for registration of the food and by-product and, inter alia, to detail the minimum percentages of crude protein and crude fat and the maximum percentage of crude fibre contained in the article.

When the necessity for the 1940 amendment was being studied by officers of the Department of Agriculture it was obvious that so far as meatmeals were concerned the maximum percentage of crude fat and not the minimum percentage should be stated when registration was applied for. A knowledge of the maximum percentage is essential, as with a concentrate rich in protein such as meatmeal, a high percentage of fat will adversely affect the digestibility and biological value of the crude protein. Therefore it is vital that the maximum percentage of crude fat in meatmeals should be subject to control, and not the minimum content. However, owing to an oversight, the 1940 amendment provided that the minimum percentage of crude fat in all stock foods, including meatmeals, should be shown. This Bill seeks to rectify that error by an amendment to the Act, which provides that where meatmeals are concerned the maximum percentage of crude fat shall be stated when applications for registration are lodged.

The necessity for this amendment has been emphasised of late owing to a controversy that has arisen regarding the value of certain stock foods, concerning which buyers have requested knowledge of the chemical analyses. It is therefore imperative that, with meatmeals, a check be kept on the maximum content of crude fat, in order that the protein content is not affected, and as this Bill, if approved by Parliament, will ensure that such a check is available, I feel that no opposition will be expressed in this House. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

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

House adjourned at 5.50 p.m.

Legislative Assembly.

Wednesday, 4th September, 1946.

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

QUESTIONS.

NEW CAUSEWAY.

As to Preparatory Work, Design and Cost.

Mr. GRAHAM asked the Minister for Works:

1, What stage has been reached with the reclamation work preparatory to the construction of the new Causeway over the Swan River?

2, When is it anticipated that this work will have progressed sufficiently to enable a commencement to be made on the construction of the Causeway itself?

3, When is it expected that the new structure will be completed?

4, What is the anticipated total cost?

5, Will he give some details of the design and general features of the completed work?

The MINISTER replied:

1, A Priestman Grab is excavating a passage way and constructing a bank as a necessary preparation work for operation of the suction dredge. When river conditions are suitable, possibly in October, the suction dredge will be taken underneath the navigation span of the Causeway and dredging operations commenced.

2, Not less than six months after the suction dredge commences operations.

3, The minimum time for construction, provided materials are available, would be three years from commencement of the first bridge.

4 and 5, A public statement will be made at a later date covering these two questions.

SOLDIER LAND SETTLEMENT.

As to Properties Purchased and Options.

Mr. PERKINS asked the Minister for Lands:

1, In this State, how many properties (exclusive of Agricultural Bank reverted properties have been purchased for the settlement of ex-Servicemen in—

(a) the dairying districts;

(b) the sheep and wheat districts?

2, What is the total acreage of properties purchased in districts (a) and (b)?

3, Are options held on any additional properties, and, if so, how many and of what acreage?

The MINISTER replied:

1 (a) Six; (b) twelve.

2 (a) 2,608; (b) 70,349.

3, Yes, options are held for—Seven dairy properties comprising 3,042 acres; 45 other properties comprising 149,603 acres.

GALVANISED IRON.

As to Shipment to Eastern States.

Mr. SEWARD asked the Minister for Industrial Development:

1, Is he aware that galvanised iron is being shipped from this State to Eastern Australia?

2, In view of the extreme shortage of galvanised iron in this State, could this iron not be retained here?

3, If so, were any representations towards this end made, and, if so, with what result?

4, If no representations have yet been made, will the Government make them?

5, If not, why not?

The MINISTER replied:

1, Only from a Press report.

2, This possibility is being investigated. The iron is under the control of the Australian Wheat Board and is understood to be generally unsuitable for building purposes.

3, 4, and 5, inquiries are being made.

WATER SUPPLIES.

As to Mount Barker Scheme.

Mr. WATTS asked the Minister for Water Supplies:

1, What progress has been made in the investigations regarding a water supply for the town of Mt. Barker, which have been proceeding for many months?

2, When is it anticipated that a report will be available for consideration by the local authority and the Railway Department in regard to water supply at the centre mentioned?

3, If the progress made up to the present time is not such as to indicate the report being made available early, will he take steps to ensure that completion of the inquiry and preparation of the report are speeded up?

The MINISTER replied:

1, and 2. The proposed site near the town of Mount Barker has been proved to be unsatisfactory. Investigations are now in hand regarding the possibility of obtaining a satisfactory supply from a site in the Porongorups. All streams in the vicinity of Mt. Barker have been examined, but either the actual or potential danger of salinity has ruled these sources out of court.

3. These investigations will be expedited so far as the staff available will permit.

NORTH-WEST RESIDENTS.

As to Relief from Taxation.

Mr. RODOREDA (without notice) asked the Premier:

1, Is the Government in favour of total exemption of income tax for residents of the North-West of this State?

2, Has he recently made any further representations to the Commonwealth Government as regards taxation relief for residents of the North-West?

The PREMIER replied:

The request for total exemption from taxation was presented to the Government and to the Commonwealth Government by the North Australian Commission, a body appointed by the Commonwealth. The State Government representatives supported the case as presented by the committee. The Commonwealth Government decided

that total exemption for specific areas is impracticable, and therefore I personally pressed for further consideration by the Commonwealth Government for wider exemption allowances. I also pressed for an investigation on the spot by an authoritative taxation officer. I have today received advice from the Prime Minister to the effect that he has instructed a senior taxation officer, whose name is Mr. Dundas, to proceed immediately to the areas in North Australia, to investigate taxation difficulties in those areas, so that at first hand he may not only obtain a knowledge of the difficulties that exist, but get actual examples of the difficulties which we do know are experienced by the people in those areas. The Prime Minister has agreed to the matter being investigated on the spot and, more particularly, to give consideration to extra allowances within the zones where some reductions now apply.

BILL—NURSES REGISTRATION ACT AMENDMENT.

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

BILL—MILK.

Third Reading.

THE MINISTER FOR AGRICULTURE (Hon. J. T. Tonkin—North-East Fremantle) [4.38]: I move—

That the Bill be now read a third time.

HON. W. D. JOHNSON (Guildford-Midland) [4.39]: I desire, on the third reading, to register my keen disappointment with the provisions of this Bill. I did think that the Bill might be improved on the second reading or that we might get the Government to take a tighter grip of its responsibility for guaranteeing a wholesome milk supply, particularly to the congested areas of the metropolis. For that reason I did not expand on it to any extent on the second reading, but the Committee stage has not improved the Bill from my point of view, and I desire now to outline, as briefly as possible, where my disappointment lies. To guarantee a wholesome milk supply, we must acquire the milk; we must take possession of the milk; we must see that the milk is wholesome and free from impurity and injurious bacteria content before it goes into the licensed premises. At the present time any milk at all can go into the licensed premises—the premises used for distribution.

This is my major concern: I represent part of the metropolitan area, and milk is brought into my electorate from the dairies north and north-east of Midland Junction and, to some extent, milk is produced within the Guildford-Midland electorate. That milk goes straight to the local distributor. True, if an inspector were on the spot at the psychological moment when the milk arrived, he would, of course, examine it, but it seems to be impossible for the board as at present constituted to have inspectors at all centres where milk is delivered for distribution. Therefore, the milk that goes into the premises of the licensed distributor at Midland Junction may or may not be wholesome milk.

The board is not responsible before the milk reaches the distributor's hands, but immediately it does reach his hands, if he is found distributing inferior milk or milk not up to standard, he is responsible. He may be prosecuted for distributing something that is not up to the requisite standard. That is what I object to. It is not the practice that is adopted in other States and in New Zealand. In Brisbane and Sydney, and in New Zealand, particularly Wellington, the whole of the milk that goes into the metropolis for distribution is taken in on account of the board. That is what I should like to see provided for in this State. I want the milk to be brought in on account of the board, and I want the board to distribute the milk so acquired amongst all the treatment or processing plants and the milk vendors.

Mr. McLarty: You want a central depot?

Hon W. D. JOHNSON: I do not say we should have a central depot; the board could have as many depots as it liked. I would not restrict the board at all in that direction. I do not want the hon. member to get into his head an idea that I have any ulterior motive in making these remarks. I am not interested in anything at all except a wholesome milk supply. There are some who think I have a definite interest, but that is not correct. Members on my side of the House know that for

some years I have been pleading for the introduction of comprehensive legislation. I shall not be doing any harm by saying that the department wanted a Bill that would guarantee a wholesome milk supply. When this measure was introduced, members can imagine my disappointment.

The trouble is that the people whose responsibility it is to treat milk in their treatment plants under their licenses are not guaranteed any milk. What they have to do is to go around and acquire the milk from licensed dairymen. But the licensed dairymen can bargain about the supply of milk, with the result that, under the quota system, there is not the even distribution that is desirable and that would exist under a regular and smooth-working system. Irritation is caused, all due to the fact that the Government neglects to take control of the milk and to own the milk as soon as it reaches the metropolitan area or elsewhere for distribution and consumption.

I am aware that the producers today are in a very happy position. I know that they can control the distribution of milk. They can withhold or increase supplies. It must be admitted that, generally speaking, the quantity of milk available in the metropolitan area is always in short supply. True, there is an abundance of milk available to the metropolitan area, but the matter is in the hands of those who can organise to bring the milk in in such quantities as to maintain a quantity that they feel they are justified in directing.

Mr. McLarty: Is that done?

Hon. W. D. JOHNSON: I am sure it is done. Milk is not being brought into the metropolitan area in proportion to the production in the country, and certainly the quantity falls short of the needs of the metropolitan area.

Mr. McLarty: Those people can get the milk as they want it.

Mr. Watts: How do you prove that?

Hon. W. D. JOHNSON: The Leader of the Opposition asks how can I prove my statement. It is a well known fact.

Mr. Watts: It is not known to me.

Hon. W. D. JOHNSON: As long as the quota system continues, that state of affairs will prevail. Reference has been made to the scandal of milk quotas commanding prices up to £10 and £15 per gallon. Those prices are increasing every year, but, under this Bill, there is no power to control them. What is the use of members of the Opposition talking about trade unionism controlling work on the wharf and elsewhere when they subscribe to producer-control under this measure? If it is right for the producer to control the flow of his commodity, it is equally right for the worker to control the flow of his labour. But we know that this is becoming a vicious principle and, just as it is becoming a vicious principle in the coalmines and, in some of the Eastern States, on the waterfront, so it is becoming a vicious principle in this State, and has been doing so ever since the quota system came into operation.

Mr. McLarty: There has been no attempt to control the supply.

Hon. W. D. JOHNSON: This vicious principle has been introduced in the milk industry and is continuing and growing stronger and stronger so that these quotas become more valuable as time goes on. I am fearful of what the ultimate result may be. The Bill, however, does not recognise the danger and does not attempt to cope with it. Therefore I say that the Government is not standing up to its full responsibility when it allows milk to be brought into the metropolitan area in any way that those handling it like to bring it in, and then for the board to take control only when the milk reaches the hands of the distributors. That is the weakness of the measure.

I also wish to deal with the deplorable provision inserted in the Bill to govern milk used in the manufacture of ice-cream. The Minister says that generally speaking Peters' Ice-cream will draw their supplies from Nestle's. They do get some milk from Nestle's; but the Minister did not say, and he could not say, that Peters draw their supplies from Nestle's entirely, the inference being that Nestle's milk would be of a quality that would ensure purity from a human consumption point of view. But even the milk that is procured from Nestle's is not guaranteed milk. Nestle's can buy their milk anywhere they like. They are not compelled to go to a licensed vendor. They can buy it from any dairy.

Mr. McLarty: They are very particular about the dairies from which they buy.

Hon. W. D. JOHNSON: Naturally they would be! But what I want to make clear is that the milk that goes into Nestle's factory is not guaranteed by the board. Nestle's can buy where they like. They do not pay wholemilk rates for the milk. The fact that they are buying at a lower price is an indication that it is cheap milk. We cannot draw any other inference. What they pay today is butter-fat rate plus a margin, and the margin is a matter for negotiation between Nestle's and the producer. If Peters' Ice-cream were to draw all their milk from Nestle's, there would not be an absolute guarantee because there is nobody outside the Health Department that can give such a guarantee.

We must appreciate that, under existing conditions, inferior milk comes into the metropolitan area. One can tell by the smell and taste of that milk that it is inferior. A reputable treatment plant will, of course, immediately put it into the drain; but it does not all go into the drain, according to my information. Therefore that milk is in the metropolitan area and available to Peters' Ice-cream factory if it is desired. I do not want to say that Peters' Ice-cream Company acquires that milk but the opportunity exists. The Minister says they get their milk from Nestle's but I say just as emphatically that they draw milk from elsewhere. So I want it to be appreciated that it is distinctly wrong for a Government to introduce an exemption of this kind.

The Minister for Agriculture: It is not an exemption. That is where you are wrong.

Hon. W. D. JOHNSON: I do not know what the Minister calls it, but it is very objectionable. Take the small shopkeepers. There are not many, it is true; but there are some who are vendors of ice-cream and manufacture their own product. The Minister knows that. Those people are compelled to buy milk that is guaranteed or, in other words, wholesome milk, from the licensed distributors. The milk they get is dear milk. It is not the cheap milk. We must understand that Peters' Ice-cream Company under this Bill will obtain cheap milk. The Minister says it is not an exemption but it is a consideration. That is the object.

Mr. North: They could import powdered milk.

Hon. W. D. JOHNSON: I do not mind. I hate this idea that we have to break down our own standards because something is done in the Eastern States. Let that position develop; let it come. I am not afraid of powdered milk. Our producers can compete against powdered milk. We need to maintain our standard and not do a thing like this, which is cruel when it is viewed from the point of view of the quantity of ice-cream being consumed by children in the metropolitan area.

Mr. Cross: And the small amount of cream in the ice-cream, too!

Hon. W. D. JOHNSON: I do not know what the composition of ice-cream is, but I do know that there is no guarantee under the Bill that it is a wholesome product. The small shopkeeper who wants to continue supplying the high standard quality he has maintained previously and who has been willing to pay the full price for the milk that he used in his product and for the cream he was able to get, should not be penalised. But what this Bill will do is to put those who are competing against him on a better competitive basis. The result will be that Peters' Ice-cream will force all of these people to go out of production.

Suppose that Peters' Ice-cream had to pay the full price for their milk! Their large manufacturing output would give them an advantage over the small man and they could successfully compete against the small shop. But when we put the small shop on a high price and the big manufacturer on a low price the small shopkeeper is placed in a hopeless position. The whole trouble in the metropolitan area is the quota milk and the grip that the producers have been able to maintain over the years. I want the Minister to realise that this Bill extends the control by the Milk Board over the whole State and thus outside the metropolitan area. I want the Minister to be careful not to perpetuate in connection with the milk going out of the metropolitan area the vicious system we have developed in the metropolitan area. I do not think any Government is going to be courageous enough to interfere with the existing quota system, and if there is no action in that regard the goodwill for acquiring these quotas for milk distribution will soar from £10 a gallon to £20 or £30 a gallon. It is no use our bewailing the fact that that position exists. Unfortunately it does prevail. But I want the Minister to see that it is not perpetuated,

and that it does not apply to milk that goes to Kalgoorlie and elsewhere.

I hope that instead of the goodwill belonging to the man lucky enough to get a quota, it will be his for 12 months only and that any increment arising as a result of the activities of the particular vendor will become the property of the board instead of the producer. The position is extraordinary. It makes me quite sad. I do get depressed over things of this kind. In this House we are protecting the producers. The Bill definitely extends the grip that producers have. It is framed to maintain the producers' grip over this commodity that is so vital to the health and nourishment of the people in the metropolitan area. But this measure is going to another place, and I am actually praying and looking to members in another place to protect the consumers.

Member: What an extraordinary thing!

Hon. W. D. JOHNSON: It is an extraordinary thing, but it shows what politics can do. The last time a similar Bill was before Parliament, the other place did not view it with favour. In my opinion that was because the Bill did not give that guarantee to consumers which members in another place thought should be given.

Mr. SPEAKER: Order! The hon. member is not in order in discussing what took place on another Bill in the previous session.

Hon. W. D. JOHNSON: That has to be explained to get the connection. When this Bill goes to another place I, as a member here, have to appeal to members there to continue their endeavours to alter this Bill from a producer-control to something that will give consideration to the community.

Mr. Leslie: And then you would abolish them after that.

Hon. W. D. JOHNSON: I would abolish them.

Mr. SPEAKER: Order! The hon. member is not in order in discussing what he would do with another place.

Hon. W. D. JOHNSON: I am not discussing that.

Mr. Doney: Merely talking about it.

Hon. W. D. JOHNSON: I point out that the Government should not introduce a Bill of this kind. In my electorate there is great disappointment. I raised the hopes of my electors because I thought we were going to have something up-to-date. I anticipated that the milk from Muchea and elsewhere would be properly examined and certified to before starting on its course of distribution for consumption. The Bill has not done that. It is because I have misled the people and have been misled myself in this matter that I raise my voice in protest, and deplore the fact that we have not followed the examples of other parts of Australia, where the job has been done successfully. We cannot guarantee positive purity of milk—that has not been achieved in New Zealand, or anywhere else—but we can do as much as New Zealand is doing and so greatly reduce the present dangers. That can be done by controlling the product from the dairy to the billies or bottles of the consumers. I will enter my protest against the third reading of this Bill.

MR. McLARTY (Murray-Wellington) [5.3]: I hope there is no danger of this Bill being lost on the third reading. I would like briefly to answer one or two of the criticisms of the member for Guildford-Mildland. He mentioned the restriction of the supply of wholemilk to the metropolitan area. There has never been a restriction of supplies, except on one occasion some years ago when there was a milk strike.

Hon. W. D. Johnson: All this is the outcome of it.

Mr. McLARTY: No attempt of any sort has been made to restrict the inflow of milk to the metropolitan area since then. The hon. gentleman referred to quota milk but, apart from quota milk, there is accommodation milk, and when the population of the metropolitan area was greatly increased by many extra Servicemen being stationed in Perth, there was milk known as permit milk. Certain producers, who did not have a quota, got a permit from the board in order that the metropolitan area should be fully supplied. There would be no advantage in the producers trying to restrict the amount of milk coming into the metropolitan area. What would they gain? They have a fixed price for their milk and they are anxious to increase the supply, and not diminish it.

The Premier: Do you think any of the depots would be interested in creating a shortage?

Mr. McLARTY: I do not think so. I cannot imagine that any section of the industry would attempt to create a shortage. The hon. gentleman said something about the health side. I represent a producing area, and I can assure the House that I do not want to do anything to impair the health of the consuming population. I am just as anxious as are other members to see that the consumers get a good supply of wholesome milk. But the hon. member said that milk came into this area that smelt. Well, there might be exceptional cases of such milk, but I am sure they are very exceptional. The Milk Board controls the dairies, and it has insisted on the producing section building sheds to its specifications and complying with the health laws generally. A tremendous amount of money has been spent in that way. The only hold-up has been, as members know, due to the difficulty in obtaining materials —particularly cement—during the war. If members would go to the board and look at some of the photographs of dairies prior to the board's coming into being, and see the improvements in dairy premises today, they would be agreeably surprised. I know that further improvements are needed, and they are being insisted upon. Again, there is an inspection of milk all the way, apart from the dairies. When it comes in by transport, we have not only the board's inspectors—most of whom are health inspectors—but officers of the Health Department as well.

Hon. W. D. Johnson: Why do you not take possession of it?

Mr. McLARTY: They keep a close watch on all the milk. If milk came in that was not up to standard and did not comply with the health requirements the producer or the vendor would quickly be out of business. Apart from that aspect, this Bill does set out to protect the consuming public, particularly on the health side. A compensation fund has been created to stamp out disease. Certain diseases, such as contagious abortion, have already been referred to. A vigorous attempt is being made at present to stamp it out. What is known as Strain 19, which has recently come into the country, is being used extensively. Large numbers of heifers are being treated with Strain 19. It is confidently expected that, as a result of this treatment, contagious abortion will be greatly minimised so that we will not have the danger of undulant fever in human beings.

Hon. W. D. Johnson: What, in the meantime, is happening to milk coming into the metropolitan area?

Mr. McLARTY: A close watch is being kept on it. I discussed this matter with the chairman of the Milk Board, who told me what is being done, and I am satisfied that everything that it is possible to do under present conditions is being done.

Hon. W. D. Johnson: Why do you not acquire it?

Mr. McLARTY: I will deal with that point in a minute or two. When penicillin becomes more plentiful—and in today's "West Australian" Senator McKenna is reported to have made some statement in regard to its being available for the treatment of stock—it is believed that it will help considerably to reduce the disease known as mamitis, which is said to cause sore throats in human beings.

Hon. W. D. Johnson: What is happening in the meantime?

Mr. McLARTY: If we cannot get these things we cannot use them, but every attempt is being made to get them. I appeal to the member for Guildford-Midland not to frighten the public when there is no need for it, but to assure the public that every possible effort is being made to deal with the health position.

Hon. W. D. Johnson: I would do that if I could do it honestly.

Mr. McLARTY: The remaining disease which mainly affects human beings is T.B. We know that this Bill provides means whereby that will be stamped out. I believe the provisions of the Bill are such that it will stamp out this disease much more quickly than many of us anticipate. The hon. gentleman has referred to the need for a central depot. While the Minister may not be able to establish a central depot now, he could give consideration to the proposal. A central depot would make the inspection and control of milk much easier, and the board would certainly have an easier task in the control of milk gener-

ally. That suggestion of the member for Guildford-Midland is worthy of the Minister's serious consideration.

Hon. W. D. Johnson: That is my plea all through.

Mr. SPEAKER: Order!

Mr. Cross: What about Peters? They get cheap milk.

Mr. SPEAKER: Order!

Mr. McLARTY: I was not here when the debate on the manufacture of milk took place, but I do know that Peters insist on a high standard—

Mr. Cross: And a low price.

Mr. McLARTY:—of hygiene in the dairies from which they get their milk. Peters have inspectors, who are competent men, and they employ a vet., when they can get one, to go to these dairies and watch from the production side. At present that company is paying 5d. above butter-fat prices for milk, and that is paying the producers in the area which serves Nestle's.

Hon. W. D. Johnson: Why do they want an exemption?

Mr. SPEAKER: Order! I must ask the member for Guildford-Midland to allow the member for Murray-Wellington to make his speech.

Mr. McLARTY: I was not here when the debate took place, but the board has power to give an exemption, and it need not give one if it thinks it should not be given. That matter comes under the jurisdiction of the board. I hope that the Bill will become law. Without a milk Act there would be chaos in the wholemilk industry, and the people in the metropolitan area would probably be faced with a serious shortage of wholemilk.

MRS. CARDELL-OLIVER (Subiaco) [5.13]: I hope the Bill will pass. On the other hand, I do feel that it has a great many faults. I agree with the member for Guildford-Midland.

Mr. Withers: You must be wrong.

Mrs. CARDELL-OLIVER: Every year, since I have been interested in milk, I have gone to the Milk Board and asked for more milk to come into the metropolitan area.

Mr. McLarty: Seasonal conditions—

Mr. SPEAKER: Order!

Mrs. CARDELL-OLIVER: I have known producers on the outskirts of the metropolitan area who had plenty of milk, but no quota, and they could not get a quota from the board. Every year this has happened. On one occasion I rang the ex-Premier, late at night, and asked him what I could do to get milk to the children in the Midland Junction area. He advised me to send it out in bulk. I would not do that, but carried a thousand bottles of milk in my car, and delivered them. Only two years ago there was a great shortage of milk and I was told by the board that it was due to a shortage of bottles. So I ordered 3,000 bottles from the Eastern States and had them sent here. Not one was used! There were heaps of bottles in the State; there was an alleged shortage of milk. The same thing happens almost every year. Therefore I agree with the member for Guildford-Midland that there is a shortage which is due to the quota system.

I am glad that the member for Murray-Wellington agrees with me about the depots. I raised that matter last year. There should be a number of depots controlled by the Government. Another point I would like to mention is that I do not think the Bill gives the consumer a fair deal. The consumer has no representation. The Minister nominates two consumers and the chairman of the board, so that they really belong to the Government. The two consumers on the board may be just yes-men and know nothing of the requirements of the consumers.

The Minister for Agriculture: A minute ago you said you wanted the Government to control depots.

Mrs. CARDELL-OLIVER: That is what I would like to see.

The Minister for Agriculture: And now you are complaining!

Mrs. CARDELL-OLIVER: The Minister said that the consumers had a representative, but in reality the consumers have no representative at all.

The Premier: That is rot!

Mrs. CARDELL-OLIVER: How can it be suggested that the consumers have a representative when the member of the board is nominated by the Minister? The man chosen may be a person who knows nothing at all about the requirements of the people.

However, that is by the way. The thing is done now, and I will trust the Government to see that the position is safeguarded.

Mr. J. Hegney: A former Prime Minister, the late John Curtin, was a member of the board and he certainly knew the consumers' point of view.

Mrs. CARDELL-OLIVER: I could tell the hon. member a tale about that, too.

Mr. SPEAKER: Order! The hon. member will address the Chair.

Mr. J. Hegney: You know a lot about it!

Mrs. CARDELL-OLIVER: He was out of work and the Government gave him a job, so the less the member for Middle Swan says about it the better. What I am really concerned about is the fact that I asked the Minister whether he would guarantee that the surplus milk to be distributed throughout the city would be tested, and he replied that he could not do so. I cannot see why that milk could not be tested. It is merely surplus milk. It is used in the manufacture of Peters ice-cream and in other directions. Why cannot the milk be tested? That used by Mills & Ware Ltd. does not create such a serious problem as the milk is baked in the oven when used in the manufacture of cakes and so on.

In those circumstances, the position regarding that milk is not nearly as serious as that relating to its use in the manufacture of ice-cream. Milk that goes under these conditions to an ice-cream factory represents a real danger to the public. I certainly would not allow any child of mine to eat ice-cream manufactured at any place in Western Australia. With regard to the Minister's statement that he could not guarantee that milk coming to the metropolitan area would be tested, his statement was definite. If he had said that he could not guarantee that that would be done at present, but that it would be done in a year or two, I would have been satisfied, but the Minister merely said that it could not be done. I have entered my protest. I feel it is better to have the Bill than to leave the position uncontrolled by any legislation. At the same time, the Bill requires an awful lot of amending.

THE MINISTER FOR AGRICULTURE (Hon. J. T. Tonkin—North-East Fremantle—in reply) [5.18]: I do not intend to speak at great length in reply to the debate. I remind the House that the Bill has been on the notice paper for a considerable time and its consideration was adjourned. Members had a very full opportunity on the second reading to express their opinions. This is not a party Bill, and a very full discussion took place on it during the Committee stage. The Bill emerged from the Committee with very slight amendment. In the circumstances, I can say it has been endorsed by the House. We are now going through the formality of the third reading so that the Bill can be transmitted to another place. During the debate on the Bill as the member for Guildford-Midland indicated during the second reading, he was unable to make any progress and so he said he would follow the Bill through to the third reading. That being so, it was not surprising to me that he rose to make some further remarks about the Bill, and I still say that he does not understand the measure.

Hon. W. D. Johnson: I understand it too well.

The MINISTER FOR AGRICULTURE: If he did, he could not have made some of the statements he did. He has very little knowledge of what happens to the milk supply when the producer-vendor exercises control over it. He kept harping on the one string regarding the exemption that has been given Peters Ice Cream Company from the legislation. Nothing of the sort! The milk that goes to that company is subject to the same scrutiny and inspection as is milk supplied in any other direction.

Hon. W. D. Johnson: Then why is the exemption put into the Bill?

The MINISTER FOR AGRICULTURE: I said that the hon. member did not understand the Bill! It is included to enable surplus milk to be purchased at manufacturing prices.

Mr. Cross: At cheaper prices.

The MINISTER FOR AGRICULTURE: The member for Guildford-Midland endeavoured to create an entirely wrong impression by saying that milk would be sold to small shopkeepers for the purpose of making ice-cream and using it in afternoon teas and that they would have to pay the full price for that milk, while big companies like Peters Ice Cream Company would ob-

tain their milk supplies at a cheaper rate. It is unworthy of the hon. member to attempt to create such an impression. His action in that regard clearly shows that he certainly does not understand the Bill. One of the weaknesses in the present legislation is that there are too many loopholes enabling people to purchase milk at a cheap price and to sell it at a dearer figure. If we permit a person to purchase a quantity of milk ostensibly for certain purposes and then allow him to purchase an unlimited quantity at the lower price for another purpose, how could we ensure that that person would not use the cheaper milk for a purpose respecting which he should use only the dearer milk?

If we permit some people to purchase milk for sale as wholemilk and at the same time enable them to purchase other milk at the cheaper rate for use in connection with the manufacture of ice-cream, who is to say that the latter type of milk will not be sold as wholemilk? In order to prevent that sort of thing, the Bill provides that only the person who buys milk for the purpose of using all of it for manufacturing purposes can obtain it at the cheaper rate. Once a person who buys a large quantity of milk for manufacturing purposes uses part of it for any other purpose, he will lose his special position under the Bill and will have to pay the full price for his milk. That is a safeguard for the producers. It will prevent people from obtaining milk supplies at the cheaper rate and selling the commodity at the higher price. Only when the milk is bought for the sole purpose of manufacturing and for no other purpose will the provision referred to by the member for Guildford-Midland apply. That is why I cannot agree to extend that provision to the people who want to purchase milk at the cheaper price and at the same time to purchase wholemilk for sale as wholemilk. The provision in this respect is included at the request of the Milk Board, the members of which have pointed out the dangers and the absolute necessity for closing the loophole.

Hon. W. D. Johnson: It will force men out of business.

The MINISTER FOR AGRICULTURE: I repeat that the Bill has already received the endorsement of this House after a very full discussion in Committee. The member for Guildford-Midland, in speaking as he did this afternoon, has only carried out his—

Mr. Withers: Threat.

The MINISTER FOR AGRICULTURE: I would not use that word but prefer to say that he has proceeded along the lines he indicated when he said he would follow the Bill through to the third reading. I have no doubt that the House will pass the third reading of the Bill, which is fairly generally acknowledged to represent a big improvement upon the existing legislative position. The Bill will go a long way towards ensuring for Western Australia a clean wholesome milk supply.

Hon. W. D. Johnson: Why not go the whole hog?

The MINISTER FOR AGRICULTURE: It is not pretended that the Bill is perfect—not by any means. On the other hand, it is generally acknowledged among all sections of the community that it represents a big advance along the right road. The fundamental upon which the measure is based is that we shall not allow a set of unsatisfactory conditions to obtain lower down and then endeavour to right them by allowing someone to obtain milk along the channel for the purpose of treating it, but that attention shall be given to the dairies where the milk is produced, that the cattle supplying the milk will be tested for disease and that cattle found to be diseased shall be destroyed. The object is to give power to the Milk Board to ensure that we have clean herds and clean dairies. Members need have no fear that smelly milk will come into the metropolitan area.

Hon. W. D. Johnson: It comes in today.

The MINISTER FOR AGRICULTURE: But the Bill is not operating today.

Hon. W. D. Johnson: The Bill will not alter that position.

The MINISTER FOR AGRICULTURE: When the legislation does operate, the position will be dealt with.

Question put and passed.

Bill read a third time and transmitted to the Council.

BILL—BULK HANDLING ACT AMENDMENT.

Returned from the Council without amendment.

MOTION—SEWERAGE.

As to Pans and Septic Tanks in Sewered Areas.

MR. NORTH (Claremont) [5.26]: I move—

That this House directs the Government's attention to the fact that—

(1) New houses under construction are being fitted with septic tanks in cases where deep sewerage is close at hand, and suggests that this practice is wasteful both of money and bricks; and

(2) also that there are still many houses using the pan system in sewered areas and suggests that this practice be abolished.

This motion follows in a rather unsavoury manner after a discussion upon milk, seeing that it deals with sewerage. This misfortune arises from the fact that, most unusually, the third reading of the Milk Bill was discussed at length. It may be of interest to the audience in the gallery, who represent the Women's Parliament, to know the procedure followed with regard to the third reading of a Bill. The discussion was most unusual but perhaps was the more interesting because of that fact.

Mr. SPEAKER: Order! The hon. member is himself out of order and should confine himself to the motion.

Mr. NORTH: I urge the House to support me in an attempt to obtain the adoption of the deep sewerage system throughout the metropolitan area. Words to that effect are not included in the motion, which represents merely the first link in the attempt I am making. In my electorate two separate local governing authorities have made their respective requests and complaints to me on this particular matter. The first portion of the motion deals with the fact that septic tanks are being constructed in connection with new houses while the deep sewerage system is available nearby. In dealing with that situation I wish to place before members a few lines from the report of the health officer at Claremont with reference to the construction of houses on the Graylands estate. The officer's report states—

Graylands new housing estate (municipal area)—43 houses completed with septic tanks; eight houses in course of erection.

All these could have been connected to the camp sewerage system—see my report dated 19th September, 1945, a copy of which was sent to the Workers' Homes Board, 26th September, 1945.

In view of the fact that the report shows that 40 odd houses have been fitted with septic tanks, which means that enough bricks were used for the purpose that would be better availed of in the construction of two new houses, I think a very good case has been made out for submission to this House seeking support for the claim that the future policy should be that new houses ought to be connected to the deep sewerage system where it is available.

The second point is that the pan, or the pan system, and the antiquated method of trundling nightcarts, should be abolished in the metropolitan area where the deep sewerage is available. These are, of course, in a sense rather belated requests to make in 1946. I trust we shall receive from some spokesman of the Government an announcement that the Government will include in the big postwar works—which we expect to commence once the housing position is fully under way and the announced 130,000 building workers are fully at work—deep sewerage for the whole of the metropolitan area. It is a reflection upon a virile progressive State that a locality the size of the metropolitan area, with 250,000 people, and with facilities available such as an ocean outfall and sewage treatment works, should still require such an enormous amount of work to be done in this connection.

If my contentions are correct—and, as I said, I quote what the health officer told me—it is unnecessary and extravagant to be using septic tanks when deep sewage is available. I would like other members to support me if a similar state of affairs exists in their districts. It would be possible for me to go round to the other members and get them to put up a composite case; but, in casual conversation with two or three of them, I found they confirmed my remarks in some measure, but did not give any specific details. I therefore prefer that they should deal with the matter themselves under the system of the logic of Francis Bacon, who used to argue that from one little particular a general case applies. Probably in every suburb pans are in use and are trundled through the streets. It is now at least 12 years since the Claremont

electorate has had the deep sewerage system. The Claremont figures in relation to deep sewerage are today as follows:—

1,000 odd houses connected to the sewer, 57 per cent.

681 septic tanks, 35 per cent.

142 houses served by the pan system, 7 per cent.

Mr. Cross: In Victoria Park there are 1198 houses not connected in a sewered area.

Mr. NORTH: That point is dealt with in the first part of the motion. There are also about 100 unsewered houses in the Claremont electorate which will need new piping and other work. In addition, the Nedlands Road Board is also pressing for action with respect to another 100 houses in its district—most of them new. A certain amount of pumping plant is required before the houses can be connected. Having given these statements to the House, I feel there will be support for my motion, especially in this age of air travel—people can cross the world in 24 hours, or rather, that is promised—and we are to be able to handle the biggest steamers in the world at Fremantle. We do not in this age want nightcarts, nightsoil and sanitary depots.

I much admire and congratulate my local health authority and its health officer for having made a move in this direction; because I am informed that if the House does not support my motion, other authorities will be inclined to let things remain as they are. I believe that one local authority prefers septic tanks to deep drainage. If that be so, we might perhaps hear something on that point later on this afternoon. I do hope, however, that in 1946—an age of science and progress—we shall get rid of the nightsoil apparatus and the pan system in the metropolitan area. It seems rather regrettable that the atom age should come in before the pans have gone out.

MR. SHEARN (Maylands) [5.37]: I second the motion.

The PREMIER: Mr. Speaker—

Mr. SPEAKER: The member for Maylands has prior right.

The PREMIER: I move—

That the debate be adjourned.

Motion put and passed.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Second Reading.

MR. PERKINS (York) [5.38] in moving the second reading said: This is a Bill to give certain increased powers to municipal councils. It will, of course, affect all the municipalities in the State and there may be many councils that will desire to take advantage of the increased powers which will be given to them if the Bill becomes an Act. I was specifically requested by the York Municipal Council to bring in this measure. A difficulty has arisen in York and, in compliance with that request, I am introducing the Bill, which I hope will find favour with the House. The primary purpose of the Bill is to permit municipal councils to make bricks. The parent Act is very old and there have been many amendments made to it. It does not contain any reference to bricks; and my advice from the Crown Law Department is that it is extremely doubtful whether municipal councils would be working within the terms of the Act if they did make bricks, even for their own purposes and without any suggestion of selling them to other persons.

The Bill proposes to amend Section 219 of the parent Act, and members will observe that it is proposed to insert in Subsection (1) after the word "quarries" in line 1, the words "and brickmaking." That would give municipal councils power to engage in brickmaking. The Bill also contains provision empowering municipal councils to sell bricks, stone and materials. The parent Act merely contemplates that, if such materials are sold by municipal councils, they are to be used in municipal undertakings, for roads and in connection with other property belonging to the municipalities. This Bill will empower the councils to sell bricks, stone and gravel to persons who may require them, but such sales are not to be effected without the approval of the Minister first being obtained. If we were to give municipal councils unrestricted power in this regard, it would be possible for them to set up a new trading concern which might even come into competition with our present State trading concerns.

I do not wish to advance anything that might incur the hostility of the Government and might lead to friction in country areas.

The purpose of the Bill is not to enable municipalities to undertake trading concerns; but if they have a surplus of the materials which I have mentioned, the Bill will enable them to sell such materials to any person who may require them.

The Minister for Lands: Would that not make the municipalities a trading concern, once they started to supply persons other than themselves?

Mr. PERKINS: As a matter of fact, that is actually taking place now, in contravention of the Municipal Corporations Act and the Road Districts Act, as the Minister is probably aware.

The Minister for Lands: No. I am not aware of anything like that.

Mr. PERKINS: I am rather surprised that it has not been brought to the notice of the Minister before by the Audit Department.

Mr. Watts: Stone has been sold to the Main Road Board.

Mr. PERKINS: That is another Government authority. It is well known that a person in a town who requires a load of gravel can obtain it from the local authority. Ordinary carriers are not particularly interested in delivering loads of gravel, but the local authority has all the equipment necessary to supply it to a local householder. That suits both him and the local authority. The householder, of course, pays the local authority at an appropriate rate and everybody is perfectly satisfied about it except the auditor. I know the local authorities have experienced difficulty because they are unduly restricted in this regard. Power is provided to make it subject to the Minister, who can if he thinks that a municipality would be going beyond reasonable bounds, withhold his consent. I take it that none of the municipalities would contemplate going on with these undertakings primarily as trading concerns but rather to supply their own needs, and if there is any surplus it would be convenient for the local authority and other persons in the locality who may desire such bricks, stone or materials to obtain them from the municipality.

If the local authority is going to put in a suitable plant for the production of bricks, stone and materials there would be a quantity produced greater than the local authority would require for its immediate needs. By making the plant a little larger it could supply its own needs at a reduced cost, as well as the needs of other people who required the material in the immediate locality. The proposed amendment of Section 180 is more or less consequential upon the amendment to Section 119. Section 180 deals with the by-laws. All that is proposed by the Bill is to add "brickyards" to the subjects on which the local authority can make by-laws. That seems to be necessary if brickyards are going to be established in the area under the local authority. It seems to me that the local authority should have power to make by-laws in regard to brickyards as well as to the many other things already provided for in the Act.

The amendment to Section 180 is of very minor importance compared with the amendment to Section 119 which forms the principal part of the Bill. In the area from which I have had this request, York, the local municipal council has a building programme. Under an amendment to the Act, I think last session, municipal councils were empowered to build homes for their employees. I think that other municipalities beside that at York are seriously considering this aspect and hope to take some action. There is a great amount of other building work which municipal councils are called upon to do, and considerable quantities of bricks will be required if that work is to be carried out. In areas somewhat distant from the metropolitan area, which is the nearest district to that which I represent where bricks are being made, the freight is quite a considerable item and the supply of bricks is at present rather short. Any local authority that is prepared to help itself in this regard should be encouraged.

Mr. Abbott: You believe in State trading?

Mr. PERKINS: This is not State trading.

Mr. Abbott: Or community trading?

The Minister for Lands: Don't you?

Mr. Abbott: No.

The Minister for Lands: I am surprised.

Mr. PERKINS: In certain of these areas the clay available is entirely suitable for brickmaking. Along the Avon Valley many of the buildings were erected of

bricks made from local clay. Although they have been standing for nearly 100 years the bricks are in as good condition today as they were many years ago. I do not think there is any doubt about the suitability of the local material.

The Minister for Lands: They were made to last in those days.

Mr. PERKINS: The same difficulty that applies to bricks applies with equal force to stone and gravel. The York Municipal Council contemplates the purchase of quite a large stone-crushing plant which is now in the depot at York and is owned by the Disposals Commission. Negotiations to that end are now in progress. If the plant is obtained for the supply of crushed stone for the extensive road work which has to be done in the next few years it will be very convenient for the municipal council not only to use that stone for its own work but also to be able to supply quantities of it for other local efforts. At present the only source of supply of stone at a reasonable distance from York is the quarries near Perth. The freight from the metropolitan quarries to the York area is practically equal to the cost of the stone at the point of production. It would be an extremely good proposition for the local authorities to do their own crushing on the spot if they have suitable stone and a suitable plant.

The Minister for Lands: Would they not require to have legislation for that?

Mr. PERKINS: It requires an amendment to Section 219 of the Act to enable them to sell any of that stone. If municipalities are going to crush stone for road making they can do so without any amendment to the Act, but they could not sell one yard of the crushed stone without contravening the law as it stands to any local person who might require it for concrete foundations for building in the area, or to any other person. Members should understand that there is urgent need for some liberalising of the Act. I hope the House will pass the Bill. There should be no fear that the local authorities will start up any unrestricted trading, because I have made special provision that sales to persons other than those already named in the Act shall be subject to Ministerial approval.

Mr. Abbott: Or disapproval.

Mr. PERKINS: Where local authorities and local people are prepared to help themselves we in Parliament should be prepared to give them the necessary latitude. I move—

That the Bill be now read a second time.

On motion by the Minister for Works, debate adjourned.

BILL—ROAD DISTRICTS ACT, 1919-1942, AMENDMENT.

Second Reading.

Debate resumed from the 28th August.

MR. J. HEGNEY (Middle Swan) [5.52]: This Bill, which was brought down by the member for Nedlands, is quite a simple and plain one. The hon. member quoted the relevant Section 199 which it is proposed to amend. That section gives power to a local authority to appropriate money for certain purposes. Although a road board may from time to time appropriate from its ordinary revenue such sums as it may think proper in maintaining or improving agricultural halls, libraries or reading rooms vested in or under the control of the board, or for acquiring or building agricultural halls, libraries or reading rooms or for acquiring sites for such buildings, it has not power to appropriate sums for use in connection with infant health centres, civic centres or kindergarten schools or playgrounds. The purpose of the member for Nedlands is to extend the section to give power to the local authority to spend money on civic centres, infant health centres or kindergarten schools or playgrounds. Last year the Municipal Corporations Act was amended to give extended powers to municipal councils for the expenditure of money in that direction. The law as amended then provides the following additional authority:—

> Establishing and maintaining or subsidising either alone or in conjunction with any other council or any road board kindergartens, community centres, maternal health centres, infant health centres, creches, day nurseries, dental clinics and ambulance services whether within the district of the council or elsewhere when in the opinion of the council such expenditure will directly or indirectly benefit persons residing in the district of the council.

That amendment of the Act gave more extended power to a municipal council than is provided in this Bill in the case of road boards. Another phase of the Bill gives the road board power to delegate authority

to trustees of such organisations as kindergartens, infant health centres and the like. For the most part I think the local authority itself would be the best trustee, but in many instances these organisations are being conducted by committees in the interests of the people of the district concerned. It is an incentive to those committees to know that the local authority is taking an interest in their work. I have very little objection to such local committees but I have had one or two experiences where the power has been delegated to someone outside the district concerned.

I was on the committee of a local clinic at one time and the local authority was very helpful. The organisation was free of debt at the commencement, but instead of those concerned retaining the local authority as the trustee of the building, or co-opting the committee itself as trustees with the local authority, power was delegated to some organisation altogether outside the district, although control is still vested in the local authority. Many local authorities have given great support to such social ventures as are mentioned in the Bill, and where they do take an interest in this work their assistance is much appreciated. Other local authorities are apathetic, but today most of the municipalities and road boards, in the metropolitan area as well as in country districts, are taking a livelier interest in those organisations that are specially dealt with in the Bill. I think the member for Nedlands has brought down a Bill which should commend itself to the House. I support the second reading.

THE MINISTER FOR WORKS (Hon. A. R. G. Hawke—Northam) [5.59]: The main amendment dealt with in the Bill is very much in line with an amendment which Parliament approved last year to the Municipal Corporations Act. The Government has at present a fairly comprehensive Bill drafted in connection with the Road Districts Act. The main amendment in this Bill is included in the Government Bill. I have no objection to offer to any part of the measure now before the House, but thought it advisable to mention that the Government had made provision in a comprehensive amending Bill, which will come to Parliament later in the year and embraces the main amendment referred to in the measure we are now dealing with.

Question put and passed.

Bill read a second time.

In Committee.

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

MOTION—STATE HOTELS.

As to Use as Community Hotels.

Debate resumed from the 28th August on the following motion by Mr. Perkins:—

> That where a local community desires to take over a State Hotel to be run by it as a "community hotel" on a co-operative basis, giving good service and using profits for financing local amenities, this House considers that the Government should adopt a policy designed to make possible and further this objective.

to which an amendment had been moved by Hon. W. D. Johnson, as follows:—

> That in line 2 the word "State" be struck out.

Hon. W. D. JOHNSON: When I moved the amendment——

Mr. SPEAKER: Order! The hon. member cannot make a speech.

Hon. W. D. JOHNSON: I want to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

MR. HOAR (Nelson) [6.3]: Now that the amendment has been withdrawn and the House has before it the original motion, I find myself, as previously, very much opposed to it. I see no reason why State hotels should be singled out in a specific motion of this kind to be handed over to some local committee. As the Minister previously remarked, the State hotels have given valuable service to the State inasmuch as they have helped to open up certain areas of country and, at the same time, have contributed £200,000 to Consolidated Revenue. The motion has the value, if there is any value in it, that it makes an attempt to take away from the State the right to own hotels. I consider that the member for York is, in a way, to be congratulated for initiating this discussion, but I much regret that the motion is too restrictive in character. I am wholly in favour of the principle underlying the

motion, namely, community hotels. If it could be worded in a manner acceptable to the Government, and include suggested legislation to give protection to communities desiring to establish community hotels, we would be doing a much better job than by merely passing this motion which is restricted to a State enterprise.

I favour the idea of community hotels and the local distribution of profits, for the simple reason that it encourages various committees in the towns throughout the State to be enterprising. Local efforts are made in connection with hospitals, clinics, kindergartens and other social welfare activities, and in the past many appeals for assistance have been made to the Government. On numerous occasions I have heard Government spokesmen say that it would be a good thing if local people took more interest in their own affairs and pushed a little harder. If a community hotel were established in a likely neighbourhood, the local committees would be able to finance social welfare undertakings in connection with which they now have to appeal to the Government or raise funds by other means, such as entertainments. The people, generally, favour the idea of community effort. We see, throughout the State, attempts made to assist the kindergarten work, and similar activities. If the local people could handle some of the profits made out of beer in their own areas, and distribute those profits amongst these worthwhile undertakings, much good would result.

From that point of view, at any rate, I am heartily behind any suggestion of community hotels. A great deal can be said for them. Many people know very little about them, but their knowledge is being widened week by week as a result of the experience of people in other parts of the Commonwealth, in particular that of Renmark and of Nuriootpa, in South Australia. I understand that there are some 1,500 people in the latter community. They went to the extent of mortgaging some of their property in order to raise the sum of £17,000 to open a community hotel in a modest way. With the profits that they derived each year from the undertaking, they were able to open gardens, cater for all branches of sport, and build a hospital. Unless I have been misinformed, the community spirit in the hospital has gone to such an extent that they make their own soap.

If all that is true it shows what can be done by community effort, so long as the necessary money is behind it. Though there is not much demand at present in Western Australia for community hotels I believe the idea will spread rapidly once the people as a whole realise the benefits to be obtained from such service, and the experience of other communities in different parts of the Commonwealth. There is one company already that I know of, well established in this State. It is in the town of Manjimup, where I live. It is true that there is not a community hotel there at present, but all the energies of the people are devoted to that end. The company has issued 1,000 ordinary non-interest bearing shares, with voting facilities only. The balance will be made up of interest-bearing debentures. There is a directorate of six, four of them appointed by a general meeting of the shareholders and the other two by the local road board, which to my mind indicates that every endeavour has been made to put the company on a sound footing.

All that is needed is some encouragement, but encouragement is not to be found in the State Licensing Act. There is nothing there to indicate that such a scheme as a community hotel would receive any encouragement at all. I think we should have a provision that not only recognises the solid work already done by State hotels but which, at the same time, makes provision for and gives protection to such committees throughout the State, committees that have the idea of conducting community hotels in their areas. I move an amendment—

> That all the words after "that" in line 1 be struck out with a view to inserting the following words:—"this House is of the opinion that more State-owned hotels should be established in suitable localities and that controlling legislation should be introduced to safeguard the interests of any community in which the local community organises to take over or has already taken over an hotel with the object of operating it co-operatively for the purpose of rendering efficient service and devoting surplus moneys to the expansion of improved conditions for the community" in lieu.

In South Australia there is legislation governing community hotels. I suggest that if we carry this motion the Government might taken sufficient notice of it to incor-

porate in the Licensing Act of this State a provision of that nature. It will be interesting to see to what extent the Government of South Australia has acted in order to provide such legislation. In the South Australian Licensing Act, 1932-1936, in Division XI., Section 85, there appears the following:—

A company incorporated under the laws of the State, and with the sole object of carrying on the business of a licensed victualler, may hold a publican's license in respect of one hotel only, and any company incorporated under the said laws may hold any license other than a publican's license.

Further on there is special reference to the hotel at Renmark. Division XIII., Licenses for premises at Renmark, reads—

(1) No license shall be granted in respect of any previously unlicensed premises situated in that portion of the State which is comprised and described in "The Chaffey Brothers Irrigation Works Act, 1887," and in the schedule thereto, unless—

(a) the Governor has consented to the grant of such license; and

(b) a petition has been presented to the court signed by not less than a majority of the electors resident within the said portion of the State, praying that the license be granted; and

i. setting forth the purposes to which any profits of the business to be carried on under the said license are intended to be applied;

ii. nominating the first members of the committee in this section after mentioned; and

iii. stating the mode of appointing subsequent members of the said committee.

(2) Upon the presentation of such a petition, and upon being satisfied that the Governor has consented as aforesaid, the court may in its discretion grant the licence upon the following conditions, but not otherwise, namely:—

(a) That arrangements be made for the said business being vested in and managed by a committee in trust to carry on the said business, and to apply the profits thereof for the purposes set out in the petition;

(b) That the said purposes be approved by the Treasurer.

(3) Upon the said arrangements being made to the satisfaction of the Treasurer, and upon the said purposes being approved by him, the Treasurer may issue the licence.

(4) The Treasurer may from time to time entirely or partially change or vary the purposes to which the profits of the said business shall be applied, and upon receiving notice in writing of any such change or variation the committee shall, until receipt of notice of further change or variation, use any profits not already applied and any future profits accordingly; Provided that the Treasurer shall not make any such change or variation except upon petition setting forth the proposed change or variation and signed by two-thirds at least of the electors resident within the said portion of the said State.

That is all I propose to read of that Act, because it covers the ground with which I am concerned. If we have a provision of that kind incorporated in our State licensing laws, it will give us a basis for the protection of any committee that has the ambition to open up or establish a community hotel in its area.

Sitting suspended from 6.15 to 7.30 p.m.

THE PREMIER (Hon. F. J. S. Wise-Gascoyne—on amendment) [7.30]: From my analysis of the amendment moved by the member for Nelson, it would seem that he is making an endeavour to broaden the scope of the whole subject which was introduced by the member for York. The original motion is obviously designed to apply to a local single case.

Mr. Perkins: To seven cases.

The PREMIER: We know that there has been an agitation in the Bruce Rock district for the taking over of the State hotel in that town. Since the idea behind the motion has been developed upon a single case, there is much to detract from its merits, even if the motion as moved were in other ways perfect. The amendment moved by the member for Nelson, however, provides an opportunity for a very broad examination of the whole principle underlying the promotion of community interests. Not only does the amendment deal with the retention of the principle of State hotels where necessary, but it also brings forward a very important point, namely, the protection of community interests, developed either through an hotel or in any other way for the benefit of various movements for the welfare of local communities.

I consider that the amendment is worthy of the consideration of members on both sides of the House. I assume that some people, maybe some in this House, would question the desirability of community interests such as the welfare of children, etc., being sponsored and promoted out of profits made from the sale of liquor. Is not that a

possibility? Is it not a possibility that many residents in communities that would desire all advantageous social benefits from community life would object to and strongly resist the use of profits from the sale of liquor as the sole financing medium? So the whole question deserves much consideration by members.

The thought that has obviously been given to the subject by the member for Nelson is very much in his favour. I would certainly strongly oppose the motion as moved and would rather give wholehearted support to the amendment. I am not greatly concerned about the political reactions at Bruce Rock, as we know that that community is eager, because the hotel there has not been re-organised and re-modelled, to secure control of this profit-making venture in order to further its other interests. Therefore I suggest that an opportunity be given to all members to scutinise the amendment closely.

MR. PERKINS (York—on amendment) [7.35]: I oppose the amendment. If the member for Nelson desired to move along those lines, it would have been very much better had he embodied his ideas in a separate motion, because he has raised issues vastly different from those contained in my motion. Much could be said for the amendment had it been moved as a separate motion. I would have no objection whatever to the second part of the amendment, were it moved separately, because there might be scope or necessity for legislation to safeguard the interests of all parties if community hotels were established in various parts of the State. This is a matter that the Government might properly consider, but I cannot see any point whatever in suggesting such an amendment to my motion. In fact the amendment seeks to delete practically the whole of the motion and substitute other ideas.

Almost all members on the Government side of the House have indicated that they are fully in sympathy with the principle of community hotels. Some of them have spoken in very glowing terms of this principle, and the member for Nelson himself, in his preparatory remarks, said he was strongly in favour of it. Yet he proceeded to move an amendment that makes no reference whatever to the desirability of establishing community hotels. The amendment does refer to the extension of State hotels, but no mention is made of the desirability of encouraging people to establish community hotels in their areas. The amendment alludes to the need for controlling legislation, but entirely misses the principle contained in my motion. Seemingly Labour members in this House are afraid to face up to defeating the motion as I moved it.

The Minister for Lands: Why?

Mr. PERKINS: They have dodged the issue and sought to get around it by moving an amendment.

The Premier: If it will give you any satisfaction to know, we will all vote against it.

The Minister for Lands: Yes, we will do that.

Mr. PERKINS: It would have been more honest to defeat the motion and let the community at Bruce Rock know where members on the Government side actually stand. The turn taken by the debate makes it clear that members opposite have no intention whatsoever of supporting the original motion, although, when I moved it, I did hope that it would receive support from all sections of the House. I did not move the motion for party reasons, and I thought members would treat the proposal on its merits, but it is evident that they are not prepared to do so.

Mr. Cross: It has not got any merits.

Mr. PERKINS: Members on the Government side have merely sought to defeat the motion by moving an amendment that will mutilate it. It seems to me that members when dealing with the question of giving local people the opportunity to convert State hotels into community hotels, are overlooking the fact that by amending the motion they are seeking to place those people in the areas where State hotels are provided in a much more difficult position with respect to the establishment of community hotels owned and managed locally than the people living in districts where State hotels do not exist. For instance we have the district represented by the Minister for Works. We have Cunderdin.

The Minister for the North-West: Do you know that the managers are already giving up the job because there is too much interference by the local committees?

Mr. PERKINS: In the case I mentioned, the private owner gave very considerable help indeed to the local community when it decided to set up the community hotel. That is in very marked contrast to the way in which the State Government is going to treat the people in districts where State hotels are established. It looks to me as though members opposite are prepared to give lip-service to the principle of community hotels, but that when it comes to taking the necessary action to give the people the opportunity to put the principle into effect, it is a different tale altogether.

The Minister for Lands: You have a great idea of principle when you ask that State hotels should be handed over to you.

Mr. PERKINS: The member for Nelson said that the people of Manjimup were taking steps to get a community hotel there. He said he was very anxious that they should succeed, and I take it he will give them every help in the establishment of such a hotel. Yet he wants to set up a different principle altogether for people living in districts where State hotels are established.

The Premier: That is nonsense!

Mr. PERKINS: He would preclude those people from having the opportunity to establish a community hotel.

The Premier: They would have a better opportunity at Bruce Rock than at Manjimup.

Mr. PERKINS: By the way the Premier spoke, it does not sound as though they will get the opportunity. He does not favour my motion at all, and therefore I take it that the State Government will stand by the statement of the Minister for the North-West that he would not consider the sale of a State hotel to any community.

The Premier: What would be your attitude if the Bruce Rock hotel were privately owned?

Mr. PERKINS: Exactly the same as it is now. It is that the people should have the opportunity to take the hotel over as a community hotel if they so desire.

The Premier: And if the owner wanted to sell!

Mr. PERKINS: Yes. It seems to me that private owners are much easier to deal with than the State Government would be as owner of these particular hotels. If the State Government is not prepared to sell and if the local community desires to establish a community hotel then, if members opposite and the Government are sincere in their statement that they favour the principle of community hotels, I hope the Government will put no obstacle in the way should the local people decide to apply for a license.

Mr. Triat: They would have to make application to the Licensing Court for it. that court is not the Government.

Mr. PERKINS: Yes, but it would be easy for the Government to put obstacles in the way of the granting of the license. I will say this: If a second license is granted to a community hotel in an area where there is a State hotel, there will be a difficult period in front of the State hotel.

The Minister for the North-West: The community hotel would have to pay union rates of wages and grant union conditions. The owners do not do that now.

Mr. PERKINS: They would have no objection to that. They would pay rates and taxes in addition, which the State hotels do not do at present.

Mr. Cross: Are they paying their way at Cunderdin?

Mr. SPEAKER: Order!

Mr. PERKINS: As I said, I have no objection whatever to the second portion of the amendment; but, judging by the records of the State hotels up to the present. I am afraid that I cannot generate any enthusiasm at all for the first portion.

Mr. SPEAKER: Order! That is not before us at present. The amendment is to strike out all the words after the word "that" in the first line of the motion.

Mr. PERKINS: I am sorry if I have offended. I was going to deal with the words to be inserted in lieu.

Mr. SPEAKER: If the amendment succeeds, the hon. member will be able to deal with those words later.

Mr. PERKINS: I will leave my remarks on that aspect until the second portion of the amendment is moved. Members will realise that the amendment entirely destroys the purpose of the motion. I am

sorry indeed that members have sought to nail the motion down to one particular area. If members will refer to my speech in introducing the motion they will note that I carefully stated it applied to any area in which a State hotel was established. I merely instanced Bruce Rock because in that area the movement for the establishment of a community hotel by taking over the State hotel happens to be a very live one. I take it that I can leave my reply to the Minister's remarks to a later stage, or should I deal with them now?

Mr. SPEAKER: The hon. member can deal with anything regarding the words to be struck out.

Mr. PERKINS: In speaking to the original motion, the Minister made some rather extraordinary statements. He said that Bruce Rock had benefited from Consolidated Revenue by the provision of schools, police protection, water supply and main roads.

Mr. SPEAKER: I think the hon. member is replying to the debate on the motion now. All he can deal with at the present time is the amendment to strike out certain words. That gives him a pretty wide scope.

Mr. PERKINS: I do not desire those words to be struck out. I take it that the Minister, from the speech he made, would desire them to be struck out, and that the arguments which he used then are arguments in favour of striking out these words. I am trying to combat the arguments which the Minister used. If I am not in order, I will not proceed, as I have the right of reply to the debate on the motion.

Mr. SPEAKER: If the motion remains on the notice paper, the hon. member will have the right of reply later on but, if the words are struck out, he will not have much to which to reply.

Mr. PERKINS: An argument such as that which I have outlined is entirely beside the point. I still maintain that the motion should stand as it is. The arguments that the Minister used as reasons for the deletion are not sound. He tried to make out that as the revenue from State hotels had been used for the provision of local amenities, it was fair reasoning that the local community should continue to pay by way of profits from the local State hotel to compensate the Government for the provision of those services. It seems as though we have reached a stage where the Government takes the view that State hotels should be used as taxing machines. That is a very extraordinary argument indeed, and one I do not agree with in any shape or form. Obviously, the provision of those facilities is a matter for ordinary Consolidated Revenue, and if funds from State hotels happen to be used for that purpose, it is merely an accident. It is extraordinary that the Minister should use an argument such as that in opposition to the motion.

Mr. SPEAKER: Now the hon. member had better get back to the amendment.

Mr. PERKINS: It seems that the scope for replying to the Minister on the amendment is somewhat limited.

Mr. SPEAKER: I assure the hon. member he will have the right to reply later on if and when the words proposed to be inserted are inserted.

Mr. PERKINS: I am afraid I cannot accept the amendment. If the member for Nelson had been prepared to move it as a separate motion and it could have been debated on its merits, I would have wholeheartedly agreed to the second portion. The first portion is a different matter. However I will deal with that when the hon. member seeks to have other words inserted.

On motion by Mr. Needham, debate adjourned.

[Resolved: That motions be continued.]

MOTION—PUBLIC WORKS STANDING COMMITTEE.

As to Legislation for Appointing.

Debate resumed from the 28th August on the following motion by Mr. Mann:—

That in the opinion of this House the Government should introduce legislation for the appointment of a Public Works Standing Committee representative of both Houses of Parliament, but on which the number of members of the Legislative Assembly shall be greater than the number of members of the Legislative Council, so that no public work to cost more than £30,000 shall be authorised unless it has first been investigated by such standing committee.

MR. LESLIE (Mt. Marshall) [7.54]: After listening to the speeches which were made on this motion and which ended in

an expression of opposition to it, I was surprised to hear that opposition in view of the fact that most of the previous remarks were in support of the principle which the member for Beverley desires to have put into effect. The member for East Perth touched on the main point that induces me to support this motion when he said that he felt our efforts in Parliament were futile and subject to frustration. I do not agree with those remarks as I take it he meant them to be understood, but I do contend that because of our lack of knowledge of the Government's intentions regarding public works, much of the effort which we could devote to the betterment of conditions generally in regard to such works is frustrated. I am aware that no Government announces its policy on public works or submits details to the House except at its own convenience and when occasion demands. At the same time, the Government could, once it had decided that a public work was necessary, at least consult this committee, if it were in existence, and seek its advice and recommendations.

It was suggested—by the Minister, I think—that, after all said and done, if the Government made a mistake with regard to any public work, there were always the elections to follow and electors had an opportunity to deal with those at fault. I agree that is possible; but unfortunately such action is possible only after the horse has escaped from the stable; because the Government would have incurred expenditure, perhaps unwise or ill-advised and not in the best interests of the community and the State, and, whether it was defeated or not, it would be too late for the electors to do anything. The money would have been spent and the harm done. Far better would it be to obviate the possibility of error. That is one of the reasons I wholeheartedly support a motion of this kind. If a standing committee were appointed, I take it that it would not in any way absolve the Government from responsibility for mistakes. That would not be the function of the committee, the purpose of which would be to protect the community generally, to safeguard the interests of the people of the State, and to see that work which is essential is carried out in the best possible manner.

I have in mind that even with regard to comparatively smaller works—I take into account the amount which the hon. member suggested in moving the motion, of £30,000 as compared with the amount involved in the expenditure on the Royal Perth Hospital—the committee could investigate local conditions from an impartial angle. At present, a member of Parliament or a local organisation with some ability to present a case, and possibly with some influence with the people advising the Government, might be able, in the event of a Government project being contemplated, to influence a decision which might not be in the interests of the public work to be undertaken, apart from the ultimate objective. I have a case in mind: Moneys to be spent on public roads. It is possible that in a road of some 100 or 200 miles in length, certain portions, owing to their nature, seasonal conditions and the amount of use to which they are put, have a prior right to consideration as against other portions. A works committee of this nature could investigate the expenditure proposed on that road and suggest ways by which the work could be undertaken to gain the best immediate advantage from the expenditure of that money, as well as the greatest ultimate advantage.

The Government proposes to spend some money on the road from Goomalling to Merredin. As far as I can ascertain the Merredin-Nungarin end is to be completed first. The people resident in the district, who know the circumstances attaching to the road, consider that expenditure of money on that portion, which is most distant from the main flow of traffic, would be wrong because there is not sufficient traffic there to justify its being given priority. On the other hand, there are sections of the road which pass through bad road-making country, and which carry a tremendous amount of traffic. Also the road runs through districts where an alternative road is not available. These parts naturally have a prior claim when it comes to deciding which section is to be commenced first. The question naturally arises in the mind of the people concerned that it is not merely the merits of the case, when considering which section is to be dealt with first, that influences the Government in making its decision, but possibly other influences which the Government may or may not be aware of, that induce it to start the road where is does.

A committee of the nature suggested would obviate that sort of thing and make quite certain that influences only of a fair

and reasonable character and not undue influences would be brought to bear. That would not have the effect of placing the Government in a position where, later, its actions might be criticised. Apart from the fact that the Government would be responsible for what it did, people might be jeopardised or the revenue of the State might be affected by expenditure on certain priorities which were not justified on the evidence of the case. I am supporting the motion for another reason, namely, that we have heard in the last week or so much about the rights of democracy. The only democratic way by which Government expenditure on public works of any size can be undertaken is to consult the representatives of the people and ask for their guidance and assistance, instead of going to them and saying, "It is our decision to do this whether you like it or not," and, after the decision has been arrived at, to try to meet whatever criticism might arise.

At present, we have reached the position that long before Parliament is aware of the fact that it is the Government's intention to undertake certain extensive public works, the Government has already committed itself and the work is commenced. As a result, Parliament is denied any opportunity to take steps to prevent what it considers is not an advisable course of action. A standing works committee would obviate that position and would undoubtedly safeguard the interests of the community as a whole, and give to the people confidence in the actions of whatever Government might be in power because they would know that it would be carrying out its public works programme without fear or favour, and in the interests of the whole community. I support the motion.

MR. WATTS (Katanning) [8.5]: It is my intention to support the motion perhaps for reasons in some instances other than those that have been introduced in the course of the debate. But before proceeding to say what they are I would like to mention how sound I regard the arguments of the member for Perth. I do so, not so much because he supported the motion but because he brought forward incontrovertible evidence of the good service that has been rendered in other parts of Australia by similar committees. The manner in which he put the subject-matter before the House was clear and incapable of being misunderstood. That is the sort of information, from a man who has had experience, that I am glad to have in support of the feeling in my mind that this motion is one that ought to receive more support than it seems likely to.

I had the opportunity of discussing, in South Australia, with the chairman of the Public Works Standing Committee, who is of the non-Labour ranks in that State, and with the gentleman who is known as the Leader of the Opposition in the Legislative Council, who is of the Labour ranks there and is also a member of the committee, the work which the committee in South Australia has done during the years in which these gentlemen have served in Parliament and known of it. Both of them, notwithstanding that they hold divergent political views, expressed the opinion in very certain language that the benefits that had been conferred upon that State by the activities of the Public Works Standing Committee could hardly be measured, and in terms of money had been worth hundreds of thousands of pounds, if not millions of pounds, in the years during which it had been operating.

The Leader of the Opposition of the Legislative Council—whose name unfortunately I cannot recollect—having read, apparently, some report of the debates that took place last year in this House on a motion similar to this, expressed surprise that members on the Government side of the Chamber in Western Australia should have voiced such distinct opposition to the proposals in view of the conclusions that he had arrived at as to the advantages that were derived from the committee in the State of South Australia. That only goes to support the very clear statement of fact, as I believe it to have been, made by the member for Perth when this matter was last before the House. It provides yet another reason why a motion of this character should receive more consideration than it seems likely to in these particular circumstances.

I will go further than that and say that there are far deeper reasons why this motion should be accepted. I believe they are implied in the remarks made by the member for East Perth the other night, when he referred to a sense of frustration. I do not disagree with what he said on that occasion. It may be a rare instance, but instance it is, and possibly the more valuable for that. I,

too, feel that the responsibilities that are imposed upon members of Parliament are not sufficient. They, having been elected by the people in precisely the same way as the members of the Government, are entitled to a great deal more consideration from the Government than it has been the practice to give them in recent years. In the last five or six years there have been four or five motions that had some relationship to the subject now before this House. They have regularly been opposed by the Government in office during that period. There was one that suggested the creation of a Ministry of post-war reconstruction, and the alliance of members of Parliament with such a Ministry in order that they might make their contribution to the proposals and the carrying out of the proposals that might be necessary in the post-war period. That motion was turned down with contumely.

Subsequently there was another proposal that there should be appointed committees of this House that could investigate any proposition either—if there was a requisite majority of them—on their own initiative, or in any event at the request of the Minister with whose particular departments the committees were associated, the idea being much the same as that contained in this motion, that members of Parliament should have an opportunity to obtain a knowledge of the difficult subjects that come before the House equal to that which Ministers of the Crown are able to obtain. That proposal was also turned down in this Chamber. Last year the member for Beverley introduced a motion almost identical with that which we are now discussing. That motion—although if I remember rightly it was supported by the member for Perth—was opposed by all other members on the Government benches.

This year we appear to be reaching much the same state of affairs. Am I to assume that the Government does not like the idea of persons, who are equally elected as representatives of the people, having anything whatever to do—except in the limited and restricted manner in which they are able to have something to do with them in this House—with the public works propositions that come up for the development of the State, or am I to assume that the Government regards itself as so far superior to the collective ability of the remainder of the Legislature that it considers it has no need to accept advice from any except departmental officers?

Let us assume for the moment that that is the underlying reason for the opposition, that the only advice that the Government—the eight or nine Cabinet Ministers—think it necessary to have is that of a certain number of civil servants who are engaged in their respective departments for that purpose. Is it intended to preach the doctrine of the infallibility of public servants? I do not for one instant imagine that I am, or that anybody else including the most distinguished members of the Civil Service is infallible. In fact there is evidence in this morning's paper, if we do not desire to go any further than that, that distinguished officers who may be classed as being in the Public Service are far from infallible, and their advice to the Crown in relation to the railway services of this country has put the country—that advice apparently having been accepted in good faith—to considerable expense, trouble and delay in regard to its transport facilities, and has earned, I can only assume rightly, the strong criticism of a Royal Commissioner in the person of a judge of the Supreme Court, who sat for six or nine months on this subject, and who has examined the facts in every State in the Commonwealth, or a great many of them.

I have no hesitation in saying with the greatest respect—I wish to make that point perfectly clear—to public servants, that they cannot claim infallibility. In consequence, if we put the two arguments together, that members of Parliament are entitled—I use the word advisedly—to claim a greater share of responsibility for the methods and purposes for which money is being expended out of the public purse in regard to public works, and that those who advise the Government are by no means the Alfa and Omega of opinion on the subjects that are before them, then I think, coupled with the experience in the Commonwealth sphere and in other States of the Commonwealth, we are justified in saying that it is quite possible that such a proposal as has been put forward by the member for Beverley would result in public works of a much more satisfactory nature, and might result in a great saving of expense, and, in consequence, that other public works that are out of court, because of

the additional expense involved at the present time, could be put in hand.

It seems to me that there is absolutely no justification for opposing this motion, because, of itself, it does not require the Government to make any particular appointments to the committee. It simply asks the Government to introduce legislation for consideration by the Legislature and suggests that there should be a member of the Legislative Council on the committee. It does no more than that, because all it says is that the members of the Legislative Assembly on the Committee shall be greater in number than those of the Legislative Council. Therefore we might have five or six from the Legislative Assembly and one from the Legislative Council, and the requirements of the motion would be readily met.

Mr. Withers: Without any age limit?

Mr. WATTS: I would not like to trespass too much on the question of age limits. Comparisons are odious, and particularly so in the case of the Legislative Assembly and the Legislative Council, despite the interesting calculations of the member for East Perth last evening. To leave that delicate and improper subject, there seems to me no justification for opposition to this motion. There is every reason, on the contrary, why it should receive the support of every member of this House, because in no circumstances can it do any harm. It may do a great deal of good, and it would most importantly give recognition to the fact that the people who elect their representatives expect them to know more about the public affairs of the State than they are permitted to know under the present methods. Say what we will, the ordinary member of this House does not get much opportunity —in fact little if any better opportunity than members of the public—to know what is taking place regarding the vast expenditure that is contemplated by the Government on public works. On the great majority of occasions, the first knowledge a private member has of projected expenditure is gleaned from an article in the morning paper, and the fact is that the proprietor or editor of the paper knows about it before a member of Parliament does.

What state of affairs are we reaching if that sort of thing is allowed to continue without some measure of protest? Are we here as the elected representatives of the people, supposed to look after their affairs and the interests of the State generally, supposed to be equipped with information as to what is taking place and able to pass judgment, in the light of information of the fullest character, on what ought to be done, or are we to be mere rubber stamps, in no better position than the proprietor of some journal used for the time being as the mouthpiece of the Government?

Seemingly the former state of affairs is the one that we ought more rightly to adhere to, and this motion would take us a long way back toward that position, because it would give a section of the members of the House appointed for the purpose a distinct opportunity of getting closely into touch with these affairs and making recommendations and, with the knowledge thus possessed after investigation, acquainting other members of the House and their constituents with the actual facts of the proposal, seen, not through the eyes of the expert, whose view is not always easy for the public to comprehend, but through the eyes of an intelligent man who has made a study of the evidence placed before him and has accepted information from disinterested as well as interested parties and is well-equipped to pass the information on. These are the grounds on which I support the motion. I believe that in this matter a basic principle is involved. Because of that basic principle, I am supporting the motion very strongly indeed.

On motion by Mr. Cross, debate adjourned.

BILL—BUSINESS NAMES ACT AMENDMENT.

Second Reading.

Debate resumed from the 28th August.

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Kanowna) [8.24]: This Bill was introduced by the member for Guildford-Midland who has always taken a very keen interest in the co-operative movement. The Bill proposes to amend Section 25 of the Act, in paragraph (b) of which provision is made disallowing the use of certain words in the registration of business names. One of those words, "co-operative," the hon. member seeks to have deleted, so that it will be possible for three co-operative companies, one at Balkuling, one at Dangin and one

at Quairading, to form a partnership to trade under the name of B.D.Q. Co-operative Engineering Works. If the word "co-operative" be not deleted, that name cannot be used.

The Leader of the Opposition was not quite sure what effect the deletion of the word might have on future partnerships. I have made inquiries and have been advised that under Section 101 of the Companies Act provision is made prohibiting the use of the word "co-operative" unless by a company that is in reality a co-operative company. This assurance has been given to me by the Solicitor-General. I have also communicated with the Registrar of Companies who has advised me that no company other than a co-operative company may use the word "co-operative" in its name. There will also be protection under Section 172 of the new Companies Act when that measure is proclaimed. Consequently, there is no danger of the word "co-operative" being used unless the company in fact is a co-operative company and is registered as such.

Mr. Perkins: What about concerns that are not companies?

The MINISTER FOR JUSTICE: No person or persons, unless a corporate body and a co-operative concern, may use the word "co-operative" in its name.

Mr. Perkins: Where is that laid down?

The MINISTER FOR JUSTICE: In Section 101 of the Companies Act.

Mr. Perkins: But that applies to companies, not to private persons.

The MINISTER FOR JUSTICE: It applies also to private persons. In this instance, the three concerns are co-operative companies and, as I have said, they desire to form a partnership, but they are debarred under the Business Names Act from so doing. If we delete the word from paragraph (b) of Section 25 of that Act, the word "co-operative" may be used by these co-operative companies, but it must not be used by persons or companies unless they are in reality co-operative concerns. As I have pointed out, the Companies Act, 1893-94, ensures that protection, and a similar provision will operate when the new Companies Act is proclaimed. In the circumstances, the House need have no fear that the word "co-operative" can be used by bodies other than those that are co-operative concerns and registered as such. The member for Guildford-Midland himself made inquiries and received similar assurances.

I was not in the House when the Leader of the Opposition spoke, but the report shows that he was somewhat doubtful of what might happen if we deleted the word "co-operative" from Section 25 of the Business Names Act. As the Leader of the Opposition is a lawyer, I thought it better to make further investigations. I have done so and am assured that the word "co-operative" cannot be used except by those who are actually registered as co-operative companies.

MR. McDONALD (West Perth) [8.30]: The objective of the member for Guildford-Midland in this Bill appears to be reasonable not only in regard to the specific case he mentioned, but also in relation to other cases of a like description which might arise in future. Like the Leader of the Opposition, I do not want to see the door opened to the irregular use of the word "co-operative" by people who have no right to use it; but I am satisfied that we will not run that danger by passing the Bill. There is in the Business Names Act a prohibition of the use of the word "co-operative"; but we can safely take that word out of that Act, because the prohibition of the use of the word "co-operative" is contained in the Companies Act, and I think that sufficiently ensures that other persons or companies shall not use that word unless they are qualified to do so under the Companies Act by reason of their being people pursuing co-operative principles and registered in accordance with the provisions of that Act relating to co-operative companies. I feel, therefore, that the Bill has merit and should be supported, and that it does not involve any danger.

MR. LESLIE (Mt. Marshall) [8.34]: I am not at all happy about the position. First, this legislation is designed for the purpose of overcoming a difficulty in one specific case, and I am vigorously opposed to the idea of Parliament being obliged to pass legislation to overcome a difficulty confronting one person or firm, because Acts of Parliament are carefully framed for the community.

Hon. W. D. Johnson: Farming communities are concerned.

Mr. LESLIE: I am fully in sympathy with those farming communities and also with their objective; but I feel there is a way in which they can achieve it without our taking the risk that we will run if we pass this Bill. Legal authority has spoken and I do not want to pit myself against it. I accept its decision, but I would remind the learned legal gentlemen who have spoken that I could submit a question to a lawyer and get an opinion from him, and then submit a similar question, in a slightly different form, to another lawyer and obtain from him an entirely different opinion.

The Minister for Lands: Surely not!

Mr. Cross: You could get a different ruling on the same question.

Mr. LESLIE: I agree with the member for Canning. There is one point as to which I am somewhat in doubt. The society in question is seeking registration under the Business Names Act and consequently the conditions of that Act will apply to it. The Companies Act provides that no persons or associations can use the word "co-operative."

The Minister for Justice: As a matter of fact, that word should never have got into the Business Names Act at all.

Mr. LESLIE: Possibly so. That might apply only to persons or corporations seeking registration under the Companies Act and that is the point on which I am a little at variance, because I do not know whether the legal gentlemen have considered it.

The Minister for Justice: That point has been thoroughly considered.

Mr. LESLIE: As I said, I am strongly opposed to amending legislation which has for its object the benefiting of one particular person or society. I refer the House to what happened in 1942, when the Minister for Justice introduced the Business Names Bill. I quote from "Hansard," 1942-43, at page 1231. The Minister said—

> In 1940 the present Act was amended by the insertion of Section 4A prohibiting the use of certain words and titles by persons carrying on business under firm names. Two years' experience in the administration of this new section has revealed great difficulties in applying it effectively because of the shortcomings of the original legislation. Rather than attempt to improve the law by further piecemeal amendments, it is desirable that a new measure be introduced repealing the Act of 1897 and bringing Western Australian legislation on this subject into conformity with the law in England and in South Australia, Victoria and New South Wales, where it has been dealt with in recent years.

I do not propose to quote more than that. Evidently, at that time the question was gone into exhaustively because a comparison was made with similar legislation not only in the other States but also in England. As a result, the parent Act was passed and the word "co-operative" was evidently designedly included in it. I say advisedly so! I am not satisfied that even today the word "co-operative" is sufficiently safeguarded. I am a member of a co-operative society which is really a co-operative society, and I very much fear that if we pass this measure a position may arise where perhaps Johnson, Harper and Thorn might decide to call themselves a co-operative society and register it under the Companies Act, but they could not register themselves under the Business Names Act.

Hon. W. D. Johnson: They could not.

Mr. LESLIE: I do not feel happy about the position. We have two specific Acts and there does not seem to be any relationship between them. I feel confident that the people in question could overcome their difficulty without this House having to amend vital legislation which is designed to safeguard the community as a whole. If the member for Guildford-Midland could produce evidence that the wording of the Act as it now stands inflicted hardship in many cases and that a number of similar concerns were affected, I would say he had made out a case and that we should remedy the position.

The Minister for Justice: All co-operatives are affected by it that wish to form themselves into a partnership.

Mr. SPEAKER: Order!

Mr. LESLIE: In that case they would be forming themselves into a partnership and not into a co-operative concern. They could register as a partnership. As I said, I am not happy about the position and because I am not I shall vote against the second reading.

HON. W. D. JOHNSON (Guildford-Midland—in reply) [8.38]: The member for Mt. Marshall is quite wrong in stating that this Bill is to benefit one particular com-

bination. I have already stated that the Balkuling, Dangin and Quairading service stations are three separate and distinct stations. They were founded in recent times because of the need expressed for them by the farmers in those areas. There was positive unanimity in regard to the matter. After they had responded to the invitation —to the call—for help that came from the producers, a gathering was held to consider how best the position could be remedied and how better services could be established. When they met, they decided they could go one better than was at first anticipated and that these three co-operative companies—all registered separately of course—could combine and create at one centre a more ambitious engineering works.

Mr. Leslie: Another Westralian Farmers!

Hon. W. D. JOHNSON: Nothing to do with Westralian Farmers.

Mr. Leslie: A similar thing.

Hon. W. D. JOHNSON: The hon. member can oppose these co-operative concerns in the country if he wishes. I am proud of them, and they are doing a major service for the country. The hon. member may have the glory of opposing them if he desires.

Mr. Leslie: I am not doing so.

Hon. W. D. JOHNSON: In casting reflections on Westralian Farmers and associating them with this, the hon. member shows he does not know the country districts.

Mr. Leslie: I am opposing people using these concerns for their own purpose.

Hon. W. D. JOHNSON: The hon. member is evidently not interested because the concern that was established at Nungarin—

Mr. Leslie: Before my time.

Hon. W. D. JOHNSON: —went out of existence.

Mr. Leslie: Before I was there.

Hon. W. D. JOHNSON: Yes; and apparently the hon. member is not interested in creating another.

Mr. Leslie: We have another.

Hon. W. D. JOHNSON: All I want to say is that this procedure is going to be adopted by other co-operative companies in the country districts. There is a fixed determination to decentralise the servicing of machines and travelling plants, and they have tried various ways and means of achieving that on an economical co-operative basis. That was tried out by the people to whom I have referred, and the concern was registered as a factory. But when they came to register as a firm for business reasons, they discovered the limitations. The hon. member suggested there were other ways of doing this. These three co-operative concerns—and the member for Beverley should be well-informed on this matter—had legal advice from more than one quarter with a view to overcoming the difficulty. Then, in desperation, they asked me to submit the matter to the Government with a view to seeing whether anything could be done to assist them.

When I consulted the Government, it was suggested to me that the remedy was by means of an amending Bill, and that I should introduce it as a private measure. That has been done. It is wrong to say that the amendment will apply only in one case. It simply removes a restriction that the Minister has advised found its way into the Act under a misapprehension. I thank the Minister for his assistance and the Leader of the Opposition and the member for West Perth for theirs, and I now leave the Bill to the House. I believe members will appreciate that it is sought to remove an undue restriction on co-operative enterprise, which this House desires to encourage.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—LEGISLATIVE COUNCIL REFERENDUM.

In Committee.

Resumed from the previous day. Mr. Rodoreda in the Chair; the Minister for Justice in charge of the Bill.

The CHAIRMAN: Progress was reported after Clause 6 had been agreed to.

Clause 7—Action on issue of writ:

Mr. LESLIE: I move an amendment—

That in line 9 of paragraph (c) the words "circulating in" be struck out with a view to inserting the words "having a circulation throughout."

The latter part of this paragraph refers to the publishing of the prescribed notice in a newspaper. The words "circulating in the State" could have reference to any newspaper, even one with a circulation of only a dozen. The inclusion of the words I propose to have inserted would ensure that the paper in which the notice was published would have a State-wide circulation.

The MINISTER FOR JUSTICE: The Chief Electoral Officer assures me that he sometimes advertises in more than one paper and always in a publication circulated throughout the State. The amendment is therefore superfluous. It is not likely that a man using commonsense—and especially the Chief Electoral Officer—would advertise in, for instance, "The Guardian."

Mr. Leslie: He could under this paragraph.

The MINISTER FOR JUSTICE: But he would not. Surely he can be given credit for some commonsense. I am not decrying the paper I mentioned, but it cannot be said to have the same circulation as, for instance, "The West Australian." The clause as it stands is sufficient. The paper in which he would advertise would, generally speaking, be "The West Australian." He could advertise in other papers. I cannot see anything wrong with the clause. The Chief Electoral Officer does his duty and advertises in the paper which he thinks will circulate the advertisement throughout the State. He would not advertise in the "Norseman Times" although it is a newspaper circulating in the State.

Mr. LESLIE: The Minister has made out a strong case in support of the amendment. I am not attempting to reflect on the Chief Electoral Officer. He is capable and willing to do the job in the best interests of the people.

The Minister for Justice: Why not leave it as it is?

Mr. LESLIE: The question of the Chief Electoral Officer carrying out this job is not in the hands of the Government. I may not be prepared to accept his successor as being as conscientious as he is. This should not be left to the discretion of the Chief Electoral Officer, but should be made mandatory by law. As the Minister said, it is possible for the Chief Electoral Officer to advertis in the "Norseman Times."

The Minister for Justice: But not probable.

Mr. LESLIE: That is a weakness in th clause which it is the duty of Parliamen to overcome.

Amendment put and negatived.

Clause put and passed.

Clause 8—agreed to.

Clause 9—Persons who may be admitted to vote at referendum.

Mr. LESLIE: I mentioned in my second reading speech that many portions of the Bill, dealing with the machinery to take the referendum, appear to be redundant, and for some inexplicable reason do not follow the provisions of the Electoral Act. Failing any explanation by the Minister, and in view of the fact that the Electoral Act has operated successfully, I do not see any necessity to depart from its provisions. I move an amendment—

> That in Subclause (1) the words "or at any polling place outside such district appointed as a polling place where electors enrolled for other districts may vote or as otherwise may be provided by the Electoral Acts or either of them" be struck out.

This subclause provides the method by which a person, who is not in his own electorate when the referendum is being held, can record his vote.

The MINISTER FOR JUSTICE: I have not much objection to the deletion of these words. I have inquired of my legal advisers about this, and have been advised that the amendment would be of advantage. I will agree to the deletion of these words provided that the member for Mt. Marshall will agree to the insertion of the words, "or as otherwise may be provided by the Electoral (War Time) Act of 1943." That is necessary, otherwise there might be some confusion.

Mr. Leslie: That is all right.

Hon. W. D. JOHNSON: I do not understand where those words will go in. How can they be added?

The CHAIRMAN: They can be added after the word "enrol."

The Minister for Justice: That is so.

Amendment put and passed.

The MINISTER FOR JUSTICE: I move an amendment—

That the following words be added to Subclause (1):—"or as otherwise may be provided by the Electoral (War Time) Act, 1943."

Amendment put and passed.

Mr. LESLIE: I move an amendment—

That Subclauses (2) and (3) be struck out.

Hon. W. D. JOHNSON: This is an important Bill, and one with which we should not tinker. I hope that the Minister can assure us that the omission of these two subclauses will not weaken the power of the electors to express their views.

The MINISTER FOR JUSTICE: I can give the hon. member that assurance. I have discussed the matter with the Solicitor General and the Chief Electoral Officer. They assure me that this will be of advantage and will not weaken the Bill in any way.

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

Clause 10—agreed to.

Clause 11—Scrutineers:

Mr. LESLIE: This clause provides for the appointment of scrutineers, but unfortunately it says "one scrutineer." I move an amendment—

That in line 1 after the word "Officer" the words "and any other person authorised by the Governor" be inserted.

It is only fair and reasonable to provide that any organisation or individual representing either one side or the other in the referendum shall have power to secure the appointment of a scrutineer. The Minister would be safeguarded because I take it that the Governor—that is the Minister—would only allow the appointment of additional scrutineers on the application of such persons or organisations.

The MINISTER FOR JUSTICE: Candidates are quite within their rights in appointing scrutineers. My information is that there is no objection to this amendment. Under Sections 140 and 137 of the Electoral Act candidates appoint their own scrutineers. The Chief Electoral Officer would not like to appoint scrutineers as suggested. They would be merely supervising the work of his own men. That is my information from both the Solicitor General and the Chief Electoral Officer.

Mr. SEWARD: If the amendment is carried, the effect of the clause will be that we will still have only one scrutineer. The clause will then read that the Chief Electoral Officer and any other person authorised by the Governor may appoint one scrutineer. It does not say that they may each appoint one.

The Minister for Lands: I presume it would mean that they could each appoint one.

Mr. SEWARD: It does not say that. If it did so, that would meet the position.

The PREMIER: I do not like the amendment. If we wish to give both sides the opportunity to have a scrutineer it could be left to the discretion of the Chief Electoral Officer to appoint more than one, and that purpose could be served by striking out the word "one" and making the word "scrutineer" plural. I do not think the amendment would have any effect at all. It is a moot point whether it is necessary for each side to have a scrutineer at any or all polling places. If it be necessary, it could more readily be done by the method I have suggested.

Mr. LESLIE: I agree with what the Premier has said. The member for Pingelly has pointed out a weakness that had escaped my attention. The Secretary of the Australian Labour Party, for instance, could ask for authorisation to appoint a scrutineer, and so also could an officer of any other political organisation concerned. Then each side would nominate its own scrutineer for appointment.

The Premier: The Chief Electoral Officer now appoints scrutineers by approving the nominees of the parties concerned.

Mr. LESLIE: I agree to the provision suggested by the Premier. I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

The MINISTER FOR JUSTICE: I move an amendment—

That in line 1 the word "one" be struck out.

Mr. ABBOTT: I understand that the striking out of that word will mean that there will be at least two scrutineers appointed.

The Minister for Lands: They do not have to be paid.

The Minister for Justice: It is not compulsory to appoint them.

Amendment put and passed.

The MINISTER FOR JUSTICE: I move an amendment—

That in line 2 the letter "s" be added to the word "scrutineer".

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

Clause 12—Postal voting:

Mr. LESLIE: I move an amendment—

That in Subclause (2) the words "save and except, that in every case the postal vote officers shall send postal votes received by them direct to the Chief Electoral Officer" be struck out.

I do not see any necessity for the postal votes to be sent to the Chief Electoral Officer when they could be forwarded direct to the electoral registrars in the districts concerned.

The MINISTER FOR LANDS: I hope the Minister will not agree to the amendment. Anyone with experience in connection with elections and the handling of postal votes will realise that very few people know who the divisional returning officer is, whereas everyone knows where the Chief Electoral Officer is to be found. There will be only one count and no distribution of votes.

Mr. LESLIE: The Minister has convinced me, and I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Clause put and passed.

Clause 13—Method of voting:

Mr. LESLIE: I move an amendment—

That the words "write on the ballot paper by means of a cross in the space shown on the ballot paper for such purpose" be struck out with a view to inserting other words.

If the amendment be agreed to, I shall move a further amendment to insert the words "mark his vote on the ballot paper by placing the numeral 1 opposite" in lieu. I hope the Minister will agree to the amendment. People have become accustomed to the use of numerals in marking their ballot papers, and the practice of placing a cross to indicate their preference has been discarded because it has been found that electors have been bamboozled by it. Many electors have thought they were indicating their opposition to a candidate because they put a cross against his name and have explained that they "crossed him out." If the method I propose be adopted, it will not mean that informal votes will be cast because, even if the voter uses a numeral or a cross, his preference will be clearly indicated.

Hon. J. C. WILLCOCK: I do not see why we should depart from the procedure adopted in the past in connection with all elections. Where there are only two candidates, an elector has indicated his preference by putting an "x" or the numeral 1 against the man he desires to vote for, and I should say that a very large percentage of votes cast have been accepted with the "x" or the numeral marked by the voter. I do not see why that should not be so and, in fact, we could amend the clause by putting the words "or the numeral 1" after the word "cross."

Mr. Mann: If the elector used the numeral, the vote would be in order.

Hon. J. C. WILLCOCK: Yes.

Mr. Mann: Then we could leave the clause as it is.

Hon. J. C. WILLCOCK: We should not confuse the issue by providing for something entirely different from what has been the practice.

The MINISTER FOR LANDS: I do not agree with the member for Geraldton that we should include provision for the voter to mark the ballot paper with the numeral 1. It is not like a vote at an election where the preferential system is necessary and voters record their preference with the numerals 1, 2, 3 and so on. In this instance, a straight-out vote is required on each question and the use of the cross is the simplest and safest means by which that can be obtained. If I were to introduce a nasty note, I would suggest that the hon. member's amendment is a subtle way by which informal votes might be obtained.

Mr. Mann: But if the elector marked his preference with the numeral 1, his vote would not be informal.

The MINISTER FOR LANDS: Why should we have provision for ballot papers to be marked with an "x" or the numeral

1? The member for Geraldton has had a lot of experience of scrutineering and knows what happens with ballot papers. It is extraordinary how people will cast their votes. The voting should be made as simple as possible, and it is simple enough to ask the elector to put a cross in the square opposite the question he favours. I hope the Minister will stick to the clause; otherwise there will be many informal votes.

The MINISTER FOR JUSTICE: Preferential voting is not involved. Only one vote is required and the Bill provides the simplest method of recording it. If we introduce numerals we can expect many informal papers, and to allow more than one method would cause confusion.

Mr. GRAHAM: I agree with the amendment except that voters should be required to use the numerals 1 and 2. The Minister would be well advised to adopt this method, because people have long been encouraged to think along these lines when marking ballot papers not only for parliamentary but also for local government elections. If there are only two candidates, the numerals 1 and 2 are used. When the Federal referendum is held shortly, there will be three questions and numerals will be used. Confusion will be caused if we adopt a different method for the State referendum. Many people are doubtful whether the putting of a cross opposite a name or question is not an indication that they are voting against, not for, the candidate or question.

Hon. J. C. WILLCOCK: To be logical the Minister should bring down an amendment to the Electoral Act, which permits the optional method of voting. For 20 years we have been training people to use numerals when voting, and to ask them to do something different now is looking for trouble. Besides, there is no necessity to alter the method. Everyone has become accustomed to using numerals and this method has given eminently satisfactory results. Illiterate people have to make their mark on documents when they cannot sign their names. We should not make a radical alteration at this stage. Let people vote in the way they have voted for so long!

Hon. N. KEENAN: If the Minister desires to adopt the simplest and most accurate method, the voter ought to be asked to strike out the question with which he does not agree.

Hon. J. C. Willcock: That is something different from what he is asked to do at elections.

Hon. N. KEENAN: There could be nothing simpler than striking out the question he does not want. However, I shall not press the point.

The MINISTER FOR JUSTICE: I am not fussy as to which method is adopted. If members prefer the system of numerals, I will agree, but I want to guard against the casting of many informal votes, and it seemed to me that to ask the voter to put a cross in a square was something so simple that a child could do it. However, there is force in the argument that electors have become accustomed to using numerals, and if members consider that that would be the more effective method, I shall raise no objection to its adoption.

Mr. GRAHAM: I desire to move to amend the amendment submitted by the member for Mt. Marshall.

Mr. Leslie: You cannot do that, as we have not yet struck out the words.

Hon. J. C. Willcock: The member for East Perth desires to add certain words.

Mr. GRAHAM: I wish to insert the words "numerals 1 and 2."

The CHAIRMAN: Order! The amendment is to strike out certain words.

Mr. LESLIE: I wish to make quite sure that the Minister for Lands has not conveyed—quite innocently, let me assure him—a false impression to the Committee that the use of the numeral 1 might mean an informal vote.

The Minister for Lands: You are only stonewalling your own amendment.

Mr. LESLIE: It would be possible for informal voting to take place, as there are two squares on each ballot paper. I suggest that we adhere to the Federal method. We shall have a Federal referendum within the next few weeks and so the electors will know exactly what to do when voting on this proposed referendum.

The Minister for Lands: The Minister is agreeing to the amendment.

Mr. LESLIE: It has not been agreed to yet. I would accept the amendment sug-

gested by the member for East Perth to use the numeral 2 if it were understood that the use of that numeral did not necessarily mean that the voter favoured the alternative question.

The Minister for Lands: What else would it be taken for?

Mr. LESLIE: If it means that, then I oppose the use of the numeral 2.

Amendment (to strike out words) put and passed.

Mr. LESLIE: I move an amendment—

That the words "mark his vote on the ballot paper by placing the numeral 1 opposite" be inserted in lieu of the words struck out.

Mr. GRAHAM: I move—

That the amendment be amended by striking out the words "numeral 1" with a view to inserting the words "numerals 1 and 2" in lieu.

Amendment on amendment put and passed.

Mr. GRAHAM: I move—

That the words proposed to be inserted be inserted.

The MINISTER FOR LANDS: I would ask the member for East Perth, if he were the returning officer, how he would deal with the numerals 1 and 2. I am inclined to think that he would treat the numeral 2 as the second choice.

Mr. GRAHAM: I do not consider it necessary to discuss the point raised, because obviously we will be following the procedure in the case of there being two candidates in an election. The procedure is on all-fours with that which will be adopted in the forthcoming Federal referendum.

Mr. MANN: I ask the member for East Perth, in the event of the amendment being carried, what would happen if a voter put a cross in one of the squares. The member for Geraldton raised this point. There will be a large number of informal votes if the amendment is carried.

The MINISTER FOR LANDS: We had better be careful what we do. The arguments used by the member for Geraldton and the member for East Perth are based on the State Electoral Act, which provides that if the intention of the voter is clear to the returning officer he will allow the vote. But a similar provision is not contained in this Bill and the returning officer will not go to the Electoral Act to find out what he has to do. If the voter puts a cross on the ballot paper, I take it his vote will be regarded as informal.

Several members interjected.

The CHAIRMAN: Order!

The MINISTER FOR LANDS: If this measure is presented without any qualification, every cross will be informal because we have distinctly told the Chief Electoral Officer or the returning officer that an elector must vote 1 or 2.

The CHAIRMAN: We are likely to get into a bit of bother. We have decided that there must not be a cross on a ballot paper and we have struck the numeral 1 from the amendment, and we cannot put that in again. I would draw attention to paragraph (c) of Clause 14, which is similar to the provision in the Electoral Act. It indicates that a ballot paper shall be informal if it does not indicate in a manner to be understood by the returning officer the nature of the answer of the elector to the question appearing thereon.

The Minister for Lands: It may be similar, but it is not the same.

Mr. McDONALD: I agree with the Minister for Lands. The provisions now proposed are becoming unsatisfactory. Here are two diametrically opposed questions. The Bill started off with a very simple proposal, namely, to put a mark opposite the answer favoured.

The CHAIRMAN: I would point out that the Committee decided against that and we cannot discuss it any more.

Mr. McDONALD: We would be wise to retrace our steps and recommit this clause with a view to doing something along the lines suggested by the member for Geraldton.

Mrs. Cardell-Oliver: Would it not be allowable for the electors to insert the word "yes" or "no"?

The PREMIER: I think it is unfortunate that the Bill as printed has been departed from. The best procedure now would be to dispose of the other clauses of the Bill and, when the Committee stage has been completed, recommit the Bill for the purpose of further considering this clause. Otherwise we will get into a mess that even Clause 14 will not overcome.

Mr. WATTS: I am not averse to the Premier's proposal, but I do express the hope that we shall not go back to the cross system for the reason so strongly advanced by the member for East Perth and the member for Geraldton. We must not forget we have two separate ballot papers. One ballot paper asks "Are you in favour of abolishing the Council?" On that there are two squares. One is marked "yes" and the other is marked "no." The voter can indicate in the square opposite either "yes" or "no" which answer he favours.

The Premier: Let us debate that on recommittal. We cannot insert the figure 1 now.

Mr. WATTS: I realise that. What I do not want the Minister to do is to insist that this cross business be reinstated.

The CHAIRMAN: I cannot allow the Leader of the Opposition to discuss that now.

Mr. WATTS: I am not going to oppose the suggestion if the Premier's colleague will make it officially.

Amendment on amendment put and passed; amendment, as amended, agreed to.

Mr. GRAHAM: There are consequential amendments to be made. I desire to move that the words "his answer to" be struck out and that the words "in the order of his choice" be inserted at the end of the clause. I do not know whether it is possible for me to do that in one operation.

The CHAIRMAN: The hon. member will have to move to delete the words "his answer to" first.

Mr. GRAHAM: I move an amendment—

That in line 4 the words "his answer to" be struck out.

Mr. LESLIE: This is not acceptable. The words which it is proposed to insert later have no application. They would indicate to the elector that he has a choice, but there is no choice. If there were only one ballot paper with only one question to be answered, it would be all right, but there are to be two ballot papers. If he is told to answer in the order of his choice, I am afraid he will be tied up.

Mr. NEEDHAM: I think the difficulty could be overcome by leaving in the words "his answer to" and prefacing them by the words "which will be." By doing that it will complete the sentence.

Mr. HOLMAN: This is getting us into a worse fix than ever. There are two squares, one for "yes" and the other for "no." The amendment is to put "1 and 2" opposite the question. Therefore the elector will put "1 and 2" in the "yes" square, if that is his answer, or, alternatively, in the "no" square.

The Minister for Works: Let it pass, so that we can recommit it.

Amendment put and negatived.

Clause, as previously amended, agreed to.

Clause 14—agreed to.

Clause 15—Checking of postal votes:

Mr. LESLIE: This clause provides for the ballot papers to be sent to the Chief Electoral Officer who shall check the counterfoils and, if he finds anything to question, will notify the voter concerned and ask him to establish his claim. This is a vital departure from the principle of recording a vote at a given time. If he is not eligible at the time he votes he is not, in ordinary circumstances, given a second choice, and he should not be given it on this occasion. The Minister has given no reason for the inclusion of this clause. I wish to move that it be deleted.

The CHAIRMAN: The hon. member cannot move in that direction. He can vote against it.

Mr. NEEDHAM: Postal voting, at the best of times, is a dangerous system. Honesty is not always observed in obtaining and registering postal votes, although every attempt is made to see that the system is kept pure. This clause is to see that a postal vote is correct in every way. If we delete the clause, we should strike out the preceding clause which provides for postal votes. The member for Mt. Marshall raised the objection that a voter would be given a second chance. I have no objection to that, but I would not like to see the precautions included in this clause rejected.

Mr. LESLIE: I do not want the Chamber to be misled by anything the member for Perth has said. If the clause is struck out, the provisions of the Electoral Act dealing with the checking of postal votes will apply because the Bill sets out that, except

where otherwise provided, the Electoral Act will apply.

Clause put.

The CHAIRMAN: The "ayes" have it.

Mr. Leslie: Divide!

The CHAIRMAN: There is only one "no." I cannot give a division on that. I declare the clause passed.

Clause thus passed.

Clause 16—agreed to.

Clause 17—Electors to vote on both questions:

Mr. LESLIE: Subclause (2) is quite unnecessary. If an elector does not wish to vote on one of the questions, it should not be necessary for him to do so. If he votes on question (A) and says "yes," there is no necessity for him to vote on question (B), and vice versa. The clause is redundant and likely to make the referendum baffling to electors when they are being told what they are supposed to vote for. I move an amendment—

That Subclause (2) be struck out.

Mr. SEWARD: This is an extraordinary clause and I would like the Minister to explain it. Subclause (1) says that question (B) of the prescribed questions shall be deemed to be and shall be voted on as being an alternative to question (A). How can it be an alternative and how can we say that as an alternative we want something else when we have abolished the Council?

The Minister for Justice: If it is not abolished there is the alternative.

Mr. SEWARD: If it is abolished there can be no alternative. People are asked to vote on whether they want the Council abolished or whether they want a different franchise. What is the use of saying that they must vote for an alternative?

The MINISTER FOR JUSTICE: It is essential to retain this provision. If the Legislative Council is abolished or if there is a majority of the people in favor of abolition, the alternative will not be used, but if the majority decided not to favour abolition the alternative vote would be counted. This clause is an important part of the Bill.

Amendment put and negatived.

Clause put and passed.

Clauses 18 and 19—agreed to.

Schedule: Forms A, B, C, and D.

Mr. LESLIE: I wish to draw the attention of the Minister to the fact that it will be necessary now to make consequential amendments to Forms C and D. As it is intended to recommit that clause I will not move the amendment standing in my name to Form D, on the understanding that the Minister will bring down the consequential amendments.

Schedule put and passed.

Title—agreed to.

Bill reported with amendments.

House adjourned at 10.5 p.m.

Legislative Council.

Thursday, 5th September, 1946.

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

ADDRESS-IN-REPLY.

Presentation.

The PRESIDENT: In company with several hon. members, I waited on His Excellency the Lieut.-Governor and presented to him the Address-in-reply agreed to by this House. His Excellency replied as follows:—

Mr. President and hon. members of the Legislative Council—I thank you for your ex-