

# **BILL—NATIVES (CITIZENSHIP RIGHTS).**

## *Council's Amendments.*

Schedule of three amendments made by the Council now considered.

### *In Committee.*

Mr. Marshall in the Chair; the Minister for the North-West in charge of the Bill.

No. 1. Clause 4, Subclause (2):—Delete the word "all" in line 13, page 2.

The MINISTER FOR THE NORTH-WEST: This very small amendment makes no difference to the wording of the Bill, and I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 2. Clause 5, Subclause (1), paragraph (d):—Insert the word "active" before the word "leprosy" in line 37, page 2.

The MINISTER FOR THE NORTH-WEST: The Council's amendment means that an applicant for citizenship rights must not be suffering from active leprosy. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 3. Clause 7, Subclause (1), paragraph (a):—Delete the words "has resumed tribal or native association" in line 41, page 3, and substitute the words "is not adopting the manner and habits of civilised life."

The MINISTER FOR THE NORTH-WEST: I see no difference between the two phraseologies, and I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

Resolutions reported, the report adopted, and a message accordingly returned to the Council.

*House adjourned at 10.45 p.m.*

# **Legislative Council.**

*Tuesday, 28th November, 1944.*

|   | Page |
|---|------|
| Question: Ministers' speeches, as to supplying proofs to members          | 1995 |
| Electoral Reform Select Committee: Interim and minority reports presented | 1995 |
| Motion: Trans. railway extension, to inquire by Select Committee          | 1997 |
| Bills: Natives (Citizenship Rights), Assembly's message                   | 2001 |
| Metropolitan Milk Act Amendment, 1R.                                      | 2001 |
| Legislative Council (War Time) Electoral Act Amendment, 3R.               | 2001 |
| Electoral (War Time) Act Amendment 3R.                                    | 2001 |
| Lotteries (Control) Act Amendment, 2A., defeated                          | 2002 |
| Rural and Industries Bank, 2R.  | 2010 |
| Mortgagees' Rights Restriction Act Continuance, 2R., Com., report         | 2018 |
| Constitution Acts Amendment (No. 2), 2R.                                  | 2017 |

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

## **QUESTION—MINISTERS' SPEECHES.**

### *As to Supplying Proofs to Members.*

Hon. C. F. BAXTER (for Hon. H. Seddon) asked the Chief Secretary:

In view of the action of the Minister for Works in kindly making available to members a proof copy of his speech on the Workers' Compensation Act Amendment Bill delivered last Tuesday, will the Minister please arrange that members are supplied in the same manner with proofs of Ministerial statements in either House as expeditiously, and obviate the present period of waiting for the issue of "Hansard"?

The CHIEF SECRETARY replied:

There are difficulties in the way of complying with this request, but where practicable it will be given every consideration.

## **ELECTORAL REFORM SELECT COMMITTEE.**

### *Interim Report Presented.*

HON. C. F. BAXTER (East) [4.35]: By leave of the House I desire to submit an interim report of the Select Committee appointed to inquire into electoral reform.

Leave granted.

Hon. C. F. BAXTER: The report is as follows:—

In asking for further time to bring up the report of the committee, I have been

directed by the committee to make the following interim statement and recommendations:—

The evidence so far submitted to the committee, mainly comprising evidence from the present Chief Electoral Officer, and his predecessor, has shown need for amendment of the Electoral Act in certain directions. Outstanding among the various points which have been established are the following:—

1. That the present enrolment of persons qualified to vote under existing laws for Legislative Council elections (approximately 80,000) is less than one-half of the number of those actually qualified.

2. While apathetic electors of the Legislative Assembly are kept up to their obligations by departmental canvassing, by the compulsory provisions of the Act, and by acknowledgments of enrolment, practically no attempt has been made by the Electoral Department to obtain the enrolment on Council rolls of all those qualified. More important still, requests for funds made by the department at various times for this purpose have been refused.

3. At present, Clerks of Courts and other Government officials, quite fully occupied in other duties, are responsible for the electoral rolls. This is shown to be most unsatisfactory. Special full time officers were suggested for important country centres by the Chief Electoral Officer who recommended at least five of these, namely, at Kalgoorlie, Geraldton, Bunbury, Northam and Katanning.

4. Rolls now close 14 days prior to issue of the writ. This time is too short. It does not give the department time to check claims; therefore, all the claims received are enrolled whether right or wrong. They are not checked until after the election. Unqualified persons in respect of either House may, therefore, vote.

5. The present postal voting system is open to much abuse, and has been abused. Proper control by the department of the 2,800 postal vote officers is impracticable.

6. The head office of the Electoral Department is understaffed.

7. The qualifications of electors for the Legislative Council are so numerous that many persons are unaware that they are entitled to enrolment.

8. The Chief Electoral Officer cannot prosecute for breaches of the Electoral Act until authority is obtained from the Minister.

9. The Chief Electoral Officer is unable to carry out his duties in regard to votes by members of the Forces—especially in regard to those serving outside Western Australia. It is impossible for him to exercise any supervision over the presiding officers appointed, who rarely have had any previous experience. A number of irregularities have been noted. Specific reference may be made to the fact that of approximately 1,000 votes recorded by servicemen at the last Legislative Council elections, 750 were rejected by the department for irregularities.

10. The need for further inquiry into many of these matters and study of other

aspects of electoral law and legislation in force elsewhere justifies the Committee in asking for an extension of time.

The committee considers, however, that immediate legislative action should be taken in regard to the recommendations hereunder:

Recommendations: 1. The Constitution Act and the Electoral Act should be amended to alter the qualifications of electors for the Legislative Council as follows:—

(a) By altering the qualification of the £17 a year "householder" to that of "resident-occupier" of dwellings or self-contained flats of a rental value of 6s. 6d. per week. "Resident-occupier" to be defined as meaning the person who is responsible for payment of the rent, and whose usual place of residence is on the premises.

"Self-contained flat": Part of any structure of a permanent character which is a fixture of the soil, and ordinarily capable of being used for human habitation, provided that such part is separately occupied for such purpose, and has no direct means of access to, and is structurally severed from, any other part of the structure which is occupied for a similar purpose by any other person, and has separate sleeping, cooking and bathroom accommodation.

(b) By permitting the husband or the wife of any person enrolled under (a) to be also qualified for enrolment, and also the wife or husband of the owner of the dwelling.

(c) By permitting any member of the Forces upon production of the discharge as proof of service who has served, or is serving, in a theatre of war as defined by the Governor General, or is serving at the date of enlistment or thereafter was domiciled in Western Australia whether such service was in the 1914-18 war or the present war and who is over the age of 21 years.

(d) In respect of the existing equitable freeholder and leaseholder qualification the claimant to be required to provide documentary evidence in support thereof.

2. The Electoral Act should be further amended—

(a) to make the Chief Electoral Officer responsible to Parliament in a manner similar to that of the Auditor General;

(b) to provide that the rolls shall close four weeks prior to the issue of the writ;

(c) to require all claim cards to be acknowledged by the Electoral Department in writing;

(d) to provide for the appointment of full time electoral officers at Kalgoorlie, Geraldton, Bunbury, Northam and Katanning as suggested by the Chief Electoral Officer;

(e) to provide for the adoption of absent and sick voting provisions as proposed in the 1935 Bill amending the Electoral Act.

Report tabled.

*Minority Report Presented.*

**HON. E. M. HEENAN** (North-East) [4.40]: By leave of the House, I wish to submit a minority report of the Select Committee.

Leave granted.

**Hon. E. M. HEENAN**: The report is as follows:

I desire to make the following report and comments on the interim report of the Select Committee:—

Statement:

1. I concur.
2. I concur.
3. I concur.
4. I do not agree with the statement in this paragraph, and consider any alteration inadvisable. Any shortening of the existing time for closing rolls would in my opinion tend to disfranchise electors and I hold that the Act provides ample safeguards against false enrolments.

The evidence does not indicate that the present system is abused to any extent.

5. I do not agree with this statement—it is not supported by the evidence which indicated that allegations of abuse are greatly exaggerated.

6. I concur.

7. I concur.

8. I concur.

9. The position regarding soldiers' votes in my opinion arose mainly through their lack of knowledge that they were not on the roll although they probably had the necessary qualifications.

10. I concur.

Recommendations: I agree that the franchise should be liberalised by extending it to include a married man and his wife who are occupying a house, also to a man and wife who are occupying a flat of the rental value of 6s. 6d. per week.

Furthermore, I agree that the franchise should be extended to returned soldiers, but irrespective of age and property qualifications.

The evidence tendered to the committee reveals that the rolls of the Legislative Council are in a very bad state—probably less than one-half of those entitled to enrolment being on the rolls.

This deplorable state of affairs appears to be due mainly to the involved nature of the various qualifications. These, undoubtedly, are not understood by a great number of electors and the evidence tendered all went to show that some simplification is necessary. In my opinion, one card should be used for enrolment on the Assembly and on the Legislative Council. However, I fail to see how this desirable end can be achieved, other than by the granting of adult franchise for the Legislative Council.

The present system is most unsatisfactory, and its result is revealed in the ignorance and lack of interest which the average elector exhibits towards the Legislative Council.

Report tabled.

*As to Procedure.*

**Hon. J. CORNELL**: Mr. President—

The PRESIDENT: There can be no dissent on the presentation of reports.

**Hon. J. CORNELL**: I want an interpretation—

The PRESIDENT: Does the hon. member wish to make a personal explanation?

**Hon. J. CORNELL**: I want an interpretation of Standing Order No. 290, which deals with the progress reports of a Select Committee. This is not the proper time for Mr. Heenan's report.

The PRESIDENT: The implication is that this is a minority report.

**Hon. J. CORNELL**: By implication!

The PRESIDENT: Surely when a majority report is presented it is but reasonable that the minority should have the same opportunity.

**Hon. J. CORNELL**: It may be reasonable, but it is extraordinary. It has never happened before.

The PRESIDENT: It has never happened before, but it is not contrary to the Standing Orders.

**MOTION—TRANS. RAILWAY  
EXTENSION.**

*To Inquire by Select Committee.*

**HON. A. THOMSON** (South-East)

[4.48]: I move—

That a Select Committee of five members be appointed to inquire into and report upon—

- (a) Whether conditions in the post-war period, including modern transport facilities by air, sea and road, will warrant the construction of a railway of the 4ft. 8½in. gauge from Kalgoorlie to the metropolitan area.
- (b) If such construction is warranted, what route should this State recommend to the Commonwealth Government so as best to make use of the developmental value of the line and improve transport facilities and minimise traffic congestion.

This motion practically deals with the standardisation of railways. A newspaper report of March, 1943, has this to say—

A plan submitted by the Minister for Transport (Mr. Ward) for the standardisation of Australian railway gauges was endorsed by the Cabinet today. Three stages are proposed—investigatory, preparatory and actual conversion. The Director General of Land Transport (Sir Harold Clapp) will prepare reports on the scheme for the Depart-

ment of Post-War Reconstruction and for a basis of discussion with State Governments.

Announcing the Cabinet's decision the Prime Minister (Mr Curtin) said that the periods of the proposed programme would be:—

- (1) Investigatory period during which a complete scheme of standardisation would be prepared.
- (2) Preparatory period during which all preparatory works would be undertaken including the construction of new rollingstock, workshops and new lines, the conversion of portion of existing rollingstock, assemblies, materials and equipment and preparing trackwork for actual conversion.
- (3) Conversion period which begins with the actual work of converting tracks, structures and rollingstock.

Mr. Curtin said that the first report of Sir Harold Clapp for the information of the Department of Post-War Reconstruction would give a rough estimate of the skilled and unskilled manpower which the project was likely to absorb in addition to existing railway staffs, particulars of any lines recommended for standardisation for which surveys for relocation were necessary, and a rough estimate of the principal materials required.

The second report, he said, would outline a complete scheme suitable for discussion with the State Governments and would cover line suggested for conversion or new lines to be constructed, a scheme for conversion of track and structures . . .

Mr. Curtin said that, although the project had been the subject of numerous conferences and investigation, including the Royal Commission in 1921, it was only since the present war that the neglect to attend to this vital aspect of national transport had been so strongly brought home to the people. Lack of standardised railway gauges had seriously operated against the mobility of our defence forces, and had hindered the transport of both war supplies and essential civil traffic, necessitating the provision of severe restrictions on the movement of both passengers and freight.

On the 13th November, 1944, the following appeared:—

Confidence that the Commonwealth Government had interpreted the wishes of the Australian people in affirming the principle that railway gauges should be standardised at 4ft. 8½in. was expressed by the Minister for Transport (Mr. Ward) today. He said that certain advance planning in which the States were co-operating was taking place so that the project might be given a high priority in the post-war period.

Summing up the position arising from the Government's decision, Mr. Ward said that when Sir Harold Clapp's report and the detailed plan for conversion were available in March, the whole project would be discussed by Commonwealth authorities and the State Premiers.

Therefore I offer no apology for introducing this motion because it is a matter of vital importance to the future of this State. No doubt when the Premier returns from the conference in March of next year, he will tell us that he had agreed to the Federal proposal to extend the 4ft. 8½in. gauge from Kalgoorlie to Fremantle; and this State will have to provide half the cost of the work. The present Government seems to lean on the Commonwealth and to accept its dictates without very much demur. It has also got into a bad habit of starting works of public importance and, after having committed the State to the expenditure of large sums of money, asking for parliamentary authority for the expenditure. I propose to quote a few items. One was the hurried way in which the Government settled the site of the new hospital for Perth, which is estimated to cost £1,000,000 odd, without consulting Parliament.

I think that if more consideration had been given to the matter, a better and more congenial site could have been found than the one where the building has been erected. A few days ago the Press published a statement by the Premier to the effect that a considerable amount of steam would be required at the new hospital and that it had been decided to supply it from the power house at East Perth because, in his opinion, that would cost no more than to erect the necessary building and an unsightly smoke stack on the site. This clearly indicates to my mind that the Government did not give as much consideration to this important question as it might have done. During the recess, the erection of a power house at South Fremantle was decided upon. I am not prepared to discuss the merits or demerits of that project, but it seems to me that a momentous decision was arrived at and the scheme adopted and installed before Parliament was asked to approve of the appropriation of a considerable sum of money for the purpose.

In requesting the appointment of a Select Committee, I am, in effect, asking the House to appoint a public works committee without pay. In doing so, I am not proposing anything that is new. For many years I have been asking for the appointment of a public works committee, but have been unsuccessful, although the appointment of such a body is long overdue. Mr. V. John-

son, M.H.R., in his travels through the large district he represents in the northern part of Australia, has presented to the Commonwealth a very illuminating report on the development of that area. Senator Tangney, who has been wandering all over the Commonwealth on a committee dealing with health matters, has said that, speaking from her knowledge, Western Australia is right up to date with other parts of the Commonwealth from a hospital point of view. I mention these two instances to show that a public works committee without pay could inquire into the important matter of the standardisation of the railway between Kalgoorlie and Fremantle. It could call expert evidence, as it would have the power to do, and consider whether the route which has apparently been fixed upon is in the best interests of the State and the future development of the State. It could also consider whether some alternative route could be adopted that would make the undertaking less costly and would be more beneficial to the State from a transport point of view.

I invite members to inspect the plan laid on the Table of the House. In 1935 an extension of the 4 ft. 8½ in. gauge from Kalgoorlie to Fremantle was estimated to cost £5,450,410. Recently a statement appeared in the Press that the extension of the standard gauge to Fremantle would probably cost approximately £9,000,000. The plan shows that the proposed route runs parallel to the present railway from Fremantle to Midland Junction. It then follows the Midland line to Janebrook, a distance of 25½ miles which is estimated to cost £1,272,076; Janebrook to Toodyay, 42 miles, £897,861; Toodyay to Northam, 17 miles, £230,119; Northam to Merredin, 103 miles £944,175; and Merredin to Kalgoorlie, £1,621,477. With contingencies that gives a total of £5,450,410. Apparently that route increases the distance from Fremantle to Kalgoorlie by 36 miles. I am referring now to the route sketched on the plan. The total distance, therefore, would be 416 miles. In 1935 the estimated cost panned out at about £14,343 per mile, and if the total cost according to modern estimates of the trans line extension is to be £9,000,000, this works out at £26,317 per mile. If we take the original estimate of £14,000 per mile, the present estimated cost with the additional mileage means an extra half

million pounds. Then we have the bottleneck of Perth through which all freight has to pass on its way to the port. I assume that it is intended by those who outlined the extension as set out on the plan to send freight through that bottleneck. Whether it goes through the central part of the city or whether Perth is by-passed, I am sure it will mean a good deal of costly resumption.

According to the report I have here, the land resumptions between Fremantle and Janebrook are estimated to cost £130,565. The erection of a bridge over the Swan River would cost about £190,000. I propose to suggest that there are other routes which would enable the authorities to avoid expensive resumptions and the construction of a bridge over the river. At present we have a 3 ft. 6 in. gauge railway that is capable of catering for all the business and industrial requirements of the districts through which it passes, and which has already cost the State many millions of pounds. The situation is worth examining by men who have a genuine desire to do what is best for the State, notwithstanding the present estimates dealing with the cost of construction. I have here a very interesting departmental file which goes back to 1923, when the people of Karlgarin, in your province, Mr. President, were seeking an extension of the railway east from Kondinin and Corrigin. There are many well-known names of public men in that report, such as that of yourself, Sir, Hon. Thomas Walker, Hon. J. Cornell, Hon. H. Stewart, Hon. W. H. Glasheen, Hon. J. A. Greig, Hon. A. Burvill, Mr. Harry Brown, Senator Johnston, and others occupying high positions in Parliament—all men who have made their mark in public affairs.

In 1927 the Engineer-in-Chief, Mr. Stileman, produced what has become known as the "Stileman railway scheme for developing Western Australia on a trunkline basis." Portion of the scheme provided for a trunk line from Fremantle to Brookton, from Brookton to Corrigin, from Corrigin to Kondinin, from Kondinin to Salmon Gums, and from Salmon Gums to Esperance, a distance of 460 miles. From Fremantle to Brookton is 90 miles, from Brookton to Corrigin 56 miles, and from Corrigin to Kondinin 28 miles, a total of 174 miles. It was believed by the Engi-

neer-in-Chief that that line would provide an up-to-date method of developing the area concerned by means of adequate transport. The report of the Engineer-in-Chief shows that he had a broad vision as to the future. The following is an extract from the document:—

The points referred to the committee for consideration and report were—

- (a) The general layout of future trunk railways eastward of the present outer wheat belt.
  - (b) What distance should be maintained between new railway lines having regard to the necessity of serving the country between them.
1. When considering the first reference to them the committee adopted the view that the probable limit of agricultural development, so far as this can at present be defined, lies south and west of a line drawn east of Southern Cross and running generally in a south-easterly direction therefrom to a point south of Norseman.

2. Of this at present undeveloped area, and including the existing eastern wheatbelt, fully three-quarters has either Fremantle or Esperance as its nearest port (provided the railway referred to below is constructed).

At both ports the great depth of water which the modern cargo carrier requires is available or can be obtained, and they form therefore the natural outlets for the major portion of the area.

A main line of railway, running approximately east and west, to connect these two ports will thus provide the shortest possible route to the seaboard for that area.

3. Provided the classification of land between the rabbit-proof fence and Salmon Gums warrants settlement, the committee considers that a main trunk line from Fremantle via Armadale, Brookton and Corrigin and thence eastward to junction with the Coolgardie-Esperance line at or about Salmon Gums will be an eventual necessity.

This railway will reduce the haul from Brookton to Fremantle by about 40 miles and should be located throughout on a ruling grade of 1 in 80 and be laid with 60 lb. rails. This will involve reconstruction of the Brookton to Corrigin section which is at present laid with 45 lb. rails on a ruling grade of 1 in 40.

Definite routes for the railways to serve the area lying north cannot be laid down until the results of classification surveys now in hand are available, but it seems probable that a railway from Southern Cross to junction with the main trunk line recommended will be required.

That report was submitted to a committee for consideration. I now propose to quote the concluding paragraph of the Engineer-in-Chief's report, dated the 26th October, 1927:—

I am moreover confident that all railways should be located to form part of a complete

system designed to provide the shortest route to the seaboard. This can never be the case where railways are located to run into particular areas, without regard to the ultimate objective, and such a course must lead to unnecessary mileage and hence wasteful capital expenditure.

Although I did not know until I had read the report, that this railway had been suggested by the Engineer-in-Chief, it seems to me to be ample justification for my request that a Select Committee be appointed to inquire whether the present railway route is the best or not. The Brookton-Armadale-Fremantle route is 40 miles nearer the port than is the present one via Spencer's Brook. By the provision of a third rail an all-time saving in freight to the users of the Great Southern line, as well as of passenger fares, would be achieved, according to Mr. Stileman, if his plan were put into effect. The people of the Great Southern line would then effect an average saving of 7s. 6d. on a first-class fare and 4s. 8d. on a second-class fare to the city, and approximately 4s. in the pound on freight compared with the charges now imposed. Although I have advocated this route for the trans. line extension, I say whatever route is decided upon by the Select Committee would be decided according to the evidence and statistics supplied. Mr. Stileman's report indicated that no engineering or resumption difficulties required to be overcome. There would be considerable saving in mileage as well as in the cost of construction.

The point that has to be determined is where the alternate route would start from, whether at the point indicated in the Stileman scheme, Southern Cross, or at another which would be determined after further investigation, namely between Coolgardie and Southern Cross. The file contains many other suggestions. When the present Premier was Minister for Railways it was urged that the Kondinin-Karlgarin line should be linked up with Narrogin, and thence go via Dwarda to Armadale. The people of Brookton, Corrigin, Kondinin and Karlgarin considered that they should be connected with the metropolitan area through Armadale. The people of Narrogin also submitted a scheme which it was claimed would show a saving in mileage to Perth of approximately 40 miles. I draw the attention of the House to the fact that in the closing hours of the last Parliament I endeavoured to have a Select Committee ap-

pointed to deal with the alternate routes that might be considered when the time came to extend the trans. line. Owing to the short time then available members did not agree to the motion, but I indicated that at the earliest opportunity I would bring down a similar one.

Whilst I admit that I am rather late in the session on this occasion, nevertheless as it is apparently the intention of the Commonwealth Government to have a conference of State Premiers to consider any scheme that might be submitted, I think it is only fair to Western Australia that we should have an opportunity to submit one proposal or another. It is only fair, so far as the extension of the trans. line is concerned, that we should have an opportunity—if it is considered advisable on the evidence collected—to submit that this alternative route, which I have termed the Stileman route, should receive consideration before any scheme is adopted. I feel fully justified in asking for the appointment of a Select Committee, which could later be converted to an honorary Royal Commission and which would be able, before March, 1945, to submit a report to the Premier. That report the Premier could take with him to the Eastern States. The route I have mentioned would present no engineering difficulties in construction, could be built much more cheaply than the other route suggested in the plan lying on the Table, and would prove of much greater value to the State and the Commonwealth.

On motion by the Chief Secretary, debate adjourned.

### **BILL—NATIVES (CITIZENSHIP RIGHTS).**

#### *Assembly's Message.*

Message from the Assembly received and read notifying that it had agreed to the Council's amendments.

### **BILL—METROPOLITAN MILK ACT AMENDMENT.**

Received from the Assembly and read a first time.

### **BILL—LEGISLATIVE COUNCIL (WAR TIME) ELECTORAL ACT AMENDMENT.**

#### *Third Reading.*

**THE CHIEF SECRETARY** [5.23]: I move—

That the Bill be now read a third time.

Question put.

The PRESIDENT: As there must be an absolute majority voting in favour of the Bill, a division will be necessary.

Division resulted as follows:—

|              |    |    |    |    |    |
|--------------|----|----|----|----|----|
| Ayes         | .. | .. | .. | .. | 24 |
| Noes         | .. | .. | .. | .. | 3  |
| Majority for |    |    |    |    | 21 |

#### **AYES.**

|                        |                                |
|------------------------|--------------------------------|
| Hon. C. F. Baxter      | Hon. E. M. Heenan              |
| Hon. L. B. Bolton      | Hon. J. G. Hislop              |
| Hon. Sir Hal Colebatch | Hon. W. H. Kitson              |
| Hon. J. Cornell        | Hon. W. J. Mann                |
| Hon. C. R. Cornish     | Hon. G. W. Miles               |
| Hon. L. Craig          | Hon. T. Moore                  |
| Hon. J. A. Dimmitt     | Hon. H. L. Roche               |
| Hon. J. M. Drew        | Hon. A. Thomson                |
| Hon. G. Fraser         | Hon. H. Tuckey                 |
| Hon. E. H. Gray        | Hon. F. R. Welsh               |
| Hon. E. H. H. Hall     | Hon. C. B. Williams            |
| Hon. W. R. Hall        | Hon. F. E. Gibson<br>(Teller.) |

#### **NOES.**

|                   |                      |
|-------------------|----------------------|
| Hon. V. Hamersley | Hon. H. S. W. Parker |
| Hon. H. Seddon    | (Teller.)            |

The PRESIDENT: There being more than an absolute majority voting for the question, I declare it carried.

Question thus passed.

Bill read a third time and returned to the Assembly with an amendment.

### **BILL—ELECTORAL (WAR TIME) ACT AMENDMENT.**

#### *Third Reading.*

**THE CHIEF SECRETARY** [5.28]: I move—

That the Bill be now read a third time.

Question put.

The PRESIDENT: A division is necessary with respect to this Bill also.

Division resulted as follows:—

|              |    |    |    |    |    |
|--------------|----|----|----|----|----|
| Ayes         | .. | .. | .. | .. | 24 |
| Noes         | .. | .. | .. | .. | 3  |
| Majority for |    |    |    |    | 21 |

## AYES.

Hon. C. F. Baxter  
Hon. L. B. Bolton  
Hon. Sir Hal Colebatch  
Hon. J. Cornall  
Hon. O. R. Cornish  
Hon. L. Craig  
Hon. J. A. Dimmitt  
Hon. J. M. Drew  
Hon. G. Fraser  
Hon. F. E. Gibson  
Hon. E. H. Gray  
Hon. E. H. H. Hall

Hon. W. R. Hall  
Hon. E. M. Heenan  
Hon. J. G. Hislop  
Hon. W. H. Kitson  
Hon. W. J. Mann  
Hon. G. W. Miles  
Hon. H. L. Roche  
Hon. A. Thomson  
Hon. H. Tuckey  
Hon. F. R. Welsh  
Hon. C. B. Williams  
Hon. T. Moore  
(Teller.)

## NOES.

Hon. V. Hamersley  
Hon. H. S. W. Parker

Hon. H. Seddon  
(Teller.)

The PRESIDENT: There being more than an absolute majority voting for the question, I declare it carried.

Question thus passed.

Bill read a third time and returned to the Assembly with an amendment.

### BILL—LOTTERIES (CONTROL) ACT AMENDMENT.

#### *Second Reading—Defeated.*

Debate resumed from the 23rd November.

**HON. H. SEDDON** (North-East) [5.31]: I have always voted against Bills to continue the operation of the Lotteries (Control) Act, and on this occasion I have no alternative. I shall vote against the Bill in its present form because it seeks to continue the operations of the Act for all time, which gives the Council no opportunity to move any amendment with the object of curtailing those operations for any definite period. Various members have offered criticism against the lotteries, and Dr. Hislop advanced some very strong arguments in favour of amending the Act itself. I must admit that I am largely in favour of his contentions. There is not the slightest doubt that the scope of the Lotteries Commission has been extended considerably, particularly with respect to what we may regard as its discretionary powers. I would support a Bill introduced for the purpose of tightening up Section 19 for the inclusion of other amendments dealing with the distribution of money that is now being handled by the Lotteries Commission. The first and greatest call upon the Commission should be in the interests of the hospitals. Only after such requirements have been satisfactorily met should other charitable organisations receive consideration. In its present form, the Bill leaves me no option but to vote against it. I consider

that to make the Act permanent is a proposal to which this Council would not be justified in giving its assent.

**HON. C. F. BAXTER** (East): A great deal of opposition has been voiced not only to the Bill but against lotteries generally. Were it not for the fact that the inauguration of this system did away with many worse evils, that criticism would be fully justified. No doubt the present system has its disadvantages with respect to the young people, but even so, at worst that is not comparable with what was happening at the time when the original legislation was introduced and passed. In those days we had those wretched crossword puzzles.

Hon. E. H. H. Hall: Only through the laxity of the Government.

Hon. C. F. BAXTER: I was a member of the Government at the time, and I know there was no other way of preventing the continuance of crossword puzzles.

Hon. E. H. H. Hall: You did not try!

Hon. C. F. BAXTER: It is all very well for the hon. member to say that the Government did not try. The hon. member must know that the legislation brought in to get rid of the crossword puzzles was the cause of the Government's defeat.

Hon. E. H. H. Hall: It was a disgrace to your Government!

Hon. C. F. BAXTER: I was under the impression that the hon. member had already spoken on the second reading.

The PRESIDENT: Order!

Hon. C. F. BAXTER: The hon. member should be satisfied with one speech on the Bill.

Hon. E. H. H. Hall: It was a disgrace!

Hon. C. F. BAXTER: In those days money was being sent out of the State for investment in consultations in Queensland, New South Wales and Tasmania. I am aware that that practice has not been completely stopped, but it has been restricted to a very large extent, and the money is now mostly invested within the State. The money that is at present invested in connection with the lotteries would not be spent in that direction were it not for the prevailing gambling spirit. Nothing in the world will stop the people gambling, and gambling will go on. If it were not for the funds made available by the Lotteries Commission,



how would many of our charities be financed? I do not say for one moment that I agree whole-heartedly with the way some of the money has been expended in certain directions, but I shall not deal with that phase. When some members indulged in adverse criticism, I think they were inclined to forget the evils that the original Act was passed to deal with. I notice that one of the evils the legislation was passed originally to deal with was corrected for a while, but it has been resorted to again. I refer to street collections. I am quite aware that the war is largely responsible for that practice being reverted to. I know that in some instances the appeals are most necessary.

Hon. E. H. H. Hall: Much fine work is being done in that direction.

Hon. C. F. BAXTER: There was no necessity for those street appeals before the war, and I trust that when hostilities cease the collections will be stopped. It is a coercive method of collection that the people should not be forced to submit to. Primarily, the Act was passed in order that funds might be provided for the various charities, but the effort has gone beyond that now. An enormous amount of money has been devoted to the new Perth Hospital, much more in proportion than is spent in other directions. That has freed the Government from some financial responsibility and, in those circumstances, the Government should be prepared to find the greater proportion of the money required. On the other hand, we find that the Lotteries Commission is undertaking that responsibility. Looking back on the spectacle of the past, members must recognise the vital effect the crossword puzzles had on the young people. There was a rush for them in those days.

Hon. E. H. H. Hall: They should never have been allowed.

Hon. C. F. BAXTER: The hon. member knows that it was impossible to stop them because they were greatly favoured by the public.

Hon. E. H. H. Hall: You would not face the position!

Hon. C. F. BAXTER: The Government of the day faced worse than that when it decided to place the Lotteries (Control) Bill before Parliament. Many people at that time thought the legislation would not be passed by the Legislative Council, but

it was agreed to, and I think that course was adopted largely on the assumption that, although members did not altogether agree with the proposal, it would do away with the other systems then in vogue.

Hon. E. H. H. Hall: And you appointed members of Parliament to the Lotteries Commission, and paid them.

Hon. C. F. BAXTER: The Government appointed the man who had sponsored the scheme—Mr. Clydesdale.

Hon. E. H. H. Hall: And Mr. Harry Mann.

Hon. C. F. BAXTER: It was Mr. Clydesdale who conceived the scheme and brought pressure to bear on the then Minister, the late John Scaddan, to introduce legislation to give effect to the proposed State lotteries. In view of the vast amount of good that has resulted from the consultations, I do not think Mr. Clydesdale need worry very much about his past action. It resulted in many sections of the community receiving assistance when they could not help themselves. While members have criticised the Lotteries (Control) Act and the administration of the Commission, I do not think they would like to revert to the conditions that obtained before the legislation was introduced. Let them submit an alternative scheme that will achieve the required results, and I will support it in opposition to the State lotteries. Until they do that, I shall support the scheme, which has rendered such excellent service to the State, despite its drawbacks.

HON. C. R. CORNISH (North): I shall vote against the second reading of the Bill, but I do not want the lotteries abolished. I agree with previous speakers who suggested that the legislation should be re-enacted for a further period of three years. I support Mr. Baxter's contentions with regard to gambling, which I agree we will never stop. It is inherent in most of us from childhood days. We started with marbles and tops. We gambled for "keeps" in order to create a little spirit of excitement in the game. Even when our mothers and sisters sit down to a game of cards, they like to have 3d. or 6d. on it—and it does no harm. In fact, there is no harm in gambling unless it is carried to excess. It is the same with other so-called evils. If a man can afford to risk £1 on

a game, it does him no harm. It is only when he risks the wherewithal that is essential for the maintenance of his wife and children that the trouble starts. It is then that gambling is carried to excess and becomes an evil.

The lotteries, as Mr. Baxter remarked, have rendered wonderful assistance to the hospitals and various charities. I certainly do not think that money would be collected so easily by any other means as it is through the lotteries. People will have their little gamble, and if the opportunity is available here, the money for investment will not go to Queensland, New South Wales, Tasmania, or even to Ireland. We should keep that money here by providing the requisite form of investment, particularly as it does no harm. I would be prepared to support a Bill providing for the extension of the life of the Commission for a further three years, but I would not like the Act to be made permanent. I shall vote against the Bill in the hope that another will be introduced providing for the three-year period.

Hon. G. Fraser: You will be taking a risk!

**THE CHIEF SECRETARY** (in reply): Although considerable opposition has been made manifest with regard to the proposal embodied in the Bill to make the Lotteries (Control) Act a permanent feature of the statute-book, there has been little new advanced by members who are opposed to the adoption of that course. I am just wondering whether there is not quite a lot of truth in Mr. Baxter's remark when he suggested that members have either overlooked or entirely forgotten the condition of affairs that existed in 1932 when this legislation was first placed before Parliament. I do not think there is one member of this Chamber who would be prepared to support a state of affairs such as existed at that time. If my memory serves me aright, the original Bill, when introduced in this House, met with very little opposition. This Chamber certainly had decided that it would give the Bill a life of 12 months only, the argument being that after a lapse of that period it would be possible to review the operations of the Commission. As members are aware, this Chamber has been consistent ever since

then in refusing to grant any longer period of life to the Commission than 12 months.

I recall very clearly the state of affairs in 1932. As the title of this legislation indicates, it is a measure to control lotteries; and I make the very definite claim that it has had the effect of controlling lotteries in this State to a greater extent than has occurred in any other State of the Commonwealth. Today we are not pestered as we were years ago with large numbers of speculative competitions—I think they were once so described by a member—and we are no longer pestered by demands to support all kinds of lotteries, big and small, lotteries where one could never have a guarantee as to where the money would eventually go, where there was no guarantee whether the money was going into private pockets or not. Today, as a result of this legislation, we can honestly say that the Lotteries Commission has directed the profits from the lotteries here to the benefit of the people generally, rather than to that of private individuals. There seems to be a certain amount of confused thought on this question. We have some members saying that they are opposed to this legislation more on economic grounds than on moral grounds, and we have a few other members who claim that they oppose the legislation on moral grounds only; and yet, remarkable to relate, we find that over the years most of those members have at least been associated with the Lotteries Commission in one way or another, even if it has only been by applying to the Lotteries Commission for assistance to some organisation or institution in their districts.

Again I say there is not one district in this State that has not benefited very considerably as the result of the funds which have been raised by the Lotteries Commission. That reminds me of a statement made by one member who definitely asserted that the Lotteries Commission had made a commercial success of lotteries in Western Australia. The hon. member complained on that score. I wonder what that hon. member would have said if the Commission had not made a commercial success of the lotteries. I think he would have held the Commission up as another instance of the inability of State enterprise to show a profit, and I suppose that the strongest criticism in that regard

would have been based on the fact that where one is dealing with lotteries, or with anything of a gambling nature, the profits should be very considerable.

When members are so hard up for an argument against a piece of legislation like this, that they will complain that a commercial success has been made of an enterprise, it speaks very well for the Lotteries Commission and its activities. This Commission has, over the years, raised a considerable amount of money, and has distributed it in such a way that there has been very little complaint at any time from any district in regard to the method of distribution or the organisations which have been assisted. The exception to that statement is the argument used by Dr. Hislop, who in his usual style complained that the Commission was not the best body that could be devised for the purpose of distributing the proceeds of lotteries in this State. I combat that statement by saying that there is no other body in Western Australia more capable of distributing the funds of the Lotteries Commission in an equitable manner than is the present body. I make that statement very definitely.

I believe the hon. member in his remarks inferred that the Lotteries Commission would be all the better if there were a medical man on the Commission, one who could give some consideration to the diet of orphans in our orphanages. I am beginning to think the hon. member is rather obsessed with this idea of insisting on a medical man being in a position to deal with matters of this kind. While I am on that particular subject, I would like to answer his query as to how the sum of three shillings per head paid for children in our orphanages was arrived at. In 1937, representations were made by various orphanages in Western Australia to the Lotteries Commission for the granting of a sum of 3s. per head per week, on the ground that the finances of the organisations were not sufficient to allow them to do as much as they would like for the children. I think some reference was also made to the subject of food for the children. The allowance, the institutions suggested, would enable them to give a better diet. The Lotteries Commission made rather exhaustive inquiries into this matter, and decided that the request put forward was reasonable; and from that date all

the orphanages in Western Australia have received 3s. per week per head as a subsidy from the Lotteries Commission.

Hon. L. Craig: To be spent as they might desire.

The CHIEF SECRETARY: That is so. The Lotteries Commission does not indicate to the orphanages how the money is to be spent, but is simply making this contribution to their general funds with a view to enabling them to carry out fully the work they are established to do. On the question of diet may I also mention that the Child Welfare Department has some association with that matter. I understand that the Child Welfare Department inspects orphanages and takes into consideration the diet provided for the children. I suggest to this House that notwithstanding the strong advocacy of Dr. Hislop, the Lotteries Commission is hardly the body that one would refer to for a considered opinion as to what diet would be most suitable for an orphanage.

The annual bogey of the expenses of the Commission has been raised. Apart from the commission to selling agents, the costs have now been brought down to 4.5 per cent., a very low rate of expense indeed, and one which in my opinion indicates that the Lotteries Commission is evidently a highly capable and very thorough body of men. The Commissioners have decreased the expenses from a considerably higher percentage than 4.5 per cent. to that figure. As regards selling agents' commission, I realise of course that there is room for difference of opinion as to whether 10 per cent. is too high or not. I point out that the 10 per cent. paid in this State is on all fours with the commission paid in other States of the Commonwealth for similar work. I have here the figures relating to Queensland and New South Wales, and they are practically the same as our Commission's figures. In any case, I would point out, as I have done previously, that if the rate of 10 per cent. were reduced, it would not follow that the earnings of the larger agents, who have been criticised in this Chamber, would be reduced, because many of the smaller agents would not be prepared to carry on at a lower rate than 10 per cent. Thus the logical outcome would be that the sales of the larger agents would be increased, thereby offsetting any reduction in the rate of commission. There

are something like 500 agents registered with the Lotteries Commission, and I understand that the average number of books sold by agents is about seven for each sweep. Furthermore, not less than 400 agents out of that number of 500 receive less than £1 per sweep for work in connection with selling tickets.

There has been some criticism regarding the total amount that goes to charity and hospitals. Well, of course, it is easy to complain that too small a percentage of the amount of money subscribed to a lottery goes to charity or to hospitals; but I venture to say that the results in this State will bear favourable comparison with the results from lotteries anywhere else. After all, it is necessary that there should be some attraction; otherwise subscribers would not be keen to put in their money. I believe that the percentage of proceeds distributed in the form of prizes is equitable and seeing that the percentage of expenses is so low I do not think there is much to complain about. One can at least see that all the profits derived from lotteries in this State are distributed amongst the hospitals and other charitable organisations of Western Australia. Dr. Hislop referred to the increased expenditure on advertising. I was not too clear whether the hon. member referred merely to the cost of advertising, or to the nature of the advertising. I wish to point out to him that as a matter of cold fact the advertising expenses of the Commission have been reduced by no less than 50 per cent. during the last two or three years, and that if he was referring to the increased cost of printing and advertising as it appears in the accounts of the Commission, that is easily accounted for by the fact that lotteries are being drawn more frequently now than previously.

We compel the Lotteries Commission to advertise, and it is necessary that there should be an increased quantity of printing in order to meet the requirements of the increased number of lotteries. Dr. Hislop referred also to what he termed overlapping as between the hospitals fund and the Lotteries Commission. I can assure him that there is no overlapping in that regard. The funds are distributed by the Lotteries Commission in co-operation with the department, and if the hon. member cares to analyse properly the distribution from

the Lotteries Commission and the distribution of the hospitals fund he will have to admit that no overlapping exists there. That reminds me, too, that one or two members were asked, I think by way of interjection, what alternative they would suggest as a substitute for the lotteries as we know them today, and that those members could only suggest that there should be a hospital tax. There again I think the suggestions made by those members show that they have a rather surprising lack of knowledge of the actual position. They are aware, of course, that at one time we had a hospital tax in this State of 1½d. in the pound; but they should also know that during the last two years we have not had the right to tax the community in any shape or form. We passed over that right to the Commonwealth Government; and since uniform taxation came about we have been receiving from the Commonwealth Government a sum of money each year which is based on the average collections from the hospital tax for the two years' immediately prior to the 30th June, 1942.

Hon. H. Tuekey: Must that arrangement stand?

The CHIEF SECRETARY: Unfortunately it must.

Hon. J. A. Dimmitt: Is that money devoted to hospitals?

The CHIEF SECRETARY: Of course it is.

Hon. H. Tuekey: I did not mean that the arrangement was to stand for the time being. Must it go on for years?

The CHIEF SECRETARY: It must continue as long as the present arrangement between the States and the Commonwealth Government exists. Members are aware that that arrangement was made. They are also aware that the time will come—at least we hope it will—when the right to tax the people will revert to the State Parliaments. When that time arrives, if we desire to have a higher tax for hospital or charitable purposes, Parliament will have an opportunity to express its opinion.

Hon. H. Tuekey: The amount is altogether inadequate now.

The CHIEF SECRETARY: I have a statement which indicates the present position of the hospital trust fund, and I think it well to give the House the details for the three financial years 1940-41, 1941-42, and 1943-44. The first year is the one immedi-

ately prior to uniform taxation; the following two years of course come under the uniform tax. In 1941-42 the total receipts of the hospital trust fund were—

|                             | £        |
|-----------------------------|----------|
| Net tax collections .....   | 288,975  |
| Treasury grant .....        | 6,000    |
| Maintenance natives .....   | 1,750    |
| Miscellaneous revenue ..... | 457      |
|                             | <hr/>    |
|                             | £297,182 |

The expenditure for that year, including administration, maintenance of hospitals, capital works, superannuation contributions and miscellaneous expenditure, was £288,567. The total receipts for the year 1942-43 were—

|   | £        |
|---|----------|
| Commonwealth grant .....                  | 275,750  |
| Treasurer's grant a/c capital works ..... | 30,000   |
| Treatment of indigent natives             |          |
| miscellaneous receipts .....              | 2,305    |
|   | <hr/>    |
|   | £308,055 |

The expenditure for that year was £274,886, the items being the same as for the preceding year. For the year 1943-44 the receipts were—

|  | £        |
|--|----------|
| Commonwealth grant .....   | 275,750  |
| Maintenance indigent natives and miscellaneous collections ..... | 3,381    |
|  | <hr/>    |
|  | £279,131 |

The expenditure for the year was £285,682, the items being the same as for the two preceding years. The balance in the hospital trust fund at the close of the year 1943-44 was £44,519. Now that I have submitted these figures, there is no need for any member to be ignorant of the actual position of the fund. Every penny received by the Government in that connection was expended in accordance with the Act. Every penny that is received by the Lotteries Commission is also expended in accordance with the Act.

Hon. H. Tuckey: But we are still very short of money.

The CHIEF SECRETARY: Who is?

Hon. H. Tuckey: The hospitals.

The CHIEF SECRETARY: Some of them are short of money, but in view of the times through which we are passing that is not surprising.

Hon. E. H. H. Hall: But there is £40,300 to the credit of the fund.

The CHIEF SECRETARY: Yes.

Hon. E. H. H. Hall: Why not spend it? It was meant to be spent.

The CHIEF SECRETARY: That is another interjection showing the hon. member has no regard at all for existing circumstances. As a matter of fact, the department, if it could have done so, would have spent far more than that amount.

Hon. E. H. H. Hall: I am very glad to hear that.

The CHIEF SECRETARY: The hon. member knows we are still at war. He knows that the shortage of manpower and of materials has affected hospitals as well as other departments.

Hon. E. H. H. Hall: And he knows that 30 tradesmen have been on strike this last week, and that no attempt has been made by the Government to get them back to work.

The CHIEF SECRETARY: The hon. member does not know what he is talking about.

Hon. E. H. H. Hall: He is not the only one!

The CHIEF SECRETARY: I would like to refer to one or two matters which were mentioned by Dr. Hislop. His remarks may not have been exactly relevant to the Bill, but he did take the opportunity to refer again to what I now describe as his obsession. In order to support his point of view, he quoted a letter which had recently been received by him in connection with the Lake Grace Hospital. Members will recall that when he quoted that letter it appeared certain that there had been no collaboration at all between the department or the Lotteries Commission and the Lake Grace Hospital Board. Having had some experience recently of the misleading effect of quoting letters or only parts of letters, without disclosing the whole of the facts, I have made specific inquiries into this particular case. I feel members ought to know the whole of the facts, and not remain satisfied with the reading of one letter received quite recently by Dr. Hislop. I do not intend to read the whole of a report which I have, but I wish to inform the House that the question of improvements to the Lake Grace Hospital goes back to the year 1940. In that year two proposals were drawn up by the Principal Architect for certain additions to the hospital, one of which was to cost £1,180.

and the other £2,200. The latter proposal was the one recommended by the Principal Architect. These sketches were submitted to the local hospital board, but no action was taken. The board hung fire about two years. Then, in June, 1942, it decided to proceed with the second and more expensive proposal.

Members will realise that in June, 1942, things were not too happy in Western Australia; and as the result of the position—as we all know it was then—the local board was requested not to proceed with the proposal for the time being, but to allow it to remain in abeyance for six months. In March, 1943, the senior officers of the Public Health Department visited Lake Grace and discussed the whole matter with the local hospital board. I understand some new ideas were put forward and that later these were put in the form of a sketch plan by the Principal Architect. The estimated cost of the additions was then found to be £2,880. As is usual in a case of this kind, the plans and estimates were submitted to the board for its consideration. By the end of October, 1943, finance had been arranged; but, before proceeding to prepare the final documents, certain details were submitted for revision and the sketch plan was not finally returned until January, 1944. The final plans and specifications were sent to the board on the 3rd March, 1944. Tenders were called for this work, the lowest being £4,600, whereas the department's estimate was £2,880. In view of the importance and urgency of the work, the Principal Architect recommended that further tenders should be called. This was done, the lowest tender on this occasion being £4,577. In view of the great disparity between the lowest tender and the department's estimate, the department was not prepared to recommend acceptance of the tender. On the 19th August, 1943—and this is in reply to Dr. Hislop's statement that the department was apparently acting without collaboration with the local board—under the heading "Proposed additions and alterations to Lake Grace Hospital," the chairman of the board commences his letter by saying—

In the first place, may I, on behalf of my board, express its thanks to you for the manner in which you have assisted us on this item? The Hospital Board has adopted the plan forwarded by you.

On the 22nd October, 1943, the chairman, writing on the same subject, said—

May I, on behalf of the board, express to you its appreciation of the very generous manner in which you have met us on the matter? I can assure you that my board feels that its efforts towards obtaining adequate accommodation for both patients and staff are only being made possible through your co-operation.

Those quotations from the letters of the chairman of the board I think completely negative the statement which was attributed by Dr. Hislop to the local doctor. It is perfectly true that in the last week or two the chairman has written to the department urging that the whole scheme should be reconsidered and stating that it would be far better to scrap the existing hospital as a hospital and use it for quarters, building a completely new hospital for Lake Grace. There can be no doubt that to do so would provide better accommodation than that which now exists, but it would probably involve an expenditure of £10,000, and it is questionable whether that amount of money is available for the purpose.

Hon. E. H. H. Hall: What about the £40,000 you have in the hospital trust fund?

The CHIEF SECRETARY: That amount has to be distributed among about 80 hospitals.

*Sitting suspended from 6.15 to 7.30 p.m.*

The CHIEF SECRETARY: I have little to add to my previous remarks, but to conclude my statement in regard to the Lake Grace Hospital I point out that the latest proposal, submitted during the last few weeks, for an entirely new hospital and to use the existing hospital as nurses' quarters, has been referred to the Departmental Hospital Planning Committee and, of course, will receive due consideration at its hands notwithstanding the fact that the new proposal will probably cost in the vicinity of £10,000 as against the original proposal of about £2,000.

Hon. L. Craig: How much would the Lotteries Commission provide out of that £10,000?

The CHIEF SECRETARY: That would be for the Commission to decide.

Hon. L. Craig: The local authority will have to provide some of it.

The CHIEF SECRETARY: Yes. One other matter was mentioned by Dr. Hislop.

He said that the Lotteries Commission had agreed to help the Home of Peace extend its buildings. The hon. member said, "There again is evidence of lack of planning. Assistance is to be given to a body to extend it knows not how." As a matter of fact the position is that the committee of management of the Home of Peace requested assistance from the Lotteries Commission to extend its buildings in order to provide additional accommodation for patients. The Commission's reply was that it would be quite prepared to assist but that first of all the committee must submit plans and specifications of the proposed extensions, and that when that had been done the Commission would be in a position to determine just how far it would be necessary for it to render assistance. That clearly shows that there is no ground for the statement of Dr. Hislop that the Commission in that particular case was prepared to advance money without having safeguarded itself in regard to the way in which the money was to be expended.

There is only one other point with which I wish to deal, and it is the one raised this afternoon by Mr. Baxter. He said that he did not agree with the street collections that are held every week, or nearly every week. He said that these street collections had grown from very few in number until today there are many of them. There again I think it indicates that the hon. member has forgotten that in the years gone by we used to have sometimes two and three collections a week and, in order to combat that tendency and control the street collections, a special Bill was introduced. That Bill was amended by this Chamber to provide for no more than 50 street collections each year, which was a considerable reduction on the number that had been held in previous years. The Government accepted that amendment, which is the law today.

Hon. G. W. Miles: There used to be hundreds of them.

The CHIEF SECRETARY: Yes. The street collections come under my departmental control and I am very pleased indeed with the results of the supervision exercised by my department. Today I seldom hear complaints about the way street collections are conducted. There is keen competition among the charitable and patriotic organisations for the right to conduct street appeals and, as a matter of fact, it can be practically guaranteed that a street appeal will

today bring in anything from £700 to £1,200. The department, of course, keeps a very keen eye on the methods adopted. We have certain regulations which have to be complied with, and we must have a full return of the money collected and distributed. I am pleased to say that the cost of collections has been reduced to a figure—this is subject to correction—of something like 3.9 per cent. That is very low indeed. Mr. Baxter may not like street collections, but the position is absolutely the reverse of what he contended it to be in view of the fact that we have special legislation dealing with the subject. At no time has the number of 50 per year been exceeded. I do not think we have reached that number in one year; 49 has been the maximum number of permits issued. There is one final point and that is the one raised by Mr. Seddon. He suggested that if the House agreed to the proposal in this Bill there would be no opportunity whatever for Parliament to review the operations of the Commission. I submit that that is not correct.

Hon. L. B. Bolton: You are relying on the Government Auditor's report.

The CHIEF SECRETARY: I think it was Mr. Seddon who was responsible for the provision that the auditor's report on each lottery should be laid on the Table of the House. He was insistent in that regard and, of course, that is done. Members have every opportunity of analysing the operations of the Lotteries Commission from month to month and there is nothing to stop any member at any time from moving a motion in this House dealing with any particular lottery or with the policy of the Lotteries Commission. It is hardly correct to say that the work of the Commission would not be subject to review. I agree that the operations of the Commission should be submitted to Parliament in the manner adopted today. I am not complaining about having to do that. It is certainly an expensive procedure, but it is done, and I believe it gives satisfaction. I believe, too, that 95 per cent. of the members of this House will agree with me when I submit that the Commission has controlled lotteries in this State in a way comparable with what occurs in any other part of Australia, that in the distribution of its funds it has been impartial and equitable and that there is not one district in the whole of the State that can complain about the treatment it has received

at the hands of the Commission. I hope that this Bill will receive greater support than has been indicated by a number of members.

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

|      |    |    |    |    |
|------|----|----|----|----|
| Ayes | .. | .. | .. | 10 |
| Noes | .. | .. | .. | 16 |

|                  |    |   |
|------------------|----|---|
| Majority against | .. | 6 |
|------------------|----|---|

#### AYES.

|                   |                     |
|-------------------|---------------------|
| Hon. L. Craig     | Hon. E. M. Heenan   |
| Hon. J. M. Drew   | Hon. W. H. Kitson   |
| Hon. G. Fraser    | Hon. T. Moore       |
| Hon. F. E. Gibson | Hon. C. B. Williams |
| Hon. E. H. Gray   | Hon. W. R. Hall     |
|                   | (Teller.)           |

#### NOES.

|                        |                      |
|------------------------|----------------------|
| Hon. L. B. Bolton      | Hon. G. W. Miles     |
| Hon. Sir Hal Colebatch | Hon. H. S. W. Parker |
| Hon. J. Cornhill       | Hon. H. L. Roche     |
| Hon. C. R. Cornish     | Hon. H. Seddon       |
| Hon. J. A. Dimmity     | Hon. A. Thomson      |
| Hon. E. H. H. Hall     | Hon. H. Tuckey       |
| Hon. V. Hamersley      | Hon. F. R. Welsh     |
| Hon. J. G. Hislop      | Hon. W. J. Mann      |
|                        | (Teller.)            |

Question thus negatived.

Bill defeated.

## BILL—RURAL AND INDUSTRIES BANK.

### Second Reading.

Debate resumed from the 22nd November.

**HON. H. L. ROCHE** (South-East) [7.45]: While some amendment has been made to the Bill in another place, even in its present form it still perpetuates that loathsome principle, the statutory lien, as provided for in Section 51 of the Agricultural Bank Act. Some people lay particular emphasis on the fact that the statutory lien, as provided for in the Bill, differs in some measure from the lien as it exists to-day under the Agricultural Bank Act of 1934.

Hon. C. B. Williams: How does it act with the private banks?

Hon. H. L. ROCHE: The difference such people see, I consider, is not an important one. One point that is stressed is that the lien will not apply in future unless the farmer's interest is one year in arrear. It is questionable whether under the existing Act the lien applied until a farmer was 12 months in arrear with his interest. I base that opinion on what I know actually happened to clients when, under the Farmers'

Debts Adjustment Act and the Rural Relief Fund Act, considerable writing-down was taking place of Agricultural Bank securities. In many of those cases—I have been informed in all those cases, though this may not be so—where the writing-down was completed, the farmer's account was deliberately left one year in arrear of interest. I myself have heard a bank official express the belief that it was necessary to do that in order to be sure that the bank had protected itself, because it was doubtful whether the lien applied until the account was in arrear to the extent of one year. There are good grounds for believing that it was always doubtful whether the bank could apply the lien until the account was 12 months in arrear. Consequently, the concession made in that regard under this measure does not appear to be a very great one. It is simply establishing what was the position under the existing Act.

Another provision in the Bill, which does not mean even as much as the one to which I have just referred, is that the farmer shall have the money to pay before the lien shall apply. That has always been the position. Obviously, if the money was not there, the lien could not be applied, and it is still left to the officials of the bank, who are concerned more about their returns to head office than about the welfare of the farmers, whether the farmer has the money with which to pay. To cite a hypothetical case, a farmer's proceeds may be £100. If his interest is £60 or £70, he has the money with which to pay. In many cases in the past, the money has been taken under the statutory lien and then refunded. That, however, is another matter. It is one of the ways, I believe, in which the statutory lien provision has been abused. The other advantage claimed for the lien provision in this Bill is that it cannot be applied by the controllers of the bank without the consent of the Minister.

It is rather difficult to contemplate a Minister over-riding his Commissioners. If expensive officials are to be appointed to control the institution, I cannot believe that a responsible Minister would over-ride their decision should they resolve to apply the statutory lien. If the Minister exercised his power of veto, he would be laying himself open to criticism similar to that which was urged against the old trustees, namely, that the decision of the controllers of the bank



was being altered by means of political influence. Should prices recede after the war, I can understand the Minister for Lands of that period being pestered considerably by the importunities of members of Parliament to ensure that the statutory lien did not apply. I think that that provision, which is claimed as a virtue, is a weakness. I doubt whether there would be any virtue in it in actual practice if it came to a question of the Minister's over-riding the officials of the bank.

Hon. G. Fraser: At the same time, you would not want the Minister to be merely a rubber stamp.

Hon. H. L. ROCHE: The bank is to be established under legislation and officials are to be appointed to control it. If there is to be any deviation from the provisions of the Act, or if any latitude is to be allowed, authority for such latitude should be given by Parliament and not by the Minister. The lien provisions under the existing Act have been applied very often—I will not say always—regardless of the results that have accrued to the farmer or to the security. The first consideration of an official is to carry out the dictates of head office. That is understandable and would apply in any institution. Unfortunately, however, it has never appeared that any responsibility was carried by officialdom, or that the success or failure of the client was considered. With their extraordinary power over clients, the first and only duty of officials seems to be the collection of money to bolster up the returns they have to submit to head office. This is in contrast to private institutions where, if a farmer fails and walks off his holding, someone else behind the farmer is usually asked to explain. The mere dismissal of the matter with the explanation that the farmer got fed-up or was not likely to be a good farmer after 10 or 15 years on the land is not accepted in such circumstances.

Members who have come into close contact with the farming industry will appreciate that over the last 12 or 15 years there has been a definite lowering in the general morale of the farming community. This has reached a critical stage and the feeling amongst farmers is wide-spread that every man's hand is against them, and of necessity their hand will eventually have to be turned against every man. With that I

agree. Those who actually know and do not merely assume what the conditions are over a good deal of our agricultural areas, can trace the development of that feeling back to the early days of the depression when an amendment to the Agricultural Bank Act, known as Section 37 (a), was introduced. This was followed by the present Act of 1934, including Section 51, which is known as the statutory lien provision. It always seemed to me that it represented a bitter, vindictive feeling that could admit of no honesty or virtue amongst the people who were clients of the bank. All said and done, the farmers who find themselves under the bank are not a pack of mangy dogs to be whipped into dishonesty or hunted off their properties by an officialdom which very often is unthinking, the officialdom that seems to carry no responsibility for a farmer's success or failure.

The Act of 1934, in effect, set out to treat 10,000 decent citizens as potential rogues. In hundreds of cases—it might be possible to say thousands of cases—this succeeded to an extent. Under such administration, in the years before the war and before the present level of prices, there were many men who, had they adhered to the strict letter of the law, would not be on their properties today. Admittedly they did sell a little wool or wheat or stock illegally—not a lot, just a little. Had they not done so, they would have had to leave their properties. Yet the great majority of those men are on their holdings today and are gradually getting ahead of their financial difficulties. In the eyes of officialdom, however, they are rogues or thieves, because, in the strict sense of the word, they broke the law. They did not want the money for riotous living or for the purchase of motorcars; they wanted money only to obtain some of the bare necessities of life for their womenfolk and children. They were not looking for a standard of living such as our friends in the city know; all they wanted were sheer necessities when produce prices were low, and they were denied them through the operation of the statutory lien. I know many of those men and I know that what I say is correct. It might have been a matter of only £15, £20 or £30 worth of produce, but they were forced into acting in that way, and any in-

stitution that applies legislation of that sort cannot expect to build anything in the nature of goodwill amongst the community in which it operates.

When moving the second reading of the Bill, the Minister stated that debt adjustment by the Agricultural Bank is now nearly completed. If that is so and if the debt adjustment has been on a reasonable and realistic basis, what need is there for the statutory lien? If the adjustment has been on a realistic basis, those properties will be worth the money owing on them. If the farmer falls down on his obligation and is not able to meet his interest bill, the bank will have its legal remedy, the same as any other institution or person that lends money would have, and it should not need the statutory lien. But the debt adjustment has not been on a realistic basis. It has been on the principle of charging the utmost it is possible to get; and I think the lien is probably included in this Bill with the idea or—should I say—in fear that in the period following the war, should there be a marked recession of prices, the lien will be needed to screw the last penny out of those people, as it was used before the war on those occasions when prices were low.

In the Legislative Assembly, the Minister, when speaking on this Bill, made reference to the need for goodwill; and I think that, judging from the report I read, he implied—if he did not actually say—that the past operations of the Agricultural Bank should be regarded from somewhat the same viewpoint. But there is not much hope of that. There is as much goodwill attaching to the Agricultural Bank in the districts where it has been operating as there would be attaching to a hangman's rope! The Agricultural Bank has had its opportunity to build goodwill, and it has lost its opportunity. This legislation would have justified more confidence if it had not apparently been built around the present Agricultural Bank legislation; if so much of it had not been lifted en bloc, given a new title and put up as something that presumably will be helpful to the farming community. It perpetuates those principles that have been considered so repugnant to the people concerned that even commercial people, I think, have found occasion to criticise; and there is no

prospect of an institution founded as this is, based as this is, being able to claim much in the way of goodwill. Of course, under the lien provision as outlined in Clause 69 of this Bill, new business is to be excluded.

That is not much of a concession to anyone, because I cannot conceive—and I do not think anyone in his senses can conceive—of any new business this bank would get voluntarily if the statutory lien were to be applied to it; and, if the measure ever does become operative and the bank wants new business, it will never get it unless it is excluded from the operations or the coercion of the proposed Section 69. There is another aspect of this proposal which I do not think is in the best interests of the farmers concerned. Apparently virtually all existing clients of the Agricultural Bank are to be forced to do all their banking and all their financial transactions through the rural bank. To a man on a fixed mortgage or to those who are granted the right to a fixed mortgage, if any, that may not be so bad. To those that are granted the right to an amortisation loan on reasonable terms it should be satisfactory. But for those—and I should imagine this will cover virtually all of them—who are forced to take their loan on overdraft conditions, I think their last state will be worse than their first. As they will operate through the rural bank on an overdraft, every penny they earn will go into that institution and every penny they wish to withdraw will have to be approved by officialdom, which up to date has not shown any great ability to control farmers' finances in the interests of the farmers.

To explain the matter a little further. Many clients of the present institution are indebted to the Agricultural Bank only on their land by way of mortgage. In most cases that mortgage is excessive. Their stock has been financed through private institutions. To give an instance of what I mean when I say "excessive": In the sheep areas in the agricultural districts, the debt of those people under the Farmers' Debts Adjustment Act has been written down to a capital value of £3 to £4 per sheep, and no financial institution that I know of, other than the Agricultural Bank, regards anything above 30s.—or at the outside £2—as a satisfactory capitalisation.

As a result of war prices many of those farmers who have been financing their current operations through stock liens, have now got those liens into a very healthy condition and have considerable freedom in their financial and trading operations. Those healthy liens will be taken over by the new rural bank and the farmer who knows his business best, the farmer who has been able to build up his credit and his stock under those liens so that now he has considerable freedom in his finance, will find himself in the position of being told by officialdom what he may spend and what he may do. When he thinks he needs £200 for sheep he can expect to be told that the bank wants to reduce his overdraft and that £100 will have to suffice. Or if he wants to buy £50 worth of rams, he will be told that is excessive and £15 will have to do. That sort of thing has happened in the past.

Hon. H. Tuckey: It is one of the mistakes.

Hon. H. L. ROCHE: I think it is almost certain to happen again. For that reason I do not like this legislation at all. I believe that many farmers are slowly but surely fighting their way out of their difficulties and I do not think there is any need for this. At the same time there is a definite danger in throwing these men back into the position where everything they need and do has first to run the gauntlet of officialdom, because officialdom, despite its virtues in some respects, is not—I am afraid—the best qualified to tell a man how to run his farm. Before there can be any prospect of success for an institution such as is proposed, or before there can be any confidence on the part of clients in the operations of that institution, officials have got to get out of their minds the belief that the average farmer is either a fool or a felon. He is neither. He has stuck it for the last 10 or 15 years, during some of the most depressing times we have had for agriculture in this country, not for the doubtful pleasure of defrauding the Agricultural Bank or anyone else, but in the hope that by carrying on—very often under intolerable conditions—and by frugal living he might eventually reap the success that should be his due. I do not think that fact is as widely appreciated as it should be.

The average farmer knows his farm; he knows its needs and its possibilities far better than anyone else and certainly

far better than detached, inexperienced officialdom, which has had little or no practical experience of the industry and, I am afraid, is far too remote from the client and his problems to be able to bring that close knowledge to bear on the various problems that they need, which to a very considerable extent some of the private institutions have been able to do. I refer more particularly to the stock firms, though I hold no particular brief for them. Like anyone else they are not in business merely for the good of their health; but they have built up a staff which seems to know its business; they have created an organisation in which the interests of the clients must be studied. The members of that staff have to know something about stock and the capacity of the farmer to handle stock and finance it. Consequently, though I hold no brief for the stock firms, I have far more faith in a continuance of the present state of affairs than I would have if the whole of the farmers' financial and business arrangements were to be placed in the hands of this institution the inauguration of which is proposed in the Bill. I find myself wondering, as I consider this legislation, what is the real purpose of the Bill. The Minister who introduced it in another place is reported to have said, among other things, that one of its purposes is to enable the management to protect the bank's interests by checking clients' transactions through their ordinary bank accounts. I wonder just what is the reason for that and what is the need for it.

Hon. H. Seddon: What is the meaning?

Hon. H. L. ROCHE: The meaning is fairly obvious. As I said earlier, what is required is the control of every penny that comes in and every penny that goes out, and it is not a question of a statutory lien. The statutory lien, in most cases today, is being met. It seems to me that this is only part and parcel of the belief that seems to be held in certain quarters that no farmer can be trusted to handle his own finances or his own business. Neither the Minister for Lands, nor the Chief Secretary, so far as I can see, seems to think that this legislation is designed particularly in the interests of the farmers. When he moved the second reading of the Bill the Chief Secretary said that there could be no future for the Agricultural Bank until some

new step had been taken. With that I can agree, although I cannot agree with the Minister's apparent conception that the bank proposed to be set up shall have as its first and prime duty the perpetuation of the Agricultural Bank. That means that the bank would be run in the interests of the institution itself and not so much in the interests of the farmers. The Agricultural Bank was inaugurated as a developmental institution and it is entitled to the greatest credit for the work it achieved in the early days.

To my mind, and I am sure to that of any one who considers the subject impartially, the difficulties of the bank began when it was saddled with the responsibility for the group settlement and soldier settlement schemes, and for the financing and management of the farmers' business as apart from developmental considerations. That was the step that led to the position that confronts us today. That change brought about very serious difficulties and into those difficulties the bank drew many of its clients. Had it remained a developmental institution and not been saddled with the group settlement and soldier settlement schemes, its reputation would have stood as high today as it did 30 years ago. Arising from the difficulties that the bank got into through being saddled with responsibilities it was not equipped to deal with, in those days a howl, if one may use that term, arose for the granting of more power to the Agricultural Bank to enable it to control its clients. A certain amount of additional power was provided in amending legislation in the form of Section 37A which was replaced by Section 51 in the Agricultural Bank Act of 1934. Judging by the remarks of the Minister for Lands in another place, it is now desired that the bank shall enter entirely into the financial and business side of farmers' operations and wants not only to have its own interest but to control every penny the farmer receives and every penny he spends. I do not think that in the long run that will be found to be in the best interests of the farmer or of the State—particularly of the farmer. Under those conditions, should there be any marked decline in prices after the war, then we will be faced with another tragedy in the Agricultural areas and even more abandoning of properties than we experienced in the

past. I shall oppose the second reading of the Bill. I cannot see any good purpose that it is designed to serve or that it will be in the interests of the farmers. I have always regarded my primary duty as being owed to the man on the land. I urge other country members and those representing group settlement areas seriously to consider whether they should not act similarly. There is nothing with regard to banking facilities that could be provided under the legislation that is not available under existing legislation.

Hon. E. M. Heenan: Are you satisfied with the present system?

Hon. H. L. ROCHE: I am not. That does not furnish any good reason why the farmer should jump out of the frying pan into a hot fire—and I think this may be a very, very hot fire. The purpose of this legislation can be—it has not been so stated and it may not in fact be so—to accelerate the collection of principal from Agricultural Bank clients. The overdraft provision can be used in that respect in order to provide capital to finance certain industries that may appeal to the Government of the day—I refer to other than primary industries. So far as I can gather, the capital of the institution is limited to the securities it holds which are not readily available at the moment, to about £350,000 of trust funds, and to such money as may be raised on debentures—which may be a lot or may be nothing. That may be the purpose behind this proposal. I do not say it is. I can see no advantage accruing to the farmers who are at present clients of the Agricultural Bank, but I can see definite disadvantages. In these circumstances, I would rather that the farmer remained a client of the Agricultural Bank than trust him to the tender mercies of a bank operating the worst of the coercive sections now appearing in the Agricultural Bank Act. I oppose the second reading of the Bill.

HON. H. S. W. PARKER (Metropolitan-Suburban): It seems to me that the Bill has been misnamed. It is not designed to set up a rural bank. It is to set up an ordinary trading bank, which will take over certain agencies from the Government. It is to be a bank run by the Government for profit in the ordinary way, plus the taking over of the bad debts of the Government—the bad

debts of the Agricultural Bank. As a matter of fact, the Agricultural Bank is not a real bank. It was described as such and in this instance in order to clothe the proposal with something that would appeal, the Government has designated the proposed institution a rural bank. The object is to set up a general bank, an ordinary trading bank. I have yet to find any Government capable of running a trading concern at a profit. This State has lost millions of pounds on account of its State trading concerns. Yet here is another proposed to be set up. The Government intends to embark upon one of the most exacting occupations that any individual can enter. Bankers start their careers immediately they leave school, and they continue their education in banking throughout the years to gain their experience. However, here the State is suddenly to embark upon a banking undertaking with a capital of £12,000,000. The institution will be in competition with the private trading banks and with the Commonwealth Bank.

Why do we do this? Ministers have a full-time job in governing without entering upon trading activities. If they devoted the whole of their time to governing the people, they would be far better occupied than they will be if they endeavour as a sideline to engage in trading operations. We would expect Ministers to trade for the purpose of saving the taxpayer. On the contrary, whenever they trade taxes have to be increased to cover the losses that are incurred. Inevitably that will happen again. There is a rather clever move on the part of the Government in that it is intended to trade as a bank and the bank will inevitably show a profit because the bad accounts will be transferred to the agency section. This is one of the most dangerous proposals one could possibly imagine. Here is a bank that can trade and lend money. It can lend money through the recommendation of the Commissioners at the instance of the Minister. Thus the Commissioners will be instructed by the Minister in charge to make a recommendation to lend money to the Government—and the Government will get the money. I have a very clear recollection of the change of Government in 1930. At that time there was a mistake in the accounts of £1,000,000, plus the fact that £1,000,000 of trust money had been spent, and there was nothing whatever in the Treasury. That was at the start of the

depression. The default had to be made up, and the money had to be found.

What position will the State be in when we start banking operations and money has to be lent to the Government by the Commissioners on the recommendation of the Minister in charge? An extravagant Administration may take office and it may borrow from the bank on the bonds of the Government itself to repay the amount borrowed. Somehow the taxpayer will be compelled to pay back the money. It will have to be found in some legitimate manner. It is suggested that the legitimate course to be followed is to engage once more in State trading. No Government of any colour whatever can trade successfully. We cannot have government and commercial trading combined. We must have the accounts dealt with by the Government auditor. The unfortunate Minister in charge of the concern has to come to Parliament and if the bank does anything he will have to answer questions. No trading bank could possibly carry on if its officers had to answer all the queries that members of Parliament liked to advance. Yet here we have another State trading concern, respecting which every member of Parliament will be entitled to ask all sorts of questions, and those questions will have to be answered. That is only one small indication of the difficulties that confront any Government that enters upon trading operations of this description. The Bill suggests that the Commissioners will run the bank, but, on the contrary, throughout the Bill it is provided that everything the Commissioners do will be subject to the Minister. The very first clause dealing with the whole subject sets out that the "Commissioners shall, subject to the Minister." It is under the Minister.

The political party that is anxious to support this trading bank is exactly the same political party which is anxious to make the Commonwealth Bank a political machine. The Commonwealth Government is very anxious to take over the Commonwealth Bank as part of its political body. And our State Government is also representative of the Australian Labour Party, and it is the policy of the Australian Labour Party to socialise banking. I feel that members must see that this is only the forerunner, the thin end of the wedge, for the establishment of a State trading bank to be subsequently handed over

to the Commonwealth. It will not be a case of whether this particular Administration hands over to the Commonwealth, but the Commonwealth will be so powerful, with the Commonwealth Bank, that it will absorb the proposed State trading bank. Again, members may recall how we were forced to sell our State Savings Bank to the Commonwealth. Of course we had the savings bank funds invested in Commonwealth bonds, and Commonwealth bonds on the market at the time were 20 per cent. below par; and the Commonwealth Government would not come to our assistance but said, "We will buy you right out." That was a time when there were runs on banks in New South Wales, and I think altogether five banks failed. There was a run on the State Savings Bank of New South Wales at the time, and there was a question of saving the people's money, and the only way to do it was to sell the savings bank to the Commonwealth.

What is going to happen here? If the arrangement is not already made with the Commonwealth—I am not suggesting that it is, but if it is—one can see how the Bill will work. "We will get in first in Western Australia; we will try it on the dog, and then see how it goes elsewhere." Here is a State trading bank straight out under Ministerial control. Can we allow that? This Administration is not going to be there all the time, and I wonder if the Labour Party would allow an Administration run by the Country and Democratic Party to run this State trading bank so as to let the farmers have exactly what they want? I wonder would they? Would they be prepared to let the industrialists foot the bill by paying up all losses? Would they not say: "At the present moment we represent the industrialists, and we are going to support that State trading concern, and if there are any losses we will make the so-called capitalists pay. We will not make the industrialists pay, but we will let the farmers and so on pay."

Hon. T. Moore: Are the farmers capitalists?

Hon. H. S. W. PARKER: The farmer is the greatest capitalist that exists. He borrows more than anybody else. Borrowed money is the only capital I know of that one can get one's hands on. I would ask members to read the Bill carefully; and if

they do pass the second reading, I will ask them earnestly to consider the various clauses which make this proposed bank purely and simply a political concern. The commissioners will be entirely and absolutely under the Minister. It might be possible to alter that. If we do alter it, quite possibly another place will not accept the Bill. I personally oppose the second reading, and shall vote against it, because the proposed bank is not wanted, and will be no earthly good to the citizens of Western Australia. It is not necessary. It will create more civil servants; and we are already amply served by expert bankers who are in competition with each other, and therefore we must get the best service from them. There is no need for the proposed bank. There is great risk of loss. It is impossible for any Government to run a trading concern, and I for one am not prepared to pass on to posterity any further losses on State trading concerns.

On motion by Hon. J. A. Dimmitt, debate adjourned.

### **BILL—MORTGAGEES' RIGHTS RESTRICTION ACT CONTINUANCE.**

#### *Second Reading.*

Debate resumed from the 16th November.

**HON. H. SEDDON** (North-East) [8.37]: I have opposed similar Bills for a considerable number of years, and I do not yet see that any reason has been advanced by the Government for the continuance of the legislation. When we were recently discussing a Bill to amend the Mortgagees' Rights Restriction Act, I suggested that it might be well to get some figures indicating just what was the amount that was being dealt with under the measure. It has to be remembered, of course, that the legislation applies only to mortgages which were in existence before 1931. Fortunately we have been able to prevent its application except under the National Security Regulations to mortgages which were executed since. The present position, as pointed out by Mr. Parker, is that today there is a very considerable amount of money looking for investment on mortgage; and therefore there should be no difficulty in any mortgagee obtaining the amount necessary to meet a mortgage as it is called up. Even under the regulations arrangements are made whereby, if a mortgage is

called up, the banks are allowed to take over that liability. In those circumstances I cannot conceive that a mortgage should be called up if the obligations of a mortgagor are complied with, but I consider that it should not be very difficult to transfer the liability to another client. Under the circumstances, unless the Chief Secretary can supply the information, I am inclined to oppose the Bill.

**THE CHIEF SECRETARY** (in reply): I would not be at all surprised if the hon. member voted against the Bill. In fact, I have expected him to do so. He has over the years been consistent in his opposition to this particular measure; and when he suggested that I should supply him with the number of mortgages involved and the amount of money involved in these mortgages, I was well aware that he knows better than most members of this House that he was asking an impossibility. But I do say to him, and he knows better than I do, that there are thousands of mortgages which would be affected if this legislation is not continued. Notwithstanding the numerous statements made in this Chamber that there is plenty of money available, I say that members when making that statement know that in many cases it is extremely difficult to secure the money required to redeem a mortgage.

Hon. L. Craig: Why?

The **CHIEF SECRETARY**: Because the money is not available. We spent a lot of time in amending the Act during this session, and we have made provision whereby people who are really suffering hardship may be allowed under the Act to have their mortgages redeemed. We spent a lot of time in discussing the conditions under which mortgagees should be relieved of their obligations under the principal Act. Having agreed to amend the Bill, now of course Mr. Seddon and his friends in this Chamber are only too anxious to see the Bill go out altogether. So far as the Government is concerned, we believe that this legislation is still necessary. We believe that the time will come when there will be no necessity for its continuance, But for the time being we think it not only necessary but essential, for we realise that there must be hundreds, that there may be thousands, of people who will be detrimentally affected if this Chamber does not agree to a continuance of the Act for an-

other 12 months. I hope that the time will come, and very shortly, when we shall be able to say that there is no need for continuance.

Hon. L. Craig: You said, "Very shortly."

The **CHIEF SECRETARY**: Yes. I am still hopeful, and consider the position to be much brighter today than it was in 1933. So while we have had the same old arguments on this Bill each year, I do submit that the position is such that we cannot afford to allow the Act to be repealed or not continued. In the interests of the small man, not of the big man, in the interests of hundreds of small men both in town and country districts, it is in my opinion essential that this legislation be continued. Therefore I do hope that the expression of opinion given by Mr. Seddon will not receive sufficient support to mean that the legislation shall not be continued after December of this year.

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

|              |    |    |    |    |    |
|--------------|----|----|----|----|----|
| Ayes         | .. | .. | .. | .. | 16 |
| Noes         | .  | .. | .. | .. | 10 |
| Majority for |    |    |    |    | 6  |

#### AYES.

|                    |                     |
|--------------------|---------------------|
| Hon. C. F. Baxter  | Hon. J. G. Hislop   |
| Hon. O. R. Cornish | Hon. W. H. Kitson   |
| Hon. J. M. Drew    | Hon. T. Moore       |
| Hon. G. Fraser     | Hon. H. L. Roche    |
| Hon. E. H. Gray    | Hon. A. Thomson     |
| Hon. W. R. Hall    | Hon. H. Tuckey      |
| Hon. V. Hamersley  | Hon. C. B. Williams |
| Hon. E. M. Keenan  | Hon. E. H. Hall     |
|                    | (Teller.)           |

#### NOES.

|                        |                      |
|------------------------|----------------------|
| Hon. L. B. Bolton      | Hon. W. J. Mann      |
| Hon. Sir Hal Colebatch | Hon. G. W. Miles     |
| Hon. L. Craig          | Hon. H. S. W. Parker |
| Hon. J. A. Dymmitt     | Hon. H. Seddon       |
| Hon. F. E. Gibson      | Hon. F. R. Welsh     |
|                        | (Teller.)            |

Question thus passed.

Bill read a second time.

#### In Committee.

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

### BILL—CONSTITUTION ACTS AMENDMENT (No. 2).

#### Second Reading.

Debate resumed from the 23rd November.

**HON. W. J. MANN** (South-West)  
[8.50]: When this Bill was first mentioned

I was extremely hopeful that it would embody some proposals which would be acceptable for overcoming, amongst other things, the occasional disagreements that arise between this House and another place.

Hon. C. B. Williams: What do you mean by occasional?

Hon. W. J. MANN: I mean those instances where Bills have reached a stage when they are not altogether acceptable to either House. One can reasonably claim that such instances are occasional. My memory goes back a good number of years and I do not recollect more than three or four instances.

Hon. C. B. Williams: Your memory is getting bad.

Hon. W. J. MANN: In some sessions there would be only one or two Bills referred to managers, and members will agree with me that usually they are so referred at a time when the session is being brought to a close. The present method of resolving these differences has many aspects to commend it and we should be extremely cautious in taking any step to bring about an alteration. In my view, however, there are one or two drawbacks to the present method. One in particular is when a Bill has reached the stage where, because of differing views between the two Houses, it is referred to managers and some unreasonable and stubborn member among the managers is deaf to any compromise, and is thus in a position to force the abandonment of a measure. I recall this House having spent a long time in debating very fully a Bill on the second reading and then considering it in Committee, only to find that because some member, who feels that the Bill is important in his own view, will not give way or concede anything, and thus the whole labour is lost. In some cases his decision might have been wise, but in other cases I feel sure there has been a lack of wisdom in the decision. I have never been enthusiastic about that phase of the present method of resolving these differences and I believe it is not impossible to find a better method.

The proposals in the Bill before us are, however, disappointing to me because all that is suggested is what I consider to be a crude method of insistence which will, in fact, undoubtedly leave this Chamber shorn of any authority and make its decisions in some cases of no effect. For

that reason alone I view the Bill with disfavour. As I said, I was hopeful that the Government would extend the olive branch to this House and exhibit what I think should be a reasonable attitude to the idea of doing away with a phase of procedure which another place, at any rate, very frequently complains about. The provisions of Clause 4 are so far-reaching that we should be very cautious indeed about accepting them. We should be very careful in even attempting to compromise on Clause 4, because therein a great principle is involved, the sovereign power of this House. I want to see a logical and reasonable way out of this difficulty and one has been suggested by a member of this Chamber; it is the adoption of the procedure followed in the Commonwealth Parliament.

I wonder whether it has dawned upon members that one of the outstanding features of this Bill is that we shall, if we pass it, give 26 members in another place complete power and ascendancy over the other 54 members of our Parliament. If members will devote a little thought to that angle, they will realise that 26 members, by standing firm and supporting a Bill which is introduced two or three times, can secure their way, the opinions of the remaining members of both Houses of Parliament being of no effect. To follow that to its logical conclusion, one can see that it is possible for 26 members to take full charge of the State. They could introduce all sorts of questionable schemes and incidentally commit the State to a staggering weight of debt which would cripple the electors for a very long period. They could pass legislation and have it put on the statute-book subjecting the people of this State to everlastingly high taxation. What prospect is that for the electors? What prospect is it for the generations coming after us? I can hardly believe that the Government really thought the position out, except for one thing, and that is—and in this I am inclined to agree with some other members—that the real purpose of the Bill is the paving of the way for the abolition of this Chamber.

Hon. C. B. Williams: You were elected on that issue.

Hon. W. J. MANN: I may have been, but I have never seen any evidence to that effect. If we are to permit the introduction of a system that will put into the hands of a



handful of men the whole destiny of this State, then the sooner we go out of existence as a Chamber the better—without waiting for this measure.

Hon. C. B. Williams interjected.

Hon. W. J. MANN: The hon. member who has just interjected represents the party, a great number of the members of which are never tired of complaining about or blaming the Legislative Council for its own failures.

Hon. G. Fraser: With plenty of justification.

Hon. W. J. MANN: I do not know. I think the Labour Party has this House to thank for a great deal. Had it not been for the many occasions that we have rescued the Labour Party from its own actions it would have been turned down long ago.

Hon. G. Fraser: Quite a life-saver!

Hon. W. J. MANN: Yes. This Chamber has on many occasions saved the Labour Party, because had we agreed to much of the legislation brought down there would have been such a howl from one end of the country to the other that the party would have been defeated at the next elections. We cannot get everything we desire, and we do take some little credit for saving those who might otherwise be lost. I sometimes give a little thought to the party to which Mr. Fraser belongs. I have nothing to say against trade unionism whatever. It is a laudable idea and I was once, I believe, an honoured member of a union. At any rate I have some evidence somewhere to show that. It was a very worthy union indeed. The position with political Labour is that it is controlled—and I use the word advisedly—by interests largely divorced from the true interests of trade unionism. It has grown into a vast and at the same time dangerous machine with an unwieldy body and a very small brain. I would be a good deal happier if I could see any indication that in the near future this position would be terminated.

I must frankly confess that the Labour Party at present seems to be increasing its powers in all directions. I am speaking now of those people who seem to be bent upon the destruction of all that is best in this fair Australia of ours. There is no one who will gainsay the fact that there are men at present rendering the greatest disservice possible to this country and incidentally to their party. These unreasonable and dan-

gerous extremists represent what one might call a new growth in democracy. Unless their machinations are checked they will become a cancer on the body politic just as dreaded as is that malady on the human body! I have no desire to use extreme terms, but what I say is true. These are the things that the people of Australia have to face up to, and they can face up to them largely through this Legislative Council of ours which is doing its best to maintain an even balance and to keep our politics clean and wholesome.

This Bill seems to be paving the way for a number of things, amongst them the abolition of this Chamber; and I am inclined to believe that it is also paving the way for the time when the people who dominate the powers-that-be today will be free to engineer a great deal of legislation which, with the Legislative Council in existence, they would not have the temerity to do. That is a matter that demands our attention. We would be negligent in our duty if we did not recognise these things, and insist that amendments such as are embodied in this Bill are not permitted to be brought to fruition. The procedure adopted in the past has, I believe, given general satisfaction throughout the country.

Hon. G. Fraser: You do not travel then.

Hon. W. J. MANN: I travel a good deal more than does the hon. member, and I meet people in all walks of life. I meet people who quietly and dispassionately discuss political questions. They are men who have a lot of time to think; men who work in the country, and who think and read and endeavour to see what is behind the legislation that is brought down. The point I want to make here is that at no time have I ever heard any real expression of opinion regarding the abolition of this Chamber. Possibly if I went to Trades Hall, or mixed with some of the gentlemen who speak on the Esplanade on Sunday afternoons, I might hear more about the abolition of this Chamber, but I mix with people who take a sane view and who know much more about the politics of this country than do many of those who stand on the soap box on the area that I have just mentioned. I believe that in this matter we would be doing what the great majority of electors expect of us.

Hon. G. Fraser: Which electors?

Hon. W. J. MANN: The people who constitute this State; the people who think. I

do not mean the people who howl and squeal about all sorts of things, but the people who earn and make the wealth; those who are the backbone of the country. Those are the people whom I am talking about!

Hon. G. Fraser: Those are the people who are—

Hon. W. J. MANN: We are learning every moment. Those are the people we represent and to whom we should look for guidance. They are the people who, I am certain, if a referendum were taken to-morrow, would say that the Legislative Council should continue.

Hon. G. Fraser: Would you take it from the people, or from the electors of the Legislative Council?

Hon. W. J. MANN: From all the people who are worth while, because 98 per cent. of the people who are worth while can, if they so desire, be voters for this House. The conditions are so broad and so easy of fulfilment that very few people can really complain that they have no chance of being electors of this Chamber. I said at the outset that I believed the present method could be improved in one direction particularly. I am going to show my faith in that regard by keeping an open mind until the debate is closed.

Hon. G. Fraser: You sound as if you are very open!

Hon. W. J. MANN: If I am assured that the suggestion made by Mr. Cornell, namely, that we should accept the procedure followed by the Commonwealth Government, is agreeable to this House, then I am prepared to vote for the second reading and for the amendment. But I want that assurance. I may even yet vote for the second reading on that understanding. I want there to be no ambiguity about it. If I vote for the second reading, and the Bill is carried but is not amended to my satisfaction, then I reserve the right to vote against it on the third reading. I think that is reasonable and fair.

Hon. L. B. Bolton: We all have that right.

Hon. W. J. MANN: Yes, we all have that right. Then we shall see how far the Government will be prepared to go towards accepting the suggestion made by Mr. Cornell.

**HON. G. FRASER** (West): It is hardly necessary for me to say that I intend to support the Bill—

Several members interjected.

Hon. G. FRASER: —because members know that I always support anything of a democratic nature.

Several members interjected.

The PRESIDENT: Order! Members must allow Mr. Fraser to proceed with his speech without interruption.

Hon. G. FRASER: I repeat that members are aware that I always support anything of a democratic nature. The only thing I cannot understand is why a Bill of this sort was not introduced many years ago in order to bring this State to a democratic stage. Mr. Mann mentioned that the franchise for this Chamber was very broad. Let us examine it for a moment just to see how broad it is. First of all take the qualification of £50 freehold! Quite a lot of people who have that qualification hold it, not because they bought a block of land for which they paid £50, but because they bought a block of land for about £20 in a district which became favoured and in which other people by building around that block caused its value to increase, so that when it reached a valuation of £50 the holder became entitled to a vote.

Hon. L. Craig: That is not affected by the Bill.

Hon. G. FRASER: That is a reason for introducing the Bill. Other people made the value for that land. Then take the householder! In various parts of the State people are occupying houses which, in the metropolitan area, make them eligible for a vote for this Chamber, but because many of those houses are in the South-West or other parts of the State, the occupants are denied a vote. Take the leaseholder! He has the right to enrolment for this House if his lease has 12 months to run; if it has only 11 months to run he is not entitled to enrolment, but if it has 13 months to run he is entitled to enrolment.

Hon. H. S. W. Parker: Where do you get that?

The PRESIDENT: Order! Members will have an opportunity later to reply to the hon. member's argument.

Hon. G. FRASER: Still, when the period of that lease falls below 12 months, we do not deprive the leaseholder of the right to vote. The same thing applies to the equit-

able freeholder qualification. A man with a £50 equity in a house has the right to a vote, as well as the owner of the place, but when the purchaser has paid for the place, the name of the vendor is not removed from the roll until such time as the purchaser applies for enrolment as freeholder. As a result of the limited franchise, the Legislative Council rolls contain the names of 79,889 electors, while on the people's roll, to which Mr. Mann referred, there are 274,856 electors. Thus only about 29 per cent. have the right to vote for this Chamber. In saying 29 per cent. I am being generous, because included in the total are the plural voters.

Hon. H. Tuckey: Why do not many others who are qualified get on the roll?

Hon. L. B. Bolton: Is this a franchise Bill?

Hon. G. FRASER: This is a Bill designed to make this House a little more democratic.

Hon. L. B. Bolton: You would not suggest, I suppose, that it is a red-herring?

Hon. G. FRASER: Apparently the true proportion of electors of the Legislative Council to electors of the Legislative Assembly is about 25 per cent. In my province there are 11 or 12 per cent. of the electors on the Council roll who live outside the province, and therefore we can assume that the majority of them are duplicate votes.

Hon. W. J. Mann: How many eligibles have you got in your province?

Hon. G. FRASER: Those who have the franchise for this Chamber—

The PRESIDENT: I remind the hon. member that the object of the Bill is to reduce the power of the Legislative Council as compared with the Legislative Assembly. The franchise is rather outside the scope of the measure and any reference to it must be connected with the Bill.

Hon. G. FRASER: My references to the franchise are necessary in order to explain the need for the introduction of this legislation. The reason is the small percentage of the people who are entitled to vote for this Chamber. It is necessary to introduce a Bill of this sort in order to give the greater number of people some final say in the legislation of this State. I think I am in order in mentioning the franchise by way of leading up to that point.

Hon. E. M. Heenan: The point being that this House is not democratic.

Hon. G. FRASER: Exactly, and this Bill is designed to make it more democratic.

Hon. C. F. Baxter: You do not know the meaning of democracy.

Hon. G. FRASER: As regards women-folk, we find that for the Legislative Assembly the number of males on the roll is exceeded by the number of females, the total being 137,000, but for this Chamber only 23,800 females are enrolled. A woman who rents a house in the Rue de Roe is given a vote, but a woman who gets married and brings up a family is denied the right of a vote for this House, the husband having the vote for a rented property. Because of the restricted franchise, the constitution of this Chamber is affected. Quite a lot of members here represent a minority in the Assembly electorates, though not in the Council provinces. At the outset I may say that, as regards the West Province, everything is quite in order. The members of the West Province in this House do represent the political opinions of the people of the Fremantle district because the whole of the Assembly seats in the Fremantle area are held by Labour members.

Hon. W. J. Mann: Is it not a fact that the Government represents a minority of the electors in the State?

The PRESIDENT: Order! I must ask members to stop interjecting.

Hon. G. FRASER: There is no proof that Mr. Mann's statement is correct. As I was saying, the representatives of the West Province do represent the political opinions of the people in that area. The same can be said of the members representing the South-East Province. The whole of the Assembly members for that part of the State are in opposition to the Government.

Hon. H. S. W. Parker: Do you think you represent the gentleman who sits on my right (Hon. F. E. Gibson)?

Hon. G. FRASER: That hon. member holds opposite political opinions. When I say that I represent the people, I mean a majority, not a minority of the people, as the hon. member who interjected represents. If we take his province—Metropolitan-Suburban Province—we find that the Assembly districts are represented by seven Labour members and five in opposition, but a minority of the electors elect

the members of this House, and a majority of the people have no representation here at all. All three of the Metropolitan-Suburban Province members in this House are opposed to the majority opinion of the people in that province. The worst example is supplied by the North Province. The whole of the electorates in the North return members of my political faith to the Assembly, but the majority of the electors have no representation in this House. I have heard it said that St. George's-terrace people elect the representatives for the North Province, and they are opposed in political opinion to a majority of the electors.

Hon. L. Craig: Talk about the Bill!

Hon. H. S. W. Parker: He has nothing to say about it.

Hon. G. FRASER: The hon. member generally speaks for an hour before he reaches the subject-matter of the Bill. I am giving reasons why it is necessary to introduce this measure. A majority of the people in the State have a right to say who shall be elected to this Chamber.

Hon. H. S. W. Parker: You mean to wipe out this House.

Hon. G. FRASER: This Bill is not designed for that purpose. It is designed to give people the right to say what legislation shall be enacted. Sir Hal Colebatch told us the other evening that the minority have rights. I agree with that statement.

Hon. H. L. Roche: The present Government represents a minority.

Hon. G. FRASER: But I say that the minority have no rights over the majority, and yet that is what is happening in this Chamber, because the people generally are misrepresented here or have such little representation that it is impossible for the Government to get its legislation passed. In effect, a majority of the people elect the Government and a minority of the people elect representatives to govern the Government. That is what is happening in this State. After the Government has gone to the people and received instructions to put quite a lot of legislation into operation, it has been repeatedly balked by an adverse vote in this House.

Hon. H. L. Roche: Which Bill?

Hon. H. S. W. Parker: Mention just one.

Hon. G. FRASER: In 1938 the Bureau of Industry and Economic Research Bill for one.

Hon. H. S. W. Parker: Have you nothing more modern than 1938?

Hon. G. FRASER: I am quoting 1936 because it was the year immediately preceding the outbreak of war.

Hon. T. Moore: And you are quite right because there has been nothing controversial since the war.

Hon. G. FRASER: I admit that we are now getting one or two items in that category. Other Bills rejected in 1938 were the Fair Rents Bill, the Income Tax Assessment Act Amendment Bill, the Income Tax (Rates for Deduction) Bill, the Industrial Arbitration Act Amendment Bill, the Life Assurance Companies' Act Amendment Bill—in that case the Chairman was moved out of the Chair—the Profiteering Prevention Bill and the Qualification of Electors (Legislative Council) Bill.

Hon. H. L. Roche: The year 1938 was a pretty crook year.

Hon. G. FRASER: Those eight Bills were thrown out by this Chamber. Can anybody argue that those measures were not in the best interests of the majority of the people?

Hon. H. S. W. Parker: How many have been thrown out by the Assembly?

Hon. G. FRASER: That is only one year. One could go on and refer to industrial legislation such as Bills to amend the Workers' Compensation Act and the Industrial Arbitration Act. They are thrown out every year.

Hon. L. B. Bolton: And are likely to be again.

Hon. G. FRASER: I have dealt only with Bills that have been thrown out. In addition there are those that have been mutilated.

Hon. H. S. W. Parker: I thought you were proud of the Industrial Arbitration Act.

Hon. G. FRASER: Of the original Act, yes! But that was passed in 1925 and this is 1944.

Hon. H. S. W. Parker: You are not proud of it any more.

Hon. G. FRASER: No, because it is out of date just as is the franchise for this Chamber. It needs reviewing, like the power this Chamber possesses. But to get on with the Bill! It contains quite simple items to which any fair-minded man would agree. All it asks is that a system should prevail here similar to what obtains in the House of Lords. It provides that when a

measure has been submitted by the Government of this country—elected by a majority of the people and not by a minority—and is passed by the Assembly a certain number of times, and if this Chamber continues to refuse to pass it, it shall become law after a certain procedure has been adopted. That is the substance of the Bill. That is not much to ask for but, by the tone of members, it seems they are not receiving it too favourably. Nevertheless that is all the Bill seeks.

Here we have a Chamber elected by a minority of the people but having full power to veto any legislation submitted by the Government of the country. Mr. Mann will not be thanked for any heroic actions of the description he referred to. I see nothing wrong with the Bill. It is long overdue and it is something to which this Chamber can and should agree. However, we know that this Chamber has the power and, by the tone of the debate, members apparently intend to stick to that power. Still, that will not stop us from continuing to make an attempt to obtain some redress. Judging from the interim report presented by the Select Committee on electoral reform some amendments are to be suggested. I believe that the motion for the appointment of that Select Committee was due to the constant agitation over the years concerning this Chamber.

Hon. C. F. Baxter: It was not in any way connected with any agitation.

Hon. G. FRASER: The hon. member would not make the admission even if it were so. He can contradict me, of course, but I contend it is because of that agitation that something is being done and we may have some little progress in the future.

Hon. T. Moore: A very little, from what we have heard.

Hon. G. FRASER: I am disappointed up to date but there is a semblance of progress, and perhaps when the committee presents its final report we shall have something worth while. I support the second reading of the Bill.

**HON. H. S. W. PARKER** (Metropolitan-Suburban): I oppose the Bill and I do not suppose that statement will surprise any member of this House. In fact, I venture to say that the Government would be extremely surprised—

Hon. H. S. W. PARKER: —and horrified, if this Bill passed. It would get a tremendous shock. This is one of the many cockshies that have been put up.

Hon. G. Fraser: Try it!

Hon. H. S. W. PARKER: I have said on many occasions that one of these days I will try to exercise such influence as I possess to endeavour to get one of these cockshies through and see what happens.

Hon. G. Fraser: We dare you to do it.

Hon. H. S. W. PARKER: Many of them have been put up. The Fair Rents Bill was mentioned by my friend. When that came to this House it was the most iniquitous measure that could be imagined. Members pointed out how iniquitous it was. It was thrown out and everybody was delighted. It was introduced only because an outside body told the Government it had to be introduced.

Hon. G. Fraser: What a wonderful imagination!

Hon. H. S. W. PARKER: I will give the hon. member something with which to ease his imagination. The rent restriction measure on the statute-book, which my friend does not know anything about—

Hon. G. Fraser: Yes, he does!

Hon. H. S. W. PARKER: The hon. member may recall that under the Bill as it came to this Chamber, a person was liable to a penalty of £100 if he asked a prospective tenant how many children he had, though his idea might be to see whether there was sufficient accommodation for the children.

Hon. T. Moore: Up to £100.

Hon. H. S. W. PARKER: Yes, and up to six months' imprisonment.

Hon. T. Moore: And £2 if necessary.

Hon. H. S. W. PARKER: What does the hon. member mean?

Hon. T. Moore: He could be fined £2.

Hon. H. S. W. PARKER: He could be let off.

Hon. T. Moore: State the case properly.

Hon. H. S. W. PARKER: I did not come here as a schoolmaster to attempt to explain to members the meanings of ordinary words in an Act of Parliament. If the hon. member reads the Interpretation Act he will find that when a reference is made to imprisonment for six months it means anything up to six months.

Hon. T. Moore: Be more explicit.

Hon. T. Moore: If you supported it!

Hon. H. S. W. PARKER: I would not attempt to be so explicit as to hope to make the hon. member understand. I will, however, endeavour to explain my views in regard to this Bill. Many cockshies have been put up to this House and on many occasions we have saved the public. Queensland has one Chamber—the Assembly—elected by the people, but the people showed that Assembly clearly and conclusively that it was wrong and that the people were right when it came to the Powers Referendum. The Queensland Legislative Assembly—the so-called popular Chamber—was anxious to hand everything over to the Commonwealth but the people said, “No, you don’t.”

Hon. W. J. Mann: Very emphatically too!

Hon. H. S. W. PARKER: We gave them a certain amount of power.

Hon. C. F. Baxter: The Assembly did.

Hon. H. S. W. PARKER: We did, and the people said we were right.

Hon. G. Fraser: No, they did not. The majority was against you. There was a “Yes” majority in this State.

Hon. H. S. W. PARKER: We were “Yes” too.

Hon. G. Fraser: No, you were not.

Hon. H. S. W. PARKER: Once again I will say that I am not here as a school-master to interpret Acts of Parliament. Let the hon. member read the Act and he will see that we did pass it.

Hon. G. Fraser: Portions of it.

Hon. H. S. W. PARKER: This Bill was conceived in this total state of ignorance! Supporters of the Bill do not know what they are talking about. It is said that this Bill is necessary because the people are deprived of the vote. But let me read from the minority report of the Electoral Reform Select Committee, which report was submitted by the member of the committee who supports the Government. He said—

The present system is most unsatisfactory, and its result is revealed in the ignorance and lack of interest which the average elector exhibits towards the Legislative Council.

That is what we have said all through. I have repeated it time and again. This Government is in power on the vote of those who take no interest in politics; but in this House members are elected by people who do take an interest in politics. Mr. Heenan is quite right in saying that those

who do not take an interest in politics do not vote and do not trouble to have themselves put on the roll for this House. So the Legislative Council is a safeguard.

Hon. E. M. Heenan: You should quote the report in full.

Hon. H. S. W. PARKER: I have read the lot. I will repeat it—

The present system is most unsatisfactory and its result is revealed in the ignorance and lack of interest which the average elector exhibits towards the Legislative Council.

Hon. E. M. Heenan: What did I say earlier?

Hon. H. S. W. PARKER: I am coming to that. The hon. member said—

The evidence tendered to the committee reveals that the rolls of the Legislative Council are in a very bad state—probably less than one-half of those entitled to enrolment being on the roll.

The Chief Electoral Officer stated that, as regards the Metropolitan-Suburban Province, instead of 28,000 there should be 60,000 on the roll.

Hon. G. Fraser: There would still be only about 50 per cent. of the people entitled to the franchise for this Chamber.

Hon. H. S. W. PARKER: I will grant all that. I am one of three representing those 60,000 so I think it would not be unreasonable to say that I represent 20,000 voters. Will the hon. member tell me how many of his supporters he can claim to represent 20,000 voters, when all the Goldfields and the North-West seats are taken into consideration?

Hon. H. L. Roche: Still, you are a terribly good man!

Hon. H. S. W. PARKER: I have to be! But people have the temerity to say that this is a minority House. It is all so stupid.

Hon. G. Fraser: You cannot get away from the facts.

Hon. H. S. W. PARKER: No; and I will give the hon. member more facts.

Hon. G. Fraser: I heard someone say I was not speaking on the Bill.

Hon. H. S. W. PARKER: If it is the Government’s desire to have only one Chamber, it ought to knock out the non-democratic Chamber; that is, the Chamber in which men are forced to vote against their will and are controlled very largely by an outside organisation. That organisation not only forces men to vote one way but if they do not vote that way

they are deprived of their livelihood. That is not democratic.

Hon. G. Fraser: Do members of the organisation go into the polling booth and mark the papers?

Hon. H. S. W. PARKER: No, but men are not game to say if they have voted in the opposite direction. By virtue of the undertaking they have given to work for and vote for a certain man they are not game to say that they have supported a different man. There was talk in the Legislative Assembly about one man one vote. There is no such thing as that in the Legislative Assembly. There is a difference in the value of the votes in the Goldfields and in the agricultural areas and in the metropolitan area. If reform is wanted let them reform themselves first and let everybody be free to vote as he likes. What annoys some members of the Legislative Assembly is that, generally speaking, the electors for the Legislative Council have a stake in the country and are interested in the welfare of the country. Only those who take an interest in politics worry to vote for the Council which, through the years, has been a most essential institution. It is said that this is an attempt to bring this Chamber into line with the House of Lords. I would not mind having a hereditary seat in this House.

Hon. T. Moore: I think it would suit you.

Hon. H. S. W. PARKER: I think it would!

Hon. E. M. Heenan: In the most recent council by-election only 50 per cent. on the roll voted.

Hon. H. S. W. PARKER: And look at the vast majority the successful candidate scored over the Labour man, in spite of the fact that Labour is in power! Does that not show that thinking people do not want a Labour Government?

Hon. G. Fraser: For a seat with a restricted franchise.

Hon. H. S. W. PARKER: As against a seat where one has to vote a certain way or lose his job! My friend may go back to 1938, but I will take him back to 1933 when the last election was held at which there was no compulsion. What was the percentage of votes for Assembly seats then?

Hon. G. Fraser: What was the decision of the people?

Hon. H. S. W. PARKER: One for which they have suffered ever since.

Hon. G. Fraser: They wiped you people out for three years, and you have never got back.

Hon. T. Moore: Including Mr. Parker.

Hon. H. S. W. PARKER: With the result that I came to this Chamber.

The PRESIDENT: Order!

Hon. H. S. W. PARKER: There is no similarity whatever between the House of Lords and the Legislative Council of this State under the bicameral system. Members of this Chamber are elected; we represent the people. The House of Lords represents no-one; its members sit as individuals. It is not suggested that under the English Parliament Act of 1911 the House of Lords could be abolished. Under the Bill before the House now, the Government could do that with regard to the Council. Ministers have been very clever in the wording of the measure, and have left out anything that would indicate that this House could be wiped out as a result of the passing of the legislation. As a matter of fact, if the Bill were passed, the next day they could introduce another measure that they, in common with any other person who chose to be honest in considering the matter, would know could not possibly be agreed to by this Chamber. The legislation having been introduced and this House having rejected it, it could be re-introduced and we would again reject it. The Government could then re-introduce the legislation a third time. Do members realise that we would not have another vote regarding that measure? We could only exercise the vote twice regarding it because, when the Bill was introduced a third time, it would not matter whether we voted or not seeing that it would become the law of the land.

If we pass the Bill, the Government will say to its supporters, "The first thing we will do will be to abolish the Legislative Council." They will bring up the Bill for that purpose twice, and we will reject it twice. Then it will come up the third time, and out we go, without any further opportunity to vote. That is what the Labour Government considers to be in accordance with democracy. I am not at all surprised. It would be more in keeping with common honesty if the Government openly indicated its intention and stated so expressly in the

Bill. It would be more honest if it said that if we rejected its legislation it would go to the country.

Hon. T. Moore: This House, too?

Hon. H. S. W. PARKER: Yes, both Houses.

Hon. T. Moore: You know this House would not agree to that.

Hon. H. S. W. PARKER: Mr. Moore knows exactly what is in my mind.

Hon. T. Moore: And in the mind of this House.

Hon. H. S. W. PARKER: He does not know what is in his own mind or in the mind of his Government. Why does not the Government do the honest thing and say, "If you do not pass this Bill after we present it so many times, we will go to the country and we will jolly well show you!" If it was honest it would say that was its intention. But nothing of the sort! The Government sits tight.

Hon. G. Fraser: Like this House sits tight.

Hon. H. S. W. PARKER: We have no plums in this House. We sit tight and watch the interests of the people as a whole. We do not, like the Government, sit tight on the Treasury Bench and enjoy the emoluments of office.

Hon. T. Moore: The people would not have you there.

Hon. H. S. W. PARKER: They did for a while.

Hon. G. Fraser: Yes, three years in the last 20 years.

Hon. H. S. W. PARKER: And in what state is the country in consequence? It is bankrupt! We were in power for three years out of twenty, and those three years were during the depression. When we came into power in 1930, every penny in the Treasury had been spent, including £1,000,000 of trust funds. Then we straightened up the position, but the people were hoodwinked. The Labour people promised everything. They made the promises and secured office, and have been in office ever since.

Hon. G. Fraser: With an increased majority each time.

Hon. H. S. W. PARKER: And every time with a minority of the people's votes, because they will not have one-man one-vote and divide the country according to numbers. What the Government wishes to do is to abolish the Legislative Council. If

that were done, the electorates would be so divided up that there would never again be any other type of Administration in power, and furthermore Labour Governments would be able to pass whatever laws they liked without any check against them at all. I always understood we were extremely proud of our State Arbitration Court. I have heard that from Labour members, but now I understand Mr. Fraser is ashamed of it.

Hon. G. Fraser: I did not say so.

Hon. H. S. W. PARKER: Then I must beg the hon. member's pardon; he is not ashamed of it and therefore must be glad that we rejected some of the amendments to the Industrial Arbitration Act to which he referred. We have before us book after book full of statutes that have been passed in this State, all of which were agreed to by this Chamber. There is no law applying in Western Australia—I am not speaking of those unfortunate Commonwealth laws—that has not had the approval of this Chamber. In the interests of the people I feel it is absolutely essential that we retain not only this Chamber but all the powers it possesses. It is useless going round the country saying we can do this, that or the other thing. Our powers are limited, and the Constitution Acts Amendment Act provides that we cannot interfere with money Bills, Bills appropriating revenue or those imposing taxation.

Hon. G. Fraser: You have done it.

Hon. H. S. W. PARKER: I cannot understand the hon. member making that statement, because the law says we cannot do so. If he reads Section 46 of the Constitution Acts Amendment Act he will see that that is so.

Hon. G. Fraser: You cannot amend those Bills, but you do it anyhow, and you know that is so.

Hon. T. Moore: Yes, what about assessment Bills?

Hon. H. S. W. PARKER: Again I remind the hon. member of the provisions of the Constitution Acts Amendment Act.

Hon. T. Moore: Might is right in this House.

Hon. H. S. W. PARKER: I wonder what Mr. Moore means by that?

Hon. T. Moore: You can do as you like in this Chamber.



Hon. H. S. W. PARKER: Of course there is another Chamber where the Labour majority does not do what it likes!

Hon. W. J. Mann: Nor does the Labour majority in the Commonwealth Parliament do what it likes.

Hon. H. S. W. PARKER: Of course! We must have no indication of democracy in this Chamber; the majority must not rule here! I am sorry that I have spoken at such length, but I could not sit idly by and allow this measure to go through without expressing my personal views and opposing the second reading.

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

*House adjourned at 9.54 p.m.*

## Legislative Assembly.

*Tuesday, 28th November, 1944.*

| Questions : | Locomotive spark fires, as to damage near Korbelt   | PAGE |
|-------------|---|------|
|             | Mine Workers' Relief Fund, as to alunite workers at Chandler                              | 2027 |
|             | Water supplies, as to extensions for defence establishments                               | 2027 |
|             | Charcoal, acetic acid and potash, as to production  | 2028 |
|             | Gaol—(a) as to building in rural areas, (b) as to site near Mental Hospital               | 2028 |
|             | Education—(a) Swanbourne school improvements, (b) as to training of kindergarten teachers | 2029 |
|             | Swan River, as to navigation lights   | 2029 |
|             | Motion : Standing Orders suspension   | 2030 |
|             | Leave of absence  | 2032 |
|             | Bills : Loan, £975,000, message, 1R.  | 2030 |
|             | Financial Agreement (Amendment), 1R.  | 2030 |
|             | Metropolitan Milk Act Amendment, 3R.  | 2032 |
|             | Workers' Compensation Act Amendment, Com.   | 2032 |
|             | Legal Practitioners Act Amendment, 2R.  | 2037 |
|             | Legislative Council (War Time) Electoral Act Amendment, returned                          | 2041 |
|             | Electoral (War Time) Act Amendment, returned  | 2041 |
|             | University of Western Australia Act Amendment, Com.                                       | 2041 |
|             | Coal Mine Workers (Pensions) Act Amendment, 2R.   | 2040 |
|             | Western Australian Turf Club (Property) Private, 2R., remaining stages                    | 2051 |

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

### QUESTIONS (9).

#### LOCOMOTIVE SPARK FIRES.

*As to Damage near Korbelt.*

Mr. TELFER asked the Minister for Railways:

(1) Is he aware farmers adjoining our railways near Korbelt claim to have lost over

£1,500 worth of wheat, stock feed and fencing on the 9th, 14th and 16th inst., caused by passing trains?

(2) If so, will steps be taken to see justice is done by suitable compensation?

(3) What steps will be taken to prevent a recurrence of such fires?

The MINISTER replied:

(1) Reports of fires on the dates in question have been received. The causes and extent of damage are being ascertained.

(2) The departmental liability will be determined on completion of investigation referred to in No. (1).

(3) Every precaution is taken by the department to prevent such fires, including the equipping of engines with spark arresters and maintaining them in good order, cutting of firebreaks and burning off of railway reserves, etc.

#### MINE WORKERS' RELIEF FUND.

*As to Alunite Workers at Chandler.*

Mr. LESLIE asked the Minister for Mines:

(1) Is it a fact that employees engaged at the Campion Alunite Industries Works at Chandler are compelled to contribute to the Mine Workers' Relief Fund?

(2) Are employees at the above works obliged to produce a laboratory certificate in accordance with the provisions of the Mine Workers' Relief Fund Act?

The MINISTER replied:

(1) Yes.

(2) Yes.

#### WATER SUPPLIES.

*As to Extensions for Defence Establishments.*

Mr. LESLIE asked the Minister for Works:

(1) Were the costs incurred in the provision of the special water supply systems and extensions for defence establishments in W.A. charged against the Commonwealth Government?

(2) If not, what were the proportions borne by (a) The Commonwealth Government, (b) The W.A. Government?

(3) What charges are levied, if any, on the Commonwealth Government for water supplied to defence establishments in W.A.?