

Mr. Stubbs: You just said it was.

THE MINISTER FOR EMPLOYMENT: I did not; I said a declaration. The purport of the measure is to make such a declaration a declaration required by law to be made. The member for Guildford-Midland (Hon. W. D. Johnson) said the Minister had not had time to go thoroughly into the matter. I hope I shall not require as much time as the previous Government needed and still leave the matter where it was. There has been an opportunity to go into the matter from the sustenance point of view and that has been rectified. I have endeavoured to go into it

from the point of view of the other cases covered by this measure, but I have not been able to rectify it, and I have come to the House without delay to ask for the necessary power. If the power is not granted, a fair amount of the money of the country will be spent uselessly in making provision for men not in need, while people in actual want are deprived of Government assistance. I am concerned about the man who is in actual want. The member for Murchison (Mr. Marshall) complained of other anomalies and of no effort being made to rectify them. I do not claim that this measure will rectify any anomalies in the Police Act. If other amendments are required to the Police Act, it would be the obvious duty of the hon. member, if those anomalies appeal to him, to introduce a Bill to rectify them. The member for Murchison said that a man could be declared a rogue and a vagabond for honestly endeavouring to get employment. He could not. If he was honestly endeavouring to get employment, he would not come within the purview of the measure. The Bill is designed to deal with the man who dishonestly attempts to get employment, makes a false declaration, claims that which is not his, and deprives other people, more in need than he of employment, of their rights. The member for Nelson said I had not made out a case. If members support that view, I must let it go at that.

Mr. Hawke: I do not think he is a fair judge.

The MINISTER FOR EMPLOYMENT: The hon. member considers that the number of cases quoted of money actually going into the home was not sufficient to warrant the House in passing the Bill.

Mr. J. H. Smith: These are only isolated instances. The Minister referred only to one £8 a week case.

The MINISTER FOR EMPLOYMENT: I showed that this was not an isolated case, and said I did not wish to weary the House by quoting additional cases, as I could have done. I hope not many other members will follow his line of reasoning. He also said the Minister did not require this power because he already possessed it. I think I have indicated that this power does not exist.

Mr. J. H. Smith: It is too drastic a power to give to the Minister.

The MINISTER FOR EMPLOYMENT: The hon. member is now shifting his ground. His leader said the power did not exist to enable the Minister to take the necessary action.

Mr. Doney: Will the passing of the Bill make it incumbent upon the Crown Law Department to take notice of these declarations?

The MINISTER FOR EMPLOYMENT: The man who is in need of work will make a declaration as to his condition.

Mr. Doney: That is the declaration that will be required.

The MINISTER FOR EMPLOYMENT: The Bill makes it a declaration within the meaning of the law. If it is false, the man who makes the declaration can be made to suffer the penalty.

Mr. Stubbs: Could not the form of declaration be altered to coincide with that which sometimes calls forth from a magistrate or judge the statement that the person in question has committed perjury?

The MINISTER FOR EMPLOYMENT: No. These declarations are made under a section of the Evidence Act.

Mr. McDonald: Section 106.

The MINISTER FOR EMPLOYMENT: As yet they are not declarations that enable the Crown Law Department to take action in the event of their being false. It gives me no pleasure to ask for an amendment to the Police Act, or for power to prosecute individuals. Knowing as I do that the funds of the State are being frittered away and wrongfully taken, and that there is no legislation to prevent it. I should not be doing my duty if I did not ask for this power. If it is not given, the responsibility will rest with the House. Only after due consideration did the Government decide to bring down the Bill. If our endeavours to find work for the people are to be brought to a successful issue, and we are going to give work to those in want and sustenance to those who are unfortunately out of employment, we must have power to deal with unscrupulous people who, by reason of a false declaration, are endeavouring to take away from those who are more entitled to help.

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

Ayes	21
Noes	15

Majority for 6

Ayes.

Mr. Collier	Mr. Nulsen
Mr. Doney	Mr. Patrick
Mr. Hawke	Mr. Rodoreda
Mr. Kenneally	Mr. Seward
Mr. Lambert	Mr. Thorn
Mr. McCallum	Mr. Troy
Mr. McLarty	Mr. Wansbrough
Mr. Millington	Mr. Willcock
Mr. Moloney	Mr. Withers
Mr. Munsie	Mr. Wilson
Mr. North	(Teller.)

Noes.

Mr. Brockman	Mr. J. I. Mann
Mr. Ferguson	Mr. Marshall
Mr. Griffiths	Mr. Piessé
Mr. Hegney	Mr. Sleeman
Mr. Johnson	Mr. J. H. Smith
Mr. Keenan	Mr. Welsh
Mr. Latham	Mr. Stubbs
Mr. McDonald	(Teller.)

Question thus passed.

Bill read a second time.

In Committee.

Mr. Sleeman in the Chair; the Minister for Employment in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 66 of principal Act:

Hon. N. KEENAN: I move an amendment—

That in Subclause 2 (a) all the words after "statement" in line 2 down to "circumstances" in line 3 be struck out, with a view to the insertion of other words.

The Minister has elaborated the different heads under which the unemployment relief fund can be defrauded. I have made a rough draft of the amendment I propose to move, but I hope the Minister will agree to an adjournment so that it may be put into proper form. Instead of the clause dealing in general terms with the matter, we should deal with the specific ills against which the Minister desires to guard. We could, therefore, frame the amendment to comprehend any man who obtains assistance from the unemployment relief fund to which he is not entitled, by reason of the fact that he has already sufficient means of support; or who has other work which he does not admit having, and is attempting to obtain unemployment relief work; or

who has not a sufficient number of dependants to warrant the authorities in giving him work; or who has obtained relief work before the time prescribed by the rules and should await his turn before he is entitled to come up for work again. In this way we would be dealing with the specific cases referred to by the Minister. My objection to the clause is that it is couched in terms that are too general, and would comprise many cases the Minister would not suggest it was necessary by legislation to guard against. I ask the Minister to report progress in order that the matter may further be dealt with, and an opportunity given to draft an amendment which will meet with his approval.

Mr. Doney: Do you suggest that your amendment will close every avenue of fraud?

Hon. N. KEENAN: Every avenue that the Minister mentioned. I do not suggest that the Minister has sufficient knowledge to point out all the possible ills.

The MINISTER FOR EMPLOYMENT: The object of the Bill is to secure the authority necessary to deal with the position I have outlined. I do not desire to be adamant as to the form in which that power is delegated, so long as the power is available. I am willing to give further consideration to any amendment that the member for Nedlands may propose.

Progress reported.

BILL—SOUTHERN CROSS SOUTHWARDS RAILWAY.

Ministerial Statement.

THE MINISTER FOR RAILWAYS (Hon. J. C. Willcock—Geraldton) [8.17]: By way of explanation, I would point out that several members desired to know the relative position of the proposed line and other railways in the district. I have had a map prepared that will furnish the information desired, and I shall place it on the Table of the House.

Second Reading.

Debate resumed from 29th August.

MR. FERGUSON (Irwin-Moore) [8.18]: It is my intention to support the second reading of the Bill, which provides for the construction of 28 miles of railway to serve the settlers south of Southern Cross

in what is known as the miners' settlement. When he moved the second reading, the Minister for Railways explained that the length of railway would serve 150 farmers. While the wheat-growing section of the agricultural industry is more or less under a cloud at the present time, it would be unwise for Western Australia to ease up on wheat production. I regret to note a disposition on the part of some members of the Legislative Assembly and, if we may judge from the discussion that took place in the Legislative Council on another Bill, the same disposition is apparent there, to urge that because the price of wheat in the world's markets has been depressed, the time is not opportune for Western Australia further to prosecute her policy of development in the wheatgrowing areas. Western Australia can produce wheat as cheaply as, if not more cheaply than, any other country in the world. The fact that wheat prices are depressed to-day represents merely a passing phase in our history. Probably before the railway under discussion is constructed, wheat prices will have appreciated, and we shall be glad that we proceeded with the building of the line. During recent years other countries have embarked on wheatgrowing to a large extent, and those countries cannot produce it as cheaply or as economically as we can in Western Australia. In my opinion, they have been induced to adopt that course largely because of the fiscal attitude of Australia. The Commonwealth has built up a tariff wall against exports from those countries, and that policy has had a boomerang effect. The other countries have retaliated by placing embargoes on our wheat, and have gone in for wheat production themselves, but at a cost altogether out of proportion to what it should be. In some of those countries wheat is worth 7s. or 8s. a bushel, whereas in Western Australia it is worth 2s. 4d. a bushel. That is entirely wrong. I believe the other countries are quickly arriving at a realisation of the absurdity of continuing barriers against world trade and an appreciation of the necessity for allowing countries to produce that which is natural to them.

Mr. Lambert: They will never do that until Australia realises the position herself.

Mr. FERGUSON: Australia must realise the position sooner or later. Although we have nothing to do with it in this Parliament, I am inclined to think that members

of the Federal Parliament must sooner or later realise how dependent Australia is on the commodity that we can produce so economically in Western Australia, and that they will also realise that countries should be allowed to produce what they are most suited for. They must appreciate the fact that there must be less let and hindrance to world trade. Recently the Prime Minister of Australia had the following to say:—

The uneconomic stimulation of wheat production, which has been apparent in so many parts of the world, is largely responsible for the position which has arisen. It is hoped that, as a result of the agreement that has been reached, the world price of wheat will rise to an extent which will check over-development of wheat production and assist towards creating a normal wheat market at the termination of the agreement. The participation of European countries in the agreement reached, so far as it goes, is designed to achieve this end.

The object of the agreement was to check uneconomic over-production of wheat in countries unsuitable for that form of production, and to allow Australia to continue the development of the wheat industry because the Commonwealth is peculiarly endowed by nature with climatic, soil and other conditions suitable for the economic production of cereals. There is a tendency on the part of countries in the Old World that have proved such wonderful customers for our wheat and wool, to look at this question in a different light and to embark on a different policy from that which they have pursued in recent years, when wheat production was encouraged on an uneconomic basis. During the course of the Minister's speech, the question was raised as to whether the rainfall in the district to be served by the line was sufficient to warrant its construction for the purpose of encouraging wheat-growing in the Southern Cross area. Only a few years ago it would have been absurd, because of the rainfall, to suggest that we could profitably produce wheat in that area. Due to the advancement of agricultural science, to the use of superphosphates, improved methods of cultivation and of farming practice, combined with the fact that on one of the State farms here we have produced a wheat that matures quicker and earlier than any wheat available in any other part of the world, wheat-growing has become a practical proposition in the Southern Cross area. As a matter of fact, the soil in that particular part is first-class and there is little better in any other portion of

Western Australia. In view of the advances in the directions I have indicated, there is nothing like the risk attached to wheat-growing there that there was a few years ago. In the Yilgarn Road Board district, where the Southern Cross area is situated, more wheat was produced last year than in any other road board district in Western Australia. That indicates that the country is capable of producing first-class crops, and although the season last year was not particularly bountiful in that part of the State, that wonderful record was achieved. The Minister for Railways mentioned that this result was largely due to the fact that the present Minister for Lands had insisted on fallowing in that area. I believe in giving credit to whom credit is due, and I therefore point out that it was the Director of Agriculture who first advised the trustees of the Agricultural Bank to insist upon fallowing in that area. The present Minister for Lands was also Minister for Lands at that time, and, with the practical knowledge of farming that he possesses, he saw the advisability of accepting that advice and approved of the Agricultural Bank trustees refusing to finance any farmer there unless he was prepared to fallow his land. That was a wise step to take. The result was that in the particular year I refer to, the district averaged over 18 bushels of wheat per acre. That is a record that has not been reached anywhere else in any extensive area in Western Australia. A large number of the settlers south of Southern Cross are ex-miners. So much development has been carried out on their farms that they are entitled to the construction of the line. They have for some time been looking forward to the work being undertaken, and, from my knowledge of them, I know that they feel the construction of the railway will mean their economic salvation. They have carried out wonderful improvements and development on their farms. To such an extent has that been done, that the results would have reflected the greatest credit on the farmers who were quite normal, from a physical standpoint. Many of the miner-farmers are not in that condition of health. They have suffered severely from the ravages of the diseases that afflict miners, and it is to their credit that they have carried out so much developmental work under such adverse conditions. The least Parliament can do is to encourage them by sanctioning the construction of the short length

of line that the Bill will authorise. In this part of the State the previous Government provided a wheat-carting bonus, and during the last harvest that bonus came to something like £17,000, though not all of it was spent in that locality. With the construction of the railway, most of that money will be saved. Many of the people of course will have to be paid that bonus again unless they are given railway facilities, but if we can save that £17,000, we should do so. I should like the Minister in the course of his reply to make clear to the House the necessity for the construction of this railway right into Southern Cross. Looking at the map we see that from the terminal point of Frog Rock to Southern Cross the distance is about 28 miles. The last 10 or 12 miles into Southern Cross means taking all the produce from that line 12 miles or so into Southern Cross and a similar distance westerly in order to get it to its port, which is Fremantle. If the railway were turned in a westerly direction about 12 or 15 miles south of Southern Cross and a junction with the main line were made at say Moorine Rock, or in the vicinity, it would save conveying all the wheat around two sides of a triangle. If transport along one side only of the triangle could be arranged, that should be done. There may be some special reason why it cannot be done, but it seems to me that once the railway is put down, it will be there for all time, and there will be conveyance over an unnecessary 30 miles, which in itself will be a permanent tax on the users of the railway.

The Minister for Railways: Twelve miles each way would be only 24 miles.

Mr. FERGUSON: It might be necessary to go back 15 or 20 miles. I was quoting approximate figures. There is a disposition on the part of some people to suggest that these are not the times for the construction of railways and that motor transport might cater for the traffic, but wherever wheat is the staple industry of the district, motor traffic cannot possibly cope with it. Wheat-growers will insist on railway communication and it is reasonable to expect Parliament to provide railway facilities in those districts that are eminently suitable for the production of wheat. In districts such as the one under review I believe that producers generally will remain loyal to the Govern-

ment and send all their produce over the railways. Of course there has been some competition on the part of motor traffic, though in a number of districts producers have stood by the railway system as they should have done. They are realising more and more every day that without railway facilities and with only motor transport to depend upon, they would not get anywhere. I do not think there is going to be very much difficulty in the future, as far as the producers are concerned, in the way of patronising the railway system of the State. It is not fair to say that people require railways merely so that they can sell out at a profit, as was interjected the other evening. Most of the settlers are genuine and they are prepared to go on producing, provided railway facilities are given to them. I express the hope that at no distant date the Government will be able to proceed with the construction of this railway. The previous Government had as part of their policy the provision of railway facilities in all that country. They carried out a part of that policy in the construction of the railway from Lake Grace to Hyden Rock and they were looking forward to the early possibility of proceeding with the construction of the line proposed by the Bill under discussion. It is with pleasure I support the second reading.

MR. LAMBERT (Yilgarn-Coolgardie) [8.36]: I support the second reading. Naturally I am very pleased that the Government have seen fit to introduce the Bill. As has rightly been pointed out by the Minister for Railways, the people that were taken away from their ordinary avocations on the goldfields and settled in the area in question, have made good. It is really astounding to see what they have been able to do, notwithstanding their physical disabilities and lack of farming experience. It is a revelation to see the manner in which the men and their families have settled down to the task of carving out new homes after having been for 20 or 30 years engaged in the mining industry.

Mr. Stubbs: And they are on excellent wheat-growing land too.

Mr. LAMBERT: Yes, and as the Minister pointed out, part of this area, and that further east, contain some of the richest land in the State. It is only a question for us to determine whether it is within the radius of

safe rainfall. If that be so, there is no question about the province becoming one of the biggest producing districts in the State. The showing that the settlers there have made and the production that has already taken place merit the giving of early transport facilities. The Minister told us he expected there would be a railrage of wheat to the extent of about 18,000 tons. I would not be surprised if, with an increased average yield this season, there is an increase in that figure of 50 per cent. The fact that the provision of a water supply is necessary has not been lost sight of. That, too, is an all-important matter in connection with the construction of the railway. Whether the Minister for Works will co-operate with the building of the railway by providing an adequate water supply remains to be seen. I hope that he will. When the railway is built and when the history of wheat-growing in this State is either written or rewritten, it will be found that under normal conditions that part of the State it is now proposed to serve with a railway will probably be one of the best, if not the best wheat-growing area, in Western Australia. The land is not over-capitalised, though of course there may be small re-adjustments necessary as far as the money expended by the Agricultural Bank is concerned. That can be dealt with later on, but with ordinary facilities, I am confident that nine-tenths of the settlers there will make good.

Mr. Mann: You are an optimist!

Mr. LAMBERT: I repeat that nine-tenths of them will make good. The settlers did not begin their operations there with the same pretensions as did others in other parts of the State. The settlers were placed on the eastern fringe of the wheat belt; they were taken out of the mines, having been warned to get out of the industry for the sake of their health. They immediately entered whole-heartedly upon their new work and the younger men have now taken up the work most enthusiastically. There is not the slightest doubt about it, these young fellows are making good. The Minister for Railways dealt very sensibly with the question, and the construction of the line has been supported by the member for Irwin-Moore (Mr. Ferguson). It remains for me to say but little more. I welcome the Bill and congratulate the Government on its introduction. At this stage I shall not say any-

thing as to where the Government should get the rails with which to build the line.

MR. STUBBS (Wagin) [8.42]: The provision of a railway to serve the country south of Southern Cross should interest every hon. member whose desire it is to see the State progress. If I thought that the Government intended—if they remain sufficiently long in office—to stop the line at the proposed terminus, I should advise the House that it would be a grave error of judgment. In company with the present Minister for Lands some years ago, I had the privilege of traversing the whole of the area proposed to be served under what was then described as the 3,500 farms scheme. We camped somewhere about the terminus of the present proposed line, 27 miles south of Southern Cross. One of the reasons why I think the House would be well advised to support the construction of the present 27 miles of railway is because it will enable the land not already alienated from the Crown, and of which there is a very large tract southward of the proposed terminus, to be brought within striking distance, and it will enable those who are on that country to make good, even if that portion of the line is not constructed for another two or three years. I venture to say to every hon. member that there is sufficient good land south of the proposed terminus to warrant the House in supporting the scheme which the Government have in view. I support what the member for the district has told the Chamber, that the land is capable of producing an immense increase in the wheat yield of Western Australia. A few years ago many people held the belief that any farmer who attempted to grow wheat in the vicinity of Southern Cross should be sent to Claremont. However, any such idea would be dispelled by a visit to Southern Cross and the area south of Southern Cross, where wonderful progress has been made and marvellous work has been done by the section of the community who were told at Kalgoorlie that they were dusted and could prolong their lives only by adopting some avocation other than mining. The work done around Southern Cross during the last few years is astounding, and shows that Western Australia has there a beautiful belt of wheat-growing country. Moreover, the rainfall comes along just at the time when the wheat needs it. True, there is not a rainfall of

18 inches or 20 inches; but between September and December there are eight inches of rain, sufficient to mature the wheat and give a good average return per acre as compared with any other part of the State. Therefore I support the second reading. I ask the Government at a later stage to continue their activities by introducing a Bill to authorise the construction of a further section of this line, eventually linking up with the district lying north of Newdegate within the area of sufficient rainfall, and capable of adding another 20,000,000 to the 40,000,000 or 50,000,000-bushel harvest already produced by Western Australia.

On motion by Mr. Mann, debate adjourned.

BILL—METROPOLITAN WHOLE MILK ACT AMENDMENT.

Second Reading.

THE MINISTER FOR AGRICULTURE (Hon. H. Millington—Mt. Hawthorn) [8.51] in moving the second reading said: This Bill seeks to amend the Metropolitan Whole Milk Act which was passed last session. Upon its being assented to, the Government set up a board who during the past six months have had charge of the administration of the Act. The legislation has been of an experimental nature, and the board, faced with the difficulty of setting up a new staff and a new organisation, found themselves confronted with a number of problems. The amendments proposed by this Bill have been asked for by the board. Although not of an important character, they are necessary in order that the board may be able to do the work entrusted to them. They have experienced considerable difficulty with questions of interpretation, and of imposing and collecting the levies necessary to provide funds for their work. There was also a question whether the health authorities or the board should exercise control in respect of health matters relating to milk supply; but at a conference of representatives of local governing authorities, at which the chairman of the board was present, I declared that the provisions of the parent Act did not override powers given under the Health Act. However, there being a disposition on the part of everyone concerned to assist the board, an amicable settlement was reached; and I am hopeful that there will be no difficulty as to control of health

matters. The board are entitled to considerable praise for the manner in which they have dealt with health questions. While it is true that local health authorities had certain powers, there was a good deal of cleaning up to be done by the board; and the board tackled that work energetically. It can also be said that the board have shown determination and capacity in the manner in which they have dealt with difficult problems. It is easy to administer a going concern, but it is an entirely different proposition when one has to set up a new organisation and break new ground, as in the case of the present board. There was also brought under my notice the question of small shops. It seemed that there was a disposition to cut out the small shops altogether, but as the result of deputations from those interested and of conferences with the board, it was decided that small shops, provided they complied reasonably with the conditions imposed by the Health Act, should be permitted to carry on the sale of milk. Naturally, the small shops had also to conform with conditions laid down by the board. The last Parliament agreed to the existing Act in order that a reasonable price might be secured by the producer of milk. When I have been asked why Parliament assented to the parent Act, I have said it was because in the interests of the producers something had to be done, and that but for that fact Parliament would not, in my opinion, have agreed to the measure. That view is borne out by the fact that the powers conferred upon the board are limited, and that the Act itself is of limited duration. It was suggested that the board should have power to go into the big question of the organisation of distribution of milk, which would mean that any scheme inaugurated would have to operate over a long period of years, because there would be involved questions of compensation and allotment of milk rounds, and presumably some sort of a zone system would have been instituted. However, with an Act limited to the end of 1935 the board did not consider themselves entitled to take on a proposition of such magnitude. Therefore they have assiduously applied themselves to the question of the organisation of the whole milk industry in the metropolitan area within the powers conferred upon them by the existing Act. Of course there have been difficulties, and many difficulties; but in the main the people in-

terested in the business, whether as producers or depot-keepers or distributors, are agreed that the condition of the industry to-day is better than that which existed prior to the inauguration of the Act. Therefore, although there have been complaints and although unquestionably this legislation is of an experimental character, yet it can be said that the Act has given a measure of satisfaction all round. Indeed, it can be said that the legislative experiment has proved successful. I find very few associated with the industry who suggest that the Act should be repealed or that it has not justified its existence. The industry had reached such a stage that even those opposed to control measures in general agreed that in the circumstances control was preferable to no control. Even those who are opposed to control in any form, have endeavoured to work amicably with the board. A few amendments have been found necessary, but they apply not to the policy of the Act but merely to its machinery. They are intended to enable the board to carry out more effectively the duties imposed upon them. As regards the difficulties which the board encountered, there was first of all the question of setting up an entirely new staff and starting a new organisation. This meant that the board had to be comprised of men who understood the industry and were possessed of some initiative and determination, so as to be able to stand up to critics and objectors. People who have been carrying on business without any control for a long time, do not take kindly to a measure that suddenly imposes control upon them. Only the conditions which obtained in the industry prior to the passing of the Act induced the people concerned to submit to control. Now, I believe, the general impression is that the operation of the Act should continue, the measure having justified its existence. The work of the board at its commencement entailed a good deal of labour that will not be necessary as the organisation develops. There was need for collecting considerable information and establishing detailed records. When we think of the area over which the producers of milk are spread, and remember it is necessary for the board to have a record of all producers, depots, depot-keepers and distributors, it will be seen that it entails a great deal of organisation. I think we may pay a tribute to the chairman of the board for the manner in which

he has applied himself to his work. He has shown considerable capacity in carrying out a most difficult task, for not only has there been the work of establishing this organisation, but he has had to exercise considerable diplomacy in satisfying each section that has been fairly dealt with. I think he has done this with a marked degree of ability. There is also the vexed question of how the charges to provide the funds with which to meet the necessary expenses of the board should be imposed. The charges are imposed on the producer, the depot-keeper and the distributor. I do not know whether it would be possible to justify the charges originally imposed when setting up the board. Complaints have been made to me, particularly by the depot-keepers and the distributors, that the charges made upon them were excessive. The depot-keepers claim that they take only 2d. per gallon for the work of collecting, cooling and distributing the milk, in addition to which they have to accept risk of bad debts. Their charge prior to the introduction of the Act was 2d. per gallon, and it is still 2d. per gallon, less $\frac{1}{3}$ d. taken by the board. The depot-keepers say this is an excessive deduction. Under the amendments in the Bill I believe it will be possible to grant them some relief in that respect. A great deal of work has been done in organising the distributors. The latest and most ambitious proposal made was entirely to reconstruct the system of distribution. To do that, the board would have to be given greater power. A reduction in the number of distributors would have to be made, and an elaborate system of compensation undertaken, and generally it would be a most difficult innovation to bring about. After consideration the board decided that for the time being it was not the function of the board, not until after the extension of the Act. I assume that in the meantime the idea is to see how the board gets on in actual practice, and subsequently to give it greater powers with a view to re-organising the distribution of milk. The general impression is that the producer is still underpaid. At present he receives 1s. 1d. per gallon, while the depot-keepers have fixed a price which compensates them for the work they do. The distributor, although permitted to charge 2s. 4d. per gallon, insists that he is underpaid. Therefore it appears that whereas the cost to the consumer is in-

creased, it is due to the fact that there is not yet sufficient organisation.

Mr. Ferguson: The distributors do not get 2s. 4d. per gallon for 100 per cent. of their milk.

The MINISTER FOR AGRICULTURE: No, and they insist that they are not engaged in a profitable business. It can only be due to the fact that they are not getting 2s. 4d. per gallon for the whole of their milk. This measure contains certain simple amendments which can be fully explained in Committee, but I should like here to refer to them in passing. In the first place, there is need for an amendment in respect of the definition of whole milk, which is the natural product of the cow. It is held to be a weakness in the principal Act, and so it is proposed to amend the definition of "milk" to include chilled, pasteurised or concentrated milk. Then, too, the definition of fresh cream will now include cream that is scalded or pasteurised. Also there is in the Act no provision for the re-appointment of the chairman. The Bill provides that he shall be re-appointed during the pleasure of the Government. As to the elected members of the board, there is in the Act no provision for re-election of the members originally appointed or others to replace them. The Bill proposes that the first election shall be held in March of next year, and that the new members of the board shall take their seats on the 1st of July of that year. Then there have been difficulties in the licensing of dairymen and milk vendors. Section 21 of the Act provides that no person shall treat milk intended for sale to consumers in the metropolitan area except on the authority of a license issued by the board. That means that when a depot-keeper is licensed he has the right to vend milk as a milk vendor, but the only charge which the Board is entitled to impose in that case is a nominal one. This is to be altered to enable the board to impose a fair charge on the depot-keepers. The main reason influencing me in bringing down these amendments has been the question of the imposition of the licensing fee. It has been found necessary in practice that the payment of the charges, whether on the depot-keeper, the distributor or the producer, as licensing fees, should be spread over a period. I do not wish to say very much about this because, although under a section of the Act it is legal to collect a

compensation fee on the gallon basis, the Crown Law Department have devised a means by which payment of fees can be spread over the year. It would be impossible to collect at the beginning of the year an adequate licensing fee on a depot handling, say, 100,000 gallons in a year; and to an extent this would hold good also with both the distributor and the producer. Therefore it is necessary that the board should have this additional power, so that the fees can be collected throughout the year. It is provided in the Bill, where the maximum amount of 2½ per cent. is fixed. It could not be taken straight on a gallon basis, but it can be done on a percentage basis. Also power is given to the board to sue for the amounts. If they are to carry on and finance their work, they must have this additional power. I ask the House to treat this amendment as very important indeed, as positively necessary. As to the small shops, if a record had to be kept of the quantity of milk sold at such shops, the shopkeeper would have to keep the record and so, too would the board. We do not want to set up an elaborate organisation; we are keeping the staff as small as possible, and therefore it has been decided that a fee of £1 shall be imposed on those distributing not more than 1,000 gallons a year. This can be collected in a lump sum instead of the payment being spread over the year. The Bill is essentially one for Committee, so I do not know that I need say any more. If further explanations are required, they can be given in Committee. I think we can congratulate ourselves on having constituted the board, which by its energy and capacity, and the manner in which it has applied itself to a very difficult task, has carried out its duties in a most commendable way. Already it has set up an organisation which is reasonably efficient and which as time goes on will become still more efficient. What was regarded last year as an experiment has proved in actual practice to be of considerable benefit to the producer whom we desire to assist, and there have been very few complaints from the distributing section. Those complaints that might be justified are easily remedied, and so in the main we can say that the endeavour to organise the whole milk supply has been reasonably successful, and that the amendments asked for by the board

should be agreed to with a view to assisting them in the task they have undertaken. I move—

That the Bill be now read a second time.

On motion by Mr. Ferguson, debate adjourned.

House adjourned at 9.17 p.m.

Legislative Council,

Wednesday, 6th September, 1933.

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

QUESTION—TRAFFIC, RED-LETTER LICENSE PLATES.

Hon. A. THOMSON asked the Chief Secretary: 1, Is it correct that the Traffic Branch of the Police Department are refusing to grant red letter plate licenses to carriers? 2, If so, what authority, or which section of the Traffic Act, empowers the department to refuse to grant such licenses?

The CHIEF SECRETARY replied: Licenses were refused, but are now being issued.

QUESTION—ENGINE-DRIVER'S CERTIFICATE.

Hon. E. H. HARRIS asked the Chief Secretary: Will he lay on the Table all papers, documents, and records of the Inspection of Machinery Department relating to the restriction endorsed on first-class engine-driver's certificate of service No. 834, issued to John Henry Fox?