BILL—LEGITIMATION ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [6.5] in moving the second reading said: By this Bill it is proposed to amend the Legitimation Act of 1909-26, which makes provision for the legitimation of children born before marriage by the subsequent marriage of their parents. Section 6 of the principal Act provides that any man who claims to be the father of any illegitimate child, whose mother he has married since the birth of such child, and who makes to a Registrar a statutory declaration to the effect that he is the father and has married the mother, may have the child registered as the lawful issue of such father and mother, and the Registrar shall make a note in the entry to the effect that registration has been made under the authority of the Act. This section was amended in 1926 by making provision for the legitimation of a child on application by the mother, in the event of the father dying without taking the necessary action himself. In such a case the mother is required to prove to the satisfaction of a Judge in Chambers that a marriage had taken place between the father and herself, and that the former had, in his lifetime, acknowledged himself as the father of the child. Upon the Judge giving the necessary order—which must be produced to the Registrar—the registration of the child will be effected.

Difficulty exists, however, regarding the registration of a child by the mother in the event of the father becoming insane. At present, as I have pointed out, action can only be taken by the father when living, and by the mother in the event of the father's death. If the father becomes insane, he is incompetent to take the necessary action for legitimation, and, under the existing legislation, the mother cannot make the necessary application. In such a case, therefore, the Bill seeks to enable the mother to apply to a Judge in Chambers for an order just as if the husband were dead. It will be necessary for her to prove that the father had acknowledged his responsibility, and, in the event of the Judge giving the desired order, such order would have to be produced to the Registrar so that registration could be effected.

The Government considers that the proposal embodied in the Bill is a step in the right direction. It can be said that the necessity to take advantage of the amendment may seldom arise, but the fact that it can arise and that the provision is in the best interests of all parties, and of the child in particular, constitute an argument with which I feel sure all members will agree. I commend the Bill to the House and move—

That the Bill be now read a second time.

On motion by Hon. J. Nicholson, debate adjourned.

House adjourned at 5.58 p.m.

Legislative Assembly.

Thursday, 14th November, 1940.

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

QUESTION—PASTORALISTS AND AGRICULTURISTS.

Debt Adjustment Legislation.

Mr. WATTS asked the Minister for Lands: 1, Is it the intention of the Government to bring down legislation this session to implement inter alia the debt adjustment recommendations of the Royal Commissioner on the Pastoral Industry? 2, If so, is it also intended to incorporate in such legislation provisions of a similar nature applicable to the debts of those engaged in the agricultural industry?

The MINISTER FOR WORKS (for the Minister for Lands) replied:

(1) and (2) This matter is receiving consideration.

BILL—PROFITEERING PREVENTION ACT AMENDMENT (No. 2).

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

BILLS (4)—THIRD READING.

1. Financial Emergency Act Amendment.
2. Mortgagees' Rights Restriction Act, Continuance.
3. Industries Assistance Act Continuance.
4. Reserves.

Transmitted to the Council.

BILL—LOTTERIES (CONTROL) ACT AMENDMENT.

Second Reading.

THE MINISTER FOR THE NORTH-WEST (Hon. A. A. M. Coverley—Kimberley) [4.35] in moving the second reading said: This is the usual Bill introduced annually to legalise the Lotteries (Control) Act for a further 12 months. It is nothing new to the Chamber, and I do not know that there is very much to be said in introducing it. Hon. members are aware of the benefits that accrue to different charitable organisations and to country hospitals throughout the State as a result of the lotteries held. The various hospitals and charitable institutions would be in a very backward position but for the assistance received from the Lotteries Commission and that is one of the strongest arguments in favour of the measure. Quite a lot of figures are available to indicate the benefits derived by charitable bodies, and the annual report of the commission has been tabled. No doubt hon. members have read that report, which contains all the information I could supply. The Bill merely seeks to alter the wording of the Act, the words "forty-one" being substituted for the word "forty." If any member desires further information which I can supply I shall be only too pleased to make it available during the Committee stage. I move—

That the Bill be now read a second time.

On motion by Mr. North, debate adjourned.

BILL—CITY OF PERTH (RATING APPEALS).

Council's Amendments.

Schedule of four amendments made by the Council now considered.

In Committee.

Mr. Marshall in the Chair; the Minister for Works in charge of the Bill.

No. 1. Clause 3—Delete the word "both" in line 17:

The MINISTER FOR WORKS: The amendment improves the original drafting, because the word "both" is unnecessary. I move—

That the amendment be agreed to.

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

No. 2. Clause 3—Insert the words "of the principal Act" after the word "inclusive" in lines 17 and 18:

The MINISTER FOR WORKS: This also is an improvement on the original drafting, making the position clearer. I move—

That the amendment be agreed to.

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

No. 3. Clause 5—Add at the end of Subclause (3) the words "and shall be recommended by the Barristers Board".

The MINISTER FOR WORKS: I have agreed to 50 per cent. of the Council's amendments, but do not propose to accept the third one. If these words are included in the subclause the Government will be unable to appoint the chairman of the appeal board without a recommendation from the Barristers Board, and should the Government refuse to accept such recommendation, no board could be got together and the Act would be a dead letter.

Hon. N. Keenan: Another recommendation should be made

The MINISTER FOR WORKS: And there could still be a deadlock. Everything would depend on the Governor-in-Council agreeing to the recommendation of the Barristers' Board. When constituted the rating appeal board would be part of the judiciary of the State. Appeals involving considerable sums of money would be heard by that tribunal and determinations arrived at. It is the duty of the Government to make appointments of this character, and it should not be obliged first to get a recommendation from the Barristers Board. I am not sure that that board has been consulted in this matter, but I know it would have no responsibility towards the public. One of the important duties of the Government is to make appointments to the judiciary and other controlling bodies.

Hon. N. Keenan: And to the licensing court.

The MINISTER FOR WORKS: Yes. When this particular Act comes into force the Government will be responsible in the matter. This amendment has been loosely included in the Bill, and makes no provision for dealing with a deadlock, such as may occur. After one or more recommendations have been made by the Barristers Board, it might decline to make any more. It might then be necessary to set up a tribunal to settle a dispute between that board and the Governor-in-Council. I understand the Barristers Board consists of 10 members. There is no suggestion as to when they should meet, nor do I know what system they would adopt when making a selection. Would there be a selection ballot? When the Government makes appointments of this important character, it is advised by the Crown Law Department. As a fact, we have no one in mind for any of the three positions. The Public Service Commissioner is also consulted. Unless someone is definitely in line of succession for some important appointment, the usual custom is for a panel to be set up. Substantial reasons are always given for a preference being shown for one applicant over another. In this case the Barristers Board could be consulted by the Crown Law Department, but that would be different from the board making a public recommendation. In the ordinary course a panel would be nominated by the Crown Law Department or the Public Service Commissioner. I see no reason why the City Council should not be consulted. The Metropolitan Water Supply Department is interested in the matter because of the valuations to be arrived at. That a most competent and trustworthy board be appointed is essential. I am not agreeable to the Government being placed in the position of having to approach an outside body, irrespective of how important it may be, with reference to appointments that are the prerogative of the Government. If the principle involved in the Council's amendment is accepted, where shall we get to? One of the members of the board is to be a representative of the ratepayers. Are we to consult the ratepayers?

Mr. Doney: There is the Ratepayers' Association.

The MINISTER FOR WORKS: And that organisation consists of very busy people!

Mr. Sampson: And the insurance companies are interested.

The MINISTER FOR WORKS: If the Ratepayers' Association were consulted it might choose a firebrand, who would go on the board seeking to secure reductions all round and declare himself to be the champion of all those who applied for a decrease in their rates.

Mr. Patrick: We would all apply for a reduction then.

The MINISTER FOR WORKS: Should the board, when constituted, prove to be incompetent, the Government would have to accept the responsibility and Parliament would require it to do so. The City Council, which has asked for this legislation, would also expect a competent board to be appointed. Obviously if he had the time at his disposal to undertake this work, one of our magistrates would act as chairman of the board. As no magistrate can be spared, it has been decided that a man with equal qualifications shall be appointed to the chairmanship. I object to any amendment that will compel the Government to accept a recommendation from a body that is in no way responsible to the public as the Government is. Naturally the Government will seek advice, but does not propose to place itself in the position of having to accept a recommendation from someone else. I move—

That the amendment be not agreed to.

Hon. N. KEENAN: Clause 5 deals with the constitution of the board set up for the purpose of hearing appeals against assess-

ments made by the City Valuer for rating purposes. The board will simply step into the shoes of the City Council because experience has, unfortunately, shown that the City Council, as an appeal board, did not produce satisfactory results. It will be no more a judicial undertaking than is any simple determination of a question. The board will hear evidence given by the appellant just as the City Council did, and no one would suggest that the City Council acted in a judicial capacity.

The Minister for Works: That has been distinctly claimed. The council gives its decisions on the evidence presented.

Hon. N. KEENAN: The contention was raised that the board should consist solely of valuers, but it was strongly urged that the chairman should be a barrister—not because he was supposed, or was likely, to have any knowledge of values, but because he would be capable of guiding the board in the determination of relevant evidence and in regulating the proceedings in a manner calculated to lead to results. That was to be the whole function of the barrister as chairman of the board. The proposal is that there shall also be on the board an actual valuer and a representative of the ratepayers, and they will be appointed by the Governor-in-Council, which means the Government. Therefore there is no danger in the world to be feared.

The Minister for Mines: The chairman would often be called upon to give a casting vote.

Hon. N. KEENAN: I do not know that he would be qualified to give a casting vote.

The Minister for Mines: But he would have to do so.

Hon. N. KEENAN: The Minister is now using an argument that he rejected when I advanced it.

The Minister for Works: The chairman is there to determine values in the light of the evidence.

Hon. N. KEENAN: Only to the extent that he is to hear the evidence and arrive at a conclusion thereon. The Council's amendment seeks to make certain that the chairman will be a man versed in the law and that he shall be recommended for that position by a body specially established to have a knowledge of the legal profession. That body will not be asked to make an appointment, but only to make a recommendation to the Government of the day. That is what happens to-day. The Government asks for a recommendation from one person or another. The request may go to the Public Service Commissioner or to what the Minister referred to as a panel, which would probably consist of a number of senior officers who would determine the relative merits of the different applicants. That is happening to-day in every case.

The Minister for Works: It amounts to more than that.

Hon. N. KEENAN: No. Suppose the panel recommends a person unsuitable to the Government, what happens?

The Minister for Works: Then what happens?

Hon. N. KEENAN: If the Government does not accept the recommendation of the panel, it returns the recommendation with a suggestion for a further recommendation. If a recommendation of the Barristers' Board were not accepted, a message would be sent to the board stating that, in the opinion of the Government, the recommendation was unsuitable.

Mr. Patrick: Then would the Barristers' Board keep on making recommendations until a suitable person was found?

Hon. N. KEENAN: Undoubtedly the Barristers' Board would make another recommendation. The Barristers' Board does not consist, as the Minister thinks, of senior counsel. It consists of elected members, although senior counsel are ex officio members. The board consists entirely of junior counsel elected by the profession because of the confidence reposed in them by members of the profession. The members of the Barristers' Board would know better than anyone else which member of the profession would be fitted to occupy this position, far better than would a panel, far better than would the Public Service Commissioner who, being a know-all, knows nothing or relatively nothing.

The Minister for Works: I did not insult the Barristers' Board. You need not insult the Public Service Commissioner.

Hon. N. KEENAN. I am sorry. I should not have said that. The Minister's reproof is well grounded. I made a quip that unfortunately suggested itself to me at the moment. If it were possible to delete it, I would ask that that be done.

The Minister for Works: It was worth saying when you withdraw so gracefully.

Hon. N. KEENAN: I do not want the remark to appear in print. The Barristers' Board is a special tribunal with an intimate knowledge of the members of the legal profession.

Mr. Patrick: If the first recommendation made by the Barristers' Board were not accepted by the Government would the board make a second recommendation?

Hon. N. KEENAN: Why should not the board do so? The board is not given power to make an appointment; it can only recommend.

The Minister for Works: Do you think a person could be legally appointed to the position without the board's recommendation? How do you propose to get over that difficulty?

Hon. N. KEENAN: One must assume that the Government is reasonable. The Barristers' Board is reasonable, but the Minister will assume only half of that statement.

The CHAIRMAN: The member for Nedlands had better address the Chair, and he will overcome the difficulty of interjections.

Hon. N. KEENAN: Perhaps that would be wise, Mr. Chairman. The Barristers' Board has an unchallenged record for reasonableness, and I assume that the Government also is reasonable. There would be no possibility of a clash, although there might be a difference of opinion, just as I suggest there might be a difference of opinion between the Minister and his panel or between the Minister and the Public Service Commissioner. I have known of cases where the recommendation of the Public Service Commissioner was not accepted by the Government and I have known the Minister concerned to be right. The Minister for Mines nods, because he thinks——

The Minister for Mines: I am not concerned. I have never had anybody recommended to me.

Hon. N. KEENAN: The amendment should be agreed to; it is wise and proper and will protect the Government from being subjected to cadging by individuals who want to get a billet.

The Minister for Works: We are proof against that.

Hon. N. KEENAN: I do not know whether anybody is proof against cadging. The Minister may think he is, but men worm round and round until finally they get home. My desire is to protect the Government against that, and this amendment is the proper means to do so.

Mr. SAMPSON: I hope the Minister will accept the amendment. It is reasonable, it will strengthen the Bill and help the Government in the appointment of the chairman. The Barristers' Board certainly would have special and intimate knowledge of its members.

The Minister for Mines: Could not the Barristers' Board be asked for a recommendation without inserting this provision in the Bill?

Mr. SAMPSON: The Bill is the place for it. If the Barristers' Board is to be asked to make a recommendation, then this provision should be included in the Bill. It would thus become the duty of the Minister to ask the board for a recommendation. The board is a responsible body.

The Minister for Mines: To whom?

Mr. SAMPSON: At all events, it is responsible to the reputation which it enjoys.

The Minister for Mines: The board is responsible to itself only.

Mr. SAMPSON: The Minister says it is important that a trustworthy and capable chairman shall be appointed. Are the members of the Executive Council to go out and make inquiries, or will the Secretary for Law do so? Whose job will it be to determine which of the legal practitioners in actual practice and of not less than ten years' standing is the person suitable to act as chairman?

Mr. Cross: Would not the Government make an unbiased inquiry?

Mr. SAMPSON: It could not make an inquiry and be as certain of results as could the Barristers' Board. The member for Canning is well acquainted with the Barristers' Board; if not, it is the one thing in the world of which he has not a thorough knowledge. I suggest he can help the Minister by submerging his alleged knowledge for a time and supporting the amendment.

Mr. ABBOTT: I, too, hope the Minister will accept the amendment. I can understand the Government's viewing the amendment with doubt, because of the principle that Governments should accept responsibility

for all administration. But when it comes to the appointment of a person having particular legal qualifications, then a body is available with intimate knowledge of the capabilities of the members of the legal profession.

Mr. Cross: Do not you think the Crown Law Department has some knowledge too?

Mr. ABBOTT: Of course I do. Does not the hon. member know that political appointments have been made for many years past?

Mr. Cross: No.

The CHAIRMAN: Order!

The Minister for Mines: If you have followed your own crowd along, you ought to know of the appointments it has made.

Mr. ABBOTT: I agree. All Governments are apt to view appointments of this nature from the standpoint of the party they represent. That is one of the unfortunate results of democracy. But here the Government has an opportunity of obtaining the assistance of the Barristers' Board, which is well qualified to make a recommendation. For that reason, I support the amendment. We have an example of a political appointment in Mr. Justice Evatt, who was appointed to the Bench by the Labour Party.

The CHAIRMAN: I call the hon. member's attention to the fact that this amendment does not imply political influence.

Mr. ABBOTT: I am not suggesting that it does.

The CHAIRMAN: The hon. member had better confine his remarks to the amendment.

Mr. ABBOTT: The Barristers' Board is in a peculiarly good position to recommend a suitable man for the position.

The Minister for Works: The Government could not appoint anyone not recommended by the board.

Mr. ABBOTT: But the Government need not appoint anyone who was recommended, and so it would cut both ways. Here is an opportunity to disabuse the public mind of the impression that many appointments made by Governments are influenced by political considerations.

Mr. J. HEGNEY: There is no reason why the recommendation of an outside body should be sought. The Government should take the responsibility for making such an appointment. Members opposite have always opposed any suggestion that men requiring employment should be engaged through the trade unions. The Barristers' Board would not permit any non-unionist to be a member of its organisation. The constitution of the proposed board is not to my liking, but I would not take away from the Minister the right to make the appointments. The Council's amendment would leave the Minister no alternative to accepting whatever recommendation was made.

Mr. SHEARN: Far too much importance has been attached to the question of appointing the chairman. The other two members would be equally important in the deliberations, but no question has been raised about their nomination. A legal practitioner of ten years' experience would be a man of considerable standing in the profession. What would be the position of a barrister who was recommended and was not acceptable to the Government?

Mr. Warner: He would probably break up the board.

Mr. SHEARN: He would probably suffer loss, and some people might suspect his integrity. The Council's amendment is quite unnecessary.

Question put.

Mr. Abbott: Divide!

Question declared passed; the Council's amendment not agreed to.

Mr. Abbott: I called for a division.

The CHAIRMAN: There was only one negative voice, and therefore no division can be taken.

Mr. Abbott: Did not the member for Nedlands support me?

The CHAIRMAN: If members will not take sufficient interest in the proceedings and give their votes accordingly, it is their responsibility. The question now before the Committee is the Council's amendment No. 4.

No. 4. Clause 5, Subclause (4): Insert the words "and recommended by that institute" after the word "practice" in line 20.

The MINISTER FOR WORKS: Here we have a proposal that the Institute of Valuers shall be the recommending body. When the Bill was being discussed, inquiry was made about the qualifications of members of the institute, and nobody seemed to know. I have ascertained their qualifica-

tions, or rather those required of men wishing to join the institute now. In time past I suppose the most prominent land agents and valuers formed an association.

Hon. N. Keenan: But the Institute of Valuers was mentioned in your Bill.

The MINISTER FOR WORKS: Anyone who now desires to become a member has to pass an examination in the principles and practice of valuation, have a knowledge of building construction, an elementary knowledge of surveying, and must understand something of rural economics.

Mr. Patrick: Rural economics!

The MINISTER FOR WORKS: He is also required to understand something of subdivision and town planning.

Mr. Sampson: Would not he be a valuable man on the board?

The MINISTER FOR WORKS: The present members of the institute did not pass such a test, but they have a close preserve and those who wish to become members now declare they have to pass an examination such as I have outlined. One member told me that he could not pass the examination. I have nothing to say against the Institute of Valuers, but I must object to an amendment making it mandatory for the Government to accept the recommendation of the institute. We are not abdicating in favour of the Institute of Valuers. I stand for the right of the Government to make appointments because the Government has to accept the responsibility for them. The making of appointments is an important function of responsible government, and I am not handing it over to anyone. I move —

That the amendment be not agreed to.

Hon. N. KEENAN: I shall not oppose the Minister's motion, as the Committee has just decided on another amendment of a similar character. I draw the Committee's attention to the fact that this body, upon which the Minister now throws ridicule, was named in the Bill brought down by the Minister himself. He is the first person to introduce to some members of this Committee any knowledge of the existence of the body in question. He is their introducer and their nominator, and now he can scarcely find terms harsh enough to describe their unworthiness. The Minister should stick by what he originally put to the Chamber, that this body has some knowledge, and some claim to be respected, and that therefore his putting them in the Bill was not a facile joke, but something which he meant. I submit, therefore, that the observations now made by him are not exactly proper. I have already been compelled to withdraw observations I made too hurriedly. I suggest that the Minister do the same.

The MINISTER FOR WORKS: If I said anything offensive to the Institute of Valuers, I am very sorry. I have given the qualifications now required. Whoever is elected a member of the Institute of Valuers must not only be able to value land and houses, but also to value evidence. That is what I insist upon. I object to another place, which knows little about the qualifications of valuers or the Institute of Valuers, suggesting that valuers are the persons to be trusted to make recommendations and that the Government is not. All Governments have to be trusted.

Question put and passed; the Council's amendment not agreed to.

A committee consisting of Mr. Patrick, Mr. Needham and the Minister for Works drew up reasons for disagreeing to the Council's amendments.

Reasons adopted and a message accordingly returned to the Council.

BILL—MEDICAL ACT AMENDMENT.

Second Reading.

MR. SEWARD (Pingelly) [5.39] in moving the second reading said: The Bill is small, though it contains a fair amount of literary matter. Its intention is to relieve the position in country districts where increasing difficulty is being experienced in securing the services of doctors. Two districts in my own electorate having had well-established and well-appointed hospitals for the past 20 years are unable, despite persistent advertising, to obtain the services of medical men. In an adjoining district the same state of affairs obtains, the place having now been for about nine months without a doctor. The services of medical men in all three places remain unavailable despite a guarantee of £600 a year by the local people and the Medical Department. Similar remarks apply to districts represented by var-

ious members. Therefore it will clearly be seen that rural residents are experiencing great difficulty in procuring resident medical practitioners. It may be assumed that the continued development and occupation of our country districts must be severely threatened unless medical and surgical services are made available to the people there. Particularly does this apply in the case of young married people, who cannot be expected to go out into districts situated from 60 to 100 and even 120 miles from a doctor. The young married man, rather than subject his family to living in those circumstances, will leave the district and come into one more favourably situated. The inevitable result is that many of our lands go out of production. Another point is that during the past year hospitals have been erected in country districts at no inconsiderable expense. Through the efforts of the local people, assisted again by the Medical Department and also the Lotteries Commission, substantial and well-equipped buildings have been erected, well-equipped with operating theatres, X-Ray apparatus and so on. We cannot contemplate the economic waste involved if those hospitals are now to be closed up. Therefore I introduce this Bill to overcome the difficulty.

The second motive for the Bill is to provide for registration under the Medical Board of persons holding diplomas or degrees who cannot be registered under our Act as it stands. Hon. members, if they consult the Act, will see set out in the Second Schedule the various persons who may be registered to practise medicine in Western Australia. I will not go through the schedule; hon. members can consult it for themselves. Registration is practically restricted to persons holding diplomas or degrees from various colleges and universities in the Empire. By an amendment, the universities of Australia, Tasmania and New Zealand were added to the schedule.

The Minister for Health: And Italy.

Mr. SEWARD: I do not see Italy mentioned in the schedule.

The Minister for Health: That is as a result of reciprocity.

Mr. SEWARD: The schedule also includes medical officers duly appointed and confirmed of His Majestys' sea and land services. But there are many countries—Austria, Germany and others—in which there are qualified men, who, however, cannot become registered here. Largely for the purpose of removing that difficulty, I am introducing the Bill. I wish to make it especially clear, however, that nothing in the measure, if it becomes law, will enable any person, no matter what his qualifications, to get behind our Medical Board. If such were the case, I would not for an instant contemplate the introduction of this measure. We have established through our University a certain standard to which persons must attain before we register them to practise. I would not be a party to the lowering of that standard in any way. Members will see, if they consult the Bill, that if the measure becomes law, before any person can be registered he must prove to the satisfaction of the Medical Board that he holds the necessary qualifications; and certificates can be issued only by the Medical Board. So that the Bill places in the Medical Board at present existing the sole control and decision as to whether a person has the proper qualifications or not. The only effect the Bill will have will be to broaden the field from which medical men may be appointed. The Bill is not new to Australia; it is modelled on an amendment to the New South Wales Medical Act passed last year. Members will find that in No. 5 of the 1939 statutes of New South Wales which are in the library. The only difference between the Bill and the amendment Act of New South Wales consists of a few small amendments which are included to conform to the existing statutes in this State.

To ascertain what was the position in New South Wales since the passing of the amendment Act, I communicated with the Department of Public Health in that State and received the following reply:—

> In reply to your lettergram addressed to the Chief Secretary and referred to this department concerning the Medical Practitioners Amendment Act, 1939, of this State, I desire to invite your attention to the provisions of Section 3 thereof which provides that the Governor may proclaim an area to be a region within the meaning of the section if he is satisfied that the residents are not adequately provided for in respect of medical aid and/or surgical services.
>
> It is not until such an area has been proclaimed that a regional doctor can be appointed and up to the present no proclamation in this respect has been made. The position therefore is that no regional medical practitioners have been appointed in this State.

So we see that there has been no rush of applicants in New South Wales and I do not anticipate that there will be any rush of applicants in Western Australia. I have however, had one or two cases brought under my notice and so far as I am able to determine—and again I point out that even if this measure becomes law the Medical Board will still retain the power it now possesses—the credentials are all that are desired. In one instance the credentials were handed to me and I took them to the Department of Information to have them translated. The credentials provided very convincing proof that the holder was a highly qualified man possessing a diploma of the University of Vienna, where he went through his course in medicine, and 12 certificates from hospitals where he served. In addition, he was able to refer me to a medical practitioner in Sydney who had met him in Austria in 1935. I communicated with that Sydney doctor and was told that he was perfectly satisfied with the qualifications held by this particular person. Incidentally, it was this Sydney doctor who became the guarantor for the medical man of whom I speak and that guarantee enabled the foreign doctor to enter Australia. I may say that this person became a refugee after the Germans entered Austria and as a refugee he came to Australia. The Sydney doctor also gave me the name of an eminent London doctor so that I might communicate with him and obtain further proof of the bona fides of the man of whom I am speaking. I communicated with the London doctor, but unfortunately there has not been time to receive a reply for reasons of course that all know are obvious. There may be one or two, or even more at the present time in this State who hold high qualifications and who, because of the existing restrictions cannot be registered as practitioners.

Dealing with the Bill itself, it gives first of all power to the Governor, if he is of opinion that any particular area is not adequately provided for in respect of medical or surgical services to declare that area a region, and once it has been declared a region the Medical Board can by advertisement, published twice, I think, invite applications from persons to practise within it. Each applicant must submit to the Medical Board proof that he possesses the following qualifications:—Firstly, that he has passed through a regular graded course of medical study of five or more years duration in a school of medicine in some part of the British Empire or some other country; secondly, that he has received after due examination, from a university, college or other body with which such school of medicine is associated, a degree or diploma certifying to his ability to practise medicine and surgery; thirdly, that he is or was by law entitled to be registered or to practise as a medical practitioner in some part of the British Empire or some other country; fourthly, that he has such experience in the practice of medicine and surgery as in the opinion of the Medical Board is necessary for the proper provision of medical and surgical attention for the inhabitants of the proclaimed region. It is also provided that the Medical Board may require that further proof of the applicant's experience in the practice of medicine and surgery shall be furnished by his passing a test—not being a written one—of such nature as the board may specify, such test to be carried out by examiners appointed by the Medical Board for that purpose. Thus I consider that by the provisions I have outlined every possible precaution will be taken to see that nobody will be able to secure registration under this legislation holding credentials that may be in any way inferior to those held by professional men already registered in the State. The board will have all the necessary powers to call witnesses and examine them on oath when dealing with applications, and also make the applicants themselves appear in person. Power is also given to the board to grant the application of the person who, in his opinion, is most suitable, and the board also will have the power to refuse to register any applicant; but where an application is refused the board must furnish its reasons to the Minister. I think that is only right.

The Minister for Health: There is no provision for what action the Minister shall take.

Mr. SEWARD: That difficulty can be overcome. The member for Katanning (Mr. Watts) has just handed me an amendment which he proposes to move when the Bill reaches the Committee stage. All the provisions of the Medical Act relating to good conduct, etc. will, of course, apply to persons who may be registered as regional practitioners. Any person who may be

registered under the provisions of the measure must practice within the allotted region, otherwise the Minister will cancel the registration if he considers it just and reasonable to do so. If it should so happen that the practitioner was called out of his allotted region he must furnish reasons to the Minister for having gone outside that region. It may be that the practitioner was called to attend an accident in another district from which the resident practitioner was at the time absent. In such circumstances it is only natural that the doctor practising within a regional area should be permitted to go outside his area. Regional certificates will have effect for one year and if they are not cancelled or revoked they may be renewed by the Medical Board for a like period from time to time on the application of a person to whom the certificate may have been granted.

Any person who satisfies the board that he is a person of good fame and character and who has held a certificate of regional registration for a period or periods aggregating five years or more shall be entitled to be registered as a medical practitioner under the Act. This, too, is a reasonable provision. A practitioner may desire to move to another part of the State and if he applies to the board for registration under the general provisions of the Act, the board will have power to grant the application. Section 21 of the Medical Act prescribes certain penalties for any person who seeks to impersonate a person referred to in any diploma or degree, or who knowingly presents forged evidence to the board or commits other offences that are specified. The Bill seeks to add to those offences that anyone who procures or attempts to procure for himself or any other person a certificate of regional registration will be liable to punishment. These are the provisions of the Bill. As members know, the Medical Act has been in force since 1894, and it is only reasonable that it should be amended when it is considered desirable that it should be altered in certain respects or to meet modern requirements. Amendments are often found necessary because of the passing of time and the position in which we find ourselves, and particularly does the latter reason apply to-day. I would point out the foolishness of not permitting highly qualified people to practise within the State simply because of the provisions in an existing Act. I commend the Bill to the favourable consideration of members and hope it will be passed. I move—

That the Bill be now read a second time.

On motion by the Minister for Health, debate adjourned.

BILL—NATIVE ADMINISTRATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 23rd October.

MR. McLARTY (Murray-Wellington) [5.57]: The member for Williams-Narrogin (Mr. Doney) should be commended for introducing this Bill which I hope will pass. It will certainly do something to prevent natives from obtaining intoxicating liquor. Hon. members who have had any experience with natives know that it is not in the interests of natives that they should obtain liquor of any kind. We know that the Legislature takes a very serious view of supplying natives with liquor. The minimum penalty is £20 and the maximum £100 and six months imprisonment. I did not hear the speeches of the members for Pingelly (Mr. Seward) and Murchison (Mr. Marshall) who complained that the measure will not do anything to uplift the natives. Both those hon. members said they were desirous of doing something to uplift the natives in the State. The member for Williams-Narrogin is equally desirous of helping the natives and I think if the Bill passes, it will be possible to do something in that direction. Liquor has a most demoralising effect on the natives. In the early history of the State it was responsible for the death of a great number of natives. The early Western Australians made wine and natives were able to get it when they required it. The effect it had on them was to deprive them of reason and in some instances rendered them completely insane, with the result that they battered each other and their women as well, and many deaths resulted.

Member: The whites do that.

Mr. Marshall: They do not.

Mr. McLARTY: The whites do not behave in the same way as the natives did behave. Drink does not have the same maddening effect on whites as it does on the natives. The member for Williams-Narrogin (Mr.

Doney) explained the difficulty in securing a conviction against a native for obtaining intoxicating liquor. I know that what the hon. member said is true; it is exceedingly difficult to obtain a conviction against a native. There is no doubt about his cunning and stubbornness. The only way of securing a conviction is to obtain evidence from some person who actually saw the native receive the liquor, but that can seldom be done. I am aware that the Act provides a penalty for a native who receives intoxicating liquor, but that penalty is seldom imposed. In my opinion, the unfortunate white men who supply natives with liquor are entitled to some protection. I have known of men in my electorate to be fined £20 for that offence; the minimum penalty is usually inflicted for the first offence. As a rule, these men must go to prison because they cannot pay the fine. I have also known this unfortunate class of white man to be intimidated by natives and forced to obtain drink for them, the whites being afraid to refuse. It is usually a most unfortunate class of white that the natives approach, and this Bill will give that class some protection. The more responsible section of the community of course will not take the risk of incurring a fine of £100 and probably of being imprisoned as well. The member for Williams-Narrogin is trying by this measure to prevent not only the native from obtaining intoxicating liquor, but also to protect the unfortunate class of white to whom I have referred. In my district there have always been natives; they have been there ever since Australia was a country, and I know from experience that drink is a curse to them. I am in agreement with the justices who wrote to the member for Williams-Narrogin on this subject. The hon. member said the justices were men experienced in the ways of natives. I, as a justice of the peace, have had to convict persons for supplying intoxicating liquor to natives and I am aware of the difficulties experienced by the police in obtaining convictions. I feel that this measure will also do something to assist the police. It will certainly not further demoralise the natives; on the contrary its effect will be to uplift them. Any measure having for its object the prevention of the supply of intoxicating liquors to natives would have my whole-hearted support. On that ground alone, I have much pleasure in supporting the second reading.

MR. DONEY (Williams-Narrogin—in reply) [6.4]: I am obliged to the previous speaker for his view. We know the member for Murray-Wellington has had much experience of the native as well in the South-West as in the North-West, and therefore his views are entitled to respect and close attention. The Bill has met with but little opposition. In my opinion, it has been favourably received. The Minister for Native Affairs has given the measure his unqualified support, and his knowledge of the native and his habits probably exceeds that of any member of this Chamber. He is seeking to uplift the native along practical lines. I think, too, that senior members of his department also support the Bill; so also—as the member for Murray-Wellington has just made plain—do the members of the bench at Williams, whose suggestions with regard to this matter gave rise to the Bill. I might repeat what I said when introducing the Bill, that the bench of magistrates in Williams deals with probably more native cases than does any other bench in the State, unless perhaps it be an odd bench or two in the North-West. The attitude of the magistrates in Williams towards the native is a proper and helpful one. Those objecting to the Bill lose sight of the fact that its aim is to raise the status of a certain class of white people as well as the status of the native. The member for Murchison (Mr. Marshall) objected to the Bill on the ground that it would, he said, place upon the native the onus of proof that the liquor associated with the charge was indeed intoxicating. He spoke as though that were a most unusual provision; as a matter of fact, he said it was quite foreign to British law and to the Britisher's idea of justice. But it is not nearly so foreign as the hon. member imagines, indeed not foreign at all, not even remotely so. After all, the point is that both defence and prosecution share between them the burden of proof. The prosecution has to prove first of all that liquor was actually supplied and it falls on the defence to prove that the liquor was not intoxicating. It is a great deal easier for the accused to show that the liquor is not intoxicating than it is for

the prosecution to prove to the contrary, even though they may feel, with 99 per cent. of certainty, that it is intoxicating.

The Minister for Mines: Would they not drink enough to demonstrate the fact?

Mr. DONEY: It would still be necessary to prove that the liquor on which they became drunk was the liquor they were charged with having solicited. Almost invariably in such cases as we are considering, the onus of proof is put on the defendant. I can recall that on previous occasions when Bills in which this principle has been involved have been before this House, the member for Murchison and two or three of his colleagues have taken this same line, but I do not remember a single occasion on which they have managed to impress the House with the propriety of their views. I venture to say that in 50—and possibly more—of our Acts of Parliament this particular principle has been adopted. I know, for instance, that it is in the Coal Mines Regulation Act and in the Dairy Products Act, and if hon. members cast their minds back to our discussion of the Fisheries Bill the other night, they will recall that the principle finds a place in that measure.

Mr. Watts: It is none the less objectionable for that.

Mr. DONEY: I am not saying that this is a method that should be adopted unless it becomes absolutely necessary on account—

Mr. Marshall: It is easy to justify the necessity.

Mr. DONEY: As I have attempted to show, this House on at least 50 occasions has found it necessary to adopt this method with all its drawbacks, the existence of which I admit. However, the onus of proof is not as the member for Murchison appears to think, always and only on the native. Only infrequently does the burden of proof fall on the native, and even when it does he shares that burden with his white confederate. In nearly every case the white man has to show that he did not supply the intoxicating liquor, and the black has to show that he did not solicit it. Both the member for Murchison and the member for Pingelly seem to have forgotten all about that. The fact must not be lost sight of that if this method were not followed, practically no convictions in respect of soliciting would ensue, in which case this very unsavoury practice—and I think the House will admit that it is unsavoury—would continue to occur to the undoubted harm of the native, his wife and children, to the harm of such white women and children who may happen to live in his vicinity, and to the detriment of our civilisation.

The living conditions of the natives were dealt with by the member for Pingelly. He spoke of the disinclination of certain white people to associate with natives at sports gatherings. He said we should attempt to assist natives through the Education Act and complained that blacks are prohibited from attending schools frequented by white children. I might be prepared to agree with the member for Pingelly in nearly all those observations, but they have nothing whatever to do with the Bill and should not have been made. If the hon. member is concerned about such matters, he is at liberty to introduce a Bill to deal with them, but he has no right to make use of those points as an argument against a Bill dealing with an entirely different matter. As the member for Murray-Wellington (Mr. McLarty) has pointed out, this Bill in no way restricts any beneficial liberty of the native. An unrestricted license so to conduct himself as to do harm to himself or his associates or white people is not in the native's interests. Such a license should be curtailed and I hope that is plain to hon. members that such curtailment is the function of the Bill.

Sitting suspended from 6.15 to 7.30 p.m.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Withers in the Chair; Mr. Doney in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 48:

Mr. MARSHALL: There will be no chance of getting convictions because of the collusion that will take place between whites and natives. Once the native realises that the very fact of his giving evidence against a white will lead to his own conviction, evidence will not be forthcoming. Under other legislation the onus of proof has been put upon the defendant, but the principle is bad and it is worse when we apply it to a native.

A white might be able to defend himself, but a native will be put in a hopeless position. Under the Bill it shall not be a defence that no purchase was made or that no supply or gift was obtained as requested by the native. A native will merely need to be seen conferring with a white man in a suspicious manner and a charge might be laid and the native convicted. He need not even have alcoholic liquor on him. If the white man was vindictive, he could put the native in a position from which there would be no escape. Once a charge is laid, the native must prove that he had not solicited liquor; and what chance would he have if the white man was cowardly enough, probably to evade prosecution himself, to say that the native was soliciting liquor? Most members who supported the Bill conveyed the impression that the natives who will be affected are full-blooded aborigines without education or culture of any sort. If the Bill applied only to them, I would not be opposing it so bitterly, though I would still say that to put the onus of proof on them was unfair. I move—

That in the proposed new Section 3 (a) the words "It shall not be a defence to a charge of an offence under this subsection that no purchase was made or that no supply or gift was obtained as requested by the native charged" be struck out.

Mr. MANN: I oppose the amendment. After listening to a long tirade by the member for Murchison on the second reading, I have concluded that he does not understand the psychology of the native or half-caste. This Bill will apply chiefly to half-castes. They are a class of people who will get liquor if they possibly can, and we must provide some protection against what has been described as the unfortunate white man. The hon. member, judging from his remarks, would put the half-caste on a level with the white. Our knowledge of the half-caste shows how little progress he has made. I commend the member for Williams-Narrogin for bringing down this very necessary measure. Any member who opposes it will be lacking in a sense of justice towards the natives. The member for Murchison is generally ready to take the side of the weaker sex, but in this instance he is quite prepared to allow a drunken native to return to his camp and, whilst in a state of intoxication, knock his wife about.

Mr. McLARTY: If the amendment is carried, the clause as well as the Bill will be rendered valueless. No white man is likely to admit that he has served a native with liquor. All decent men refuse to give liquor to natives, but those who do so will be made to suffer if this Bill is carried.

Hon. W. D. JOHNSON: The practice of putting the onus of proof of innocence upon the person charged is unsound. It was introduced some time ago, and has now grown to too great an extent. I cannot give my support to any such provision in the Bill. In this instance the onus is not placed upon the police to prove their case, and I do not like that sort of thing. If a provision of this nature is required, the responsibility is cast upon the Government to bring down the requisite Bill. It is not for a private member to do so. It would be wrong for a private member to be permitted to interfere with the administration to the extent of providing this extraordinary means of getting a conviction against a native. A Minister has been appointed to safeguard the interests of natives, and to lead them into the right path. As I do not like the Bill, and am strongly of opinion that in any event it should have been brought down by the Government, I intend to support the amendment.

The MINISTER FOR THE NORTH-WEST: I am surprised at the arguments adduced in opposition to the Bill. Its opponents do not appear to understand it.

Mr. Doney: The last speaker admitted as much.

The MINISTER FOR THE NORTH-WEST: I cannot subscribe to the statement that a private member should not have brought down this measure. The member for Guildford-Midland advanced a very feeble argument when, after admitting that he had not read the Bill and had not understood it, he said he was going to vote against it on the principle that the wrong person had brought it down.

Hon. W. D. Johnson: It should be a Government job.

The MINISTER FOR THE NORTH-WEST: It is not a job for the Government. This measure merely extends the powers already contained in the Act. The prohibition against the purchase or consumption of liquor by natives has been approved by

many Governments of this State, and is already found in the parent Act. The further we go the weaker becomes the argument advanced by the hon. member. The Bill was introduced by the member for Williams-Narrogin at the request of certain road boards, in whose districts some bad cases have occurred. The onus of proof, to which reference has been made, is not in question here. The Bill provides a penalty for any native soliciting a white man to purchase liquor for him. Then there is no excuse if no liquor is either purchased or supplied. The amendment would take away the very thing desired by various road boards and the department. The deletion of the clause means that if a native approaches a white man with the request to obtain liquor for him, and the white man refuses to do so and reports the matter to a policeman, there can be no charge. I said little on the second reading because I considered the need for the Bill self-evident. Most members realise the harm that is done to natives by giving them liquor. The main reason for the clause is that there are many semi-educated half-castes who work and earn money, and spend that money with the local butcher, baker, and so forth. Such a half-caste becomes a customer, and may become cheeky. After dark he may rap on the backdoor or on the window and ask to see the boss. When the boss goes out, the half-caste says, "Will you get me a bottle of wine?" And thus the half-caste becomes a nuisance. The white people desire that practice to be stopped.

Hon. N. KEENAN: I have strong sympathy with the general principles enunciated by the member for Murchison and the member for Guildford-Midland, but it is against the general character of the rules for administration of British justice to assume guilt. Guilt is required to be proved. That is one of the features of our jurisprudence on which we have always prided ourselves and have always compared ourselves favourably with other nations. I sympathise, too, with the member for Guildford-Midland when he says that a Bill dealing with natives, and especially half-castes, who are a numerous class now, would have been more appropriately introduced by the Government. High principles are involved in the matter, but I do not know that in the circumstances of the case they are sufficiently strong to warrant rejection of the Bill. The offence committed by the native or half-caste is to ask for, or seek for, any liquor of a fermented or spirituous character. The moment the native has asked any person who is in a position to obtain a supply of such liquor, he commits an offence, and it is completed. If he is charged before a magistrate with having committed the offence and denies it, then it is a matter of importance to corroborate the statement that he has committed the offence. But it has been reasonably pointed out, especially by the member for Murray-Wellington, that no person would lay an information and at the same time admit that he had procured liquor, because he would be acknowledging a serious offence. It is only from the aspect of corroboration that the words have importance. If the position is such that the law could never be administered should that be required, what would be the use of passing the measure at all? On this occasion we must shut our eyes to that aspect, in the interests of the natives and in the interests of those whites who are exposed to the natives. It is not a matter of any real doubt that if a native does acquire liquor, it leads not only to his own degradation but also to scenes of violence on his part because of the effect liquor has on him.

Mr. DONEY: I, too, have some sympathy with the member for Murchison, though not with the terms in which he expressed his views. In my opinion, there is no room for misunderstanding of the clause. It explains itself and justifies itself. It sets out that in respect of any charge of soliciting it shall not be a sufficient defence to say that no liquor had been supplied. Would anyone in his right senses contend that in those circumstances such a defence would be sufficient? The provision made is quite proper and should not be excised from the Bill. The member for Murchison said that on the unsupported word of a policeman, a native might be convicted. That indicates a most ungenerous view of the action a policeman would take. Surely it is not right to assume that policemen are of a type suggested by the hon. member. I hardly think there was any need to raise such a point in support of his objection to the provision. While the amendment, if agreed to, would not completely spoil the Bill, it would prevent the measure attaining its maximum objective.

Amendment put and negatived.

Mr. MARSHALL: With a view to testing the feeling of the Committee on the question of onus of proof, I move an amendment—

That in lines 5 and 6 of proposed new Subsection 5 the words "until the contrary is proved" be struck out.

Mr. Rodoreda: But if that amendment is agreed to, the position will be just the same.

Mr. MARSHALL: No, because the police will have to prove the charge. If the amendment is not accepted, the native will have to prove that the liquor was non-intoxicating. The provision is most unfair. Many educated whites cannot enumerate all the liquors that are intoxicating.

Mr. Patrick: Do you mean methylated spirits?

Mr. MARSHALL: I heard one member, when speaking in this Chamber, define the meaning of "intoxicating liquor" by suggesting that one could only say that such-and-such a liquor was intoxicating as the result of over-indulgence.

Mr. Sampson: The proposed subsection will be more drastic if your amendment is agreed to.

Mr. MARSHALL: Without the words sought to be deleted, it will mean that the liquor will be deemed to be "fermented spirituous or other intoxicating liquor," but while it may be deemed to be intoxicating liquor, the native will not be required to prove to the contrary. I do not know why the words "until the contrary is proved" were inserted in the provision.

Mr. Doney: In order to give the native a chance. Take that chance away, and see where the native stands.

Mr. MARSHALL: It may be deemed to be intoxicating liquor, but the prosecution will have to prove that it is.

Members: No.

Mr. Doney: The subsection will furnish the complete proof.

Mr. MARSHALL: I would like to hear an explanation from the member for Williams-Narrogin regarding the inclusion of the words of which I have complained.

Mr. SAMPSON: I regret that the member for Murchison should have suggested such an amendment, because his action serves to indicate that such a frantic desire to amend every piece of legislation that is placed before members is not always justified. This is an outstanding instance of such an attitude. Whatever is, is wrong and should be amended by some portion being removed! I hope the proposed new subsection will be agreed to in its present form.

Mr. DONEY: I do not know that there is any need to explain the provision. One has only to read it without the words objected to by the member for Murchison to appreciate what little chance a native will have if such a charge is laid against him. The subsection is one similar to the many others I referred to before the tea suspension, the effect of which is that the person charged must prove that certain things are not rather than the prosecution prove that they are.

Mr. WATTS: With what the member for Murchison wishes to achieve, I am in entire agreement, but that he will do so by means of his amendment I entirely disagree. If the amendment be accepted, then it will not matter whether the onus of proof is on the prosecution or the defendant. The proof will be established already by the new subsection.

Mr. Doney: The proof will be definitely established.

Mr. WATTS: Yes, because the law will be that it is alcoholic liquor, and that will be an end to the matter. The amendment will tend to make confusion worse confounded.

Mr. Marshall: Then we will reject the Bill altogether.

Mr. WATTS: I would prefer to strike out the whole of the proposed new subsection.

Hon. W. D. JOHNSON: I oppose the amendment. Even if the words proposed to be struck out remained, the unfairness of the provision must be clear to the Committee. If a native bought a bottle of ginger ale, it would be possible for the police to say that it was beer. There is not much difference in appearance between ginger ale and lager beer; but ginger ale is liquor, and immediately the police aver that it is beer, then it is no longer ginger ale. If the provision remains as drawn, a native

has a chance of proving that the liquor was not beer; but if the words are struck out, the liquor is beer.

Mr. Doney: Whether it is or not?

Hon. W. D. JOHNSON: There is no doubt about that. Notwithstanding that the Minister supports the Bill, I say it is wrong. Drastic legislation of this kind should be introduced by the Government. I submit that natives have been under Government control for many years. The administration of the Native Affairs Department is becoming increasingly difficult now that we have a greater number of half-castes and quarter-castes who are domiciled in given centres and are taking part in the general life of the community.

The CHAIRMAN: The Committee is dealing only with the words proposed to be struck out.

Hon. W. D. JOHNSON: But this is a drastic reform. On the broad principle that the matter is a Government responsibility, I shall vote against the amendment.

Mr. RODOREDA: I do not favour the amendment. The member for Murchison is trying to do something which his amendment will not achieve. The situation of the natives will be made worse by the amendment. I cannot understand the reason for the provision; if passed, it will take away from the native whatever chance he might have of proving his innocence. If the amendment is defeated, I propose to move that paragraph (b) be struck out. Would I be in order in doing so, Mr. Chairman?

The CHAIRMAN: No.

Mr. RODOREDA: We have heard much maudlin sympathy expressed for the natives. It makes one tired. What is this legislation for? It is to prevent natives from obtaining liquor. To try to draw an analogy between white men and natives is absurd. I am surprised at the member for Guildford-Midland.

The CHAIRMAN: There is no need to continue along those lines.

Mr. RODOREDA: It is the only chance I have of getting it in.

Mr. MARSHALL: I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Mr. RODOREDA: I move an amendment—

That paragraph (b) be struck out.

Mr. DONEY: On a point of order, can the hon. member now move that amendment?

The CHAIRMAN: The amendment moved by the member for Murchison has, by leave, been withdrawn. That leaves the position open.

Mr. DONEY: With all due respect, Mr. Chairman, I had a ruling to the contrary on a former occasion.

Mr. NEEDHAM: I support the amendment, which is the only sensible thing to do since the preceding clause gives all the protection necessary. The member for Guildford-Midland has tried to put the responsibility for this legislation on the Government, but it is not the Government's responsibility. When a Bill is introduced in this Chamber, it becomes the responsibility of every member, and no member can shirk that burden by putting it on the shoulders of the Government.

The CHAIRMAN: Is the hon. member endeavouring to show that that is the reason why the amendment should be agreed to?

Mr. NEEDHAM: If you, Mr. Chairman, had been strict with the member for Guildford-Midland I would not have had to reply to his remarks. If the Committee deletes the paragraph there will still be ample protection for natives.

The MINISTER FOR THE NORTH-WEST: I hope the paragraph will not be struck out and that the clause will be allowed to remain as it is. I suppose hon. members realise that when cases of this kind are heard before a magistrate the police constable concerned has to produce an analyst's report.

Hon. N. Keenan: Not under this clause.

The MINISTER FOR THE NORTH-WEST: No; but under the provisions of the Police Act and the Native Administration Act, when a native is brought before the court the prosecution must have a third of the contents of the bottle taken from the native, and submitted to an analyst for his report. As a matter of fact in 99 cases out of a hundred, a native found under the influence of liquor has no liquor in his possession, so that convictions are almost impossible. There is considerable criticism from religious organisations concerning what the department is doing to protect the natives, but the fact is that we cannot protect them as we would like because we are

unable to obtain evidence against the lower type of white person who supplies them. That is the person we want to catch, but in the circumstances it is practically impossible.

Mr. DONEY: This is the most important part of the Bill. I will not say that if it is not agreed to the Bill might just as well go by the board, but the position will be nearly as bad. The principle is one of which we constantly make use in cases of this kind; that is, where the proof is far easier for the defence than it is for the prosecution. Without this principle, convictions would be almost impossible, and the evil we are concerned about would continue to exist. It should be borne in mind that the native and the white man between them have to share the burden of proof. It is comparatively simple for the white man when proving his case to call the barman as a witness, and if the barman asserts that the white man did not at the instance of the black man ask for liquor, there is no one to contest the correctness of the evidence, which is in every case accepted as sufficient proof. Further, the police have already proved part of their case when they prove that the liquor was supplied, while in the other case referred to by hon. members, all that remains for the white man or the native or the two together to do is to tender proof in respect to solicitation.

Hon. N. KEENAN: There seems to be an extraordinary mix-up. The last speaker has dealt with the case of the actual possession of liquor, but the Bill has nothing to do with that. That is already provided for in the existing law. What the Bill seeks to do is to make it an offence for a native to ask for liquor. It does not matter one atom about his getting possession of liquor; the whole offence lies in his soliciting it.

The Minister for Labour: This paragraph deals with the whole section which covers supply as well as solicitation.

Hon. N. KEENAN: This Bill creates a new offence, namely that of a native asking for liquor. It has nothing to do with what a low-down white might do. It does not matter whether the native asks a low-down white or a very fine Christian for liquor; for him to ask either the one or the other is an offence. I desire to support the Bill but I cannot see any great virtue in this paragraph. Let us imagine that a case comes before the court, and a white man, who is the only person who can get a supply of liquor, comes forward as a witness for the police and says the native asked him to buy fermented or spirituous liquor. The native denies it, and the magistrate has to believe one or the other. That is the whole position. It does not matter what the liquor may be deemed to be. The whole question is whether the native did ask the witness to obtain liquor. If he did, he is convicted of the offence.

Mr. RODOREDA: I disagree to some extent with the Minister. When I moved the amendment I thought it referred only to the soliciting of liquor, but I now find that it will apply to any person who sells, supplies or gives liquor to a native. Even admitting that that will be the effect, I still do not agree with the provision. The department has conducted prosecutions without the aid of such a provision and no great harm has been done; otherwise the department would have moved to get the Act amended. The Bill is badly conceived. If the proposed new subsection is deleted and the Minister considers the department should have this power in regard to liquor actually supplied to natives, he can introduce an amending measure.

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

Clause 3, Title—agreed to.

Bill reported with an amendment.

BILL—EMPLOYMENT BROKERS ACT AMENDMENT.

Second Reading.

Debate resumed from the 12th November.

MR. WATTS (Katanning) [8.35]: The Minister, in presenting this Bill to the House, conveyed the impression that he was most anxious not to declare war against employment brokers; but because a state of national emergency exists, he had decided to be generous in his movements and seek to amend the law only in a most reasonable manner. I do not profess to know much about military tactics, but I understand that it is possible to make either a frontal or a flank attack, and that one is just as likely as the other to be destructive to the enemy if suc-

cessful. I suggest to the Minister that he might as well have come to the House and proposed the total abolition of employment brokers as have presented for our consideration a Bill containing a schedule such as we find in this measure.

If this House considers that employment brokers as such serve no useful purpose whatever in this community, it would be as well for us plainly to express that sentiment and take steps to see that they no longer exist. Whether it be because the Minister in charge of the Bill believes that they serve a useful purpose and is therefore disinclined to remove them altogether, or whether I judge the matter rightly in suggesting that he has preferred to launch a flank rather than a frontal attack, I do not know, but shall leave the House to form its own opinion at the conclusion of the debate. Meanwhile let me say there are portions of the Bill to which I am very pleased to subscribe. I refer more particularly to those having reference to an alteration of the licensing system. The present system, which entails attention to very cumbersome details, is unnecessary, and the wonder to me is that it has continued in operation so long. I do not think any objection can be raised here, nor do I think that any reasonable employment broker would raise objection, to the proposal that the licensing should be done by the department of the Chief Inspector of Factories. To me this appears to be quite a desirable provision, and on that point I am perfectly satisfied that the Minister and I will have no argument.

But when we come to that portion of the Bill which provides for a scale of charges and stipulates that in no circumstances shall any charge be made other than that specified in the schedule, we have to take into consideration whether, if that schedule of charges was applied, any self-respecting employment brokers could remain in business, and also whether there would be any justification for their remaining in existence. Regarding the former, I would suggest to the Minister that as the Bill stands, it purports to take into consideration the sort of premises used by the employment broker. Looking over the debates of some years ago on a somewhat similar Bill, I found that the then Minister was also keen on that provision, because he objected to the use of what he referred to as a back room for the conduct of business of this nature. It might be practicable to agree with that point of view, and if one does agree that reasonably-situated and desirable premises should be occupied by employment brokers, I submit that a substantial rent would have to be paid for such premises, and if a substantial rent is paid for them, then employment brokers must obtain some reasonable revenue from the business in order to be able to pay the rent and the attendant costs that must of necessity be met. It is impracticable to carry on any employment broking business without expending a considerable amount on advertising. That advertising is usually done in bulk, as a perusal of the morning Press will show. It is, therefore, impracticable to charge it against any individual applicant. I do not object to the provisions for the payments in the Bill other than to the figures in the schedule. It will not be possible, if the Bill becomes an Act, for advertising charges to be paid other than by the employment broker. The advertising would, of necessity, be a charge upon the broker himself or herself. Undoubtedly these people are not very numerous, and do not represent a very important section of the community. I admit, too, that a percentage of them is undeserving of the privilege accorded to it of carrying on this class of business. That observation does not extend only to those who carry on employment broking; it extends also to many other sections of the community. Those conditions do exist. The undesirables can, however, be removed by the licensing provisions of this Bill, if the Chief Inspector of Factories sees cause for their removal.

I am going to approach this Bill from the point of view of the brokers who are decent and honourable folk. There is a substantial percentage of those who can be put into that category. I have spoken only to one employment broker in my life. That individual was one with whom I have had business transactions during the past few years in respect of a farming property for which I act in my district. All transactions I have had with that broker have been satisfactory from the point of view of the property itself. When an application has been made for a suitable employee at the stipulated wages, I have found that, in the four or five cases that have arisen during the years, a suitable person has been sent to fill the position.

There has been no difficulty in obtaining a suitable employee, and, so far as the employer was concerned, the contract was carried out in a reasonable and proper manner. The employment broker had no reason to be censured by me or, I think by the Minister. I believe that state of affairs does not extend only to the employment broker I have in mind. From inquiries I have made in the country districts from amongst those who have had occasion to use the services of other employment brokers, I find that the majority have received good service. If a person is prepared to give good service, it is reasonable to expect that he or she shall be reasonably paid for such service. I cannot perhaps do better than quote the words of the late Mr. T. A. L. Davy, who, when a member of this House, on the 4th October, 1927, upon a similar Bill to this, said—

> But the attitude I cannot get over is why a person who goes to an employment broker, and asks that broker to secure work for him, should get that service for nothing.

I admit the Bill does not provide that he shall get that service for nothing. The charges prescribed in the schedule are such, in a great number of cases, as to amount almost to nothing, bearing in mind the expense the employment broker must be put to. Because of that factor, the charges would not represent a fair charge in many instances for the services rendered. Mr. Davy went on to say—

> I find that question extremely difficult to answer . . . . I can see no distinction between a man paying for one kind of service or another, if the service is rendered. If I were out of a job and unable to secure one by going to the allegedly free State Labour Bureau, I should certainly go elsewhere; and if somebody else could get for me what I wanted, I cannot imagine myself feeling aggrieved at having to pay a reasonable sum for it.

That seems to sum up fairly well the attitude I exhibit towards this Bill. I am prepared to see the charges regulated, but am equally desirous of seeing that they are regulated upon a basis that is going to be fair. These people represent only a small section of the community. If they are undesirable, let them be wiped out, but, because they are a small section of the community, do not make their position intolerable by a process of this nature. If it is desirable that they should be abolished, let us discuss that aspect of the question.

I find that the operations of the State Labour Bureau, according to the report for the year ended the 30th June last, show that for this period there were 7,059 male applicants for work, and of these 3,379 were found employment. Less than 50 per cent. were found employment amongst the males. It may be assumed that a private employment bureau would be in much the same position, that there would be a considerable number of applicants for whom positions could not be found, and for whom, consequently, under this Bill, no payment would be made, because they were not found employment. If the State Labour Bureau can be taken as any criterion, and so far as I can find it is the only place that publishes a report on the subject, it is reasonable to believe that for every applicant who finds a job, at least two persons go to the office. On that basis it would appear that brokers would get paid, under this Bill, for only half the number of people who worried them for employment. I now turn to the female section of the report. I find that for the same period there were 1,790 engagements, including 779 of only a daily variety. I cannot see the figures showing the total number of female applicants, but, taking the figures into consideration, I find that approximately 5,000 jobs were found during the year. It would be impossible to make a comparison of these because I find that in the annual statement of expenditure of the State Labour Bureau and the Employment Relief Department, the two activities are bracketed together. It was only up to the year 1933-34 that the State Labour Bureau was shown separately. On reference to the State Labour Bureau report for that period, I find that for the year ended 30th June, 1934, 5,015 males were found employment, and for the year ended 30th June, 1936, 1,729 females were found employment, which seems to be a fairly regular figure over the period of years, so far as I can find from the report. If we take the figures as an average, we find that 6,744 jobs were found during that time. The expenditure by the State Labour Bureau for the year ended June, 1934, was £7,715. For the preceding year it was £3,558, and for the year preceding that it was £4,448. So the jobs found would have to earn substantially more than 10s. each to pay the amount which was shown as the expenditure

on the State Labour Bureau during approximately the same period.

The schedule to the Bill would effectually prevent the employment broker from earning an average of 10s., and therefore I have come to the conclusion that the net result of passing the measure would be that employment broking as a business would go out of existence. As I have already said, nobody has satisfied me that employment brokers do not, especially in regard to country employment, serve a useful purpose. So long as they are serving that purpose, and the Chief Inspector has the power to weed out such of them as do not carry on business in a proper manner, I see no reason why they should not be allowed to carry on their work at a reasonable profit. I have taken the opportunity to average out the first part of the Sixth Schedule to the Bill, which starts at a charge payable by employer and employee of 1s. 6d. each, or 3s. altogether, and finishes up with a charge of 20 per cent., which would work out at 8s. or 9s. or 10s., according to what the wage might be. If an average is taken over the whole, and if the broker filled one job of each sort every day, he would get an average of 9s. a time. As it appears to me, the cost to the State Labour Bureau is at least 10s. a time; and I presume the bureau does not want to make a profit, because it does not charge for its services. How is it possible for an employment broker to carry on and pay the rent of the reasonable premises the Chief Inspector of Factories requires him to maintain, and also meet general office expenses, and probably also the cost of assistance if there is any mass production in the business, in which case more than one person would be needed, keep books and registers and the like as required by the Act, and enter into the contracts necessary, and do it for less than the cost to the State Labour Bureau? There is no evidence before the House to show that it can be done, and I submit it is reasonable to say that it cannot be done.

Now I come to the question of the existing charges. I do not think the Minister enlightened us very much on that subject. I am given to understand that reputable employment brokers charge half the first week's wages to both the employer and the employee. The result is that the amount of the first week's wages is payable so far as the joint payment is concerned. That payment, I am inclined to agree, is too much in many cases; but I would ask the House to consider whether there is much less work involved in entering into a contract and making the necessary arrangements for a job at £1 per week plus board and lodging than in the case of a job at £2 per week plus board and lodging. I do not think there is. Therefore it appears to me that the smaller the job, the greater proportionately should be the payment for the services rendered, if it is established that the service is rendered and ought to be paid for. As indicated by what appears on the notice paper, I suggest some alterations in the schedule based on the desire to regulate the charges that are to be made and to keep them as low as appears reasonably practicable if employment brokers are to carry on their business, pay their extras, and make some income for their trouble. On the other hand, in an effort to meet the hon. gentleman in charge of the Bill in his desire to put the matter of employment broking on a more satisfactory basis than it is at the present time, I hope the hon. gentleman will be prepared to give consideration to those amendments, or some similar amendments, which will have the effect of at least doing a measure of justice to employment brokers who carry on their business in a reputable way, and who do, I am convinced, offer good service to the persons they have to deal with, and without whose aid the obtaining of labour, particularly in country districts, would not be as easy as it is. It may be said, of course, in reply to that observation, that the State Labour Bureau is available. Well, I know it is available and has been available for a great number of years; so long, indeed, that seeing it does not make any specified charge, as I understand, and if it is sufficient to supply all the needs of employees and employers, it should by now, in the ordinary course of human nature, have all the business. But the fact remains that it has not. That argument is surely sufficient to establish that there is a need for employment brokers, and that all this House has to concern itself about is that we should see they carry on their business reputably and in accordance with the law, and, on the other hand, do not charge fees which are excessive.

As I have already said, I have not had evidence offered to me yet in this Chamber that the fees charged are excessive, but I have heard statements to the effect that they are, and because that is quite possible in some cases I am prepared to have the matter regulated. In consequence of what I have said, it is my intention to support the second reading of the measure. No more than the Minister do I desire to debate the matter from a party political standpoint or anything of that kind. I have said enough, I think, to establish that I am not lacking in sympathy with, at any rate, some of the Minister's objectives, though I certainly desire to ensure that this small section of the people of Western Australia, who I think confer some benefit, and probably in some cases quite a specific benefit, on a large number of people should not be treated unfairly. The rest of my arguments I shall submit in Committee.

MR. W. HEGNEY (Pilbara) [8.58]: Unlike the previous speaker, I do not propose to approach this subject from the viewpoint of the employment brokers. I may remark that it has been a great change to hear the member for Katanning (Mr. Watts) this evening, as against some members of his party who spoke some evenings ago, when the no-confidence motion was launched. That motion was moved because it was alleged that the Government was not giving to the farming community that co-operation and assistance it deserves. On behalf of the farming community I submit it is in the interests of that community to support the State Labour Bureau as against private employment brokers.

Mr. Watts: There has been ten years to do that, and it has not been done yet.

Mr. W. HEGNEY: The position is that if the farmers, who quite rightly receive so much consideration from the State Government in various ways, reciprocated a little, the State Labour Bureau would undoubtedly be able to fulfil all necessary functions connected with the engagement of workers. The Act was first passed 31 years ago, and I understand it was amended only in a minor degree 20 odd years ago. To my mind, the overhaul of the Act is long overdue. I am pleased to note that the power to issue licenses is to be transferred from the Licensing Court to the Chief Inspector of Factories. Members will agree that that official is the appropriate officer to administer the Act. Provision is made at present for employment brokers to exhibit a notice specifying their maximum charges.

Mr. Abbott: And to submit them to the Minister.

Mr. W. HEGNEY: Yes, if that is the case. The Bill, however, proposes certain specific charges beyond which the employment brokers will not be allowed to go. There are many workers who follow intermittent occupations, such as casual hands, domestics, hotel employees, general farm hands, teamsters, clearers, and others, all of whom are obliged to go to private brokers for employment. The member for Katanning (Mr. Watts) quoted an extract from a speech by the late Mr. T. A. L. Davy, in which that gentleman said he could not understand why unemployed workers desired the services of private employment brokers free of charge when other services had to be paid for. In answer to that, I would point out that there exists a State instrumentality and if only prospective employers would submit their requirements to it, unemployed men would be able to secure engagements free of charge. If the farming community co-operated, as they undoubtedly should, with the State Labour Bureau, that instrumentality would be able to supply suitable labour in various districts throughout the State. I believe that the Labour Bureau officials are endeavouring to intensify their organisation in order to deal more effectively with the provision of employment for workers. A little while ago I was talking to a shearer who told me that in order to obtain a stand at a shed, he was obliged to pay £1. As the member for Katanning mentioned, there are many instances in which both employer and employee are required to pay to the employment broker half the first week's wages.

Mr. Cross: And sometimes the job lasts a week.

Mr. W. HEGNEY: Having an acquaintance with some of the ramifications of the business of private employment brokers, I know of instances of people being sent to jobs that will ostensibly last for long periods, but in a very short time the men are

back in the hands of the employment brokers. For that reason I am glad that the question of misrepresentation has been dealt with in the Bill.

Mr. Doney: Is that not also an argument against the State Labour Bureau?

Mr. W. HEGNEY: The answer to that interjection is that the State Labour Bureau has no axe to grind.

Mr. Seward: Nor employees to send out.

Mr. W. HEGNEY: While I welcome the introduction of the Bill, I do not regard it as sufficiently far-reaching in its provisions. In all the circumstances, however, it should receive favourable consideration at the hands of members, and I hope that it will not only be accepted by this House but will be agreed to by the Legislative Council in due course.

HON. N. KEENAN (Nedlands) [9.5]: I intend to support the second reading of the Bill because of some portions of it. I have no hesitation in saying what those portions are. Principally they deal with the provision, made for the first time, for the efficient licensing of employment brokers, and for supervision over some matters regarding which such supervision is necessary. For that reason, the Minister is to be commended highly for bringing down the Bill, but if the measure is passed in its entirety as presented, it will mean the extinction of the private employment brokers.

Mr. Holman: That would not do any harm.

Hon. N. KEENAN: I cannot help wondering how, if they are the objectionable people they have been described by some members, they have continued to exist in business.

The Minister for Mines: Necessity knows no law.

Hon. N. KEENAN: That is one of those nice phrases that may be used to justify anything.

The Minister for Labour: Men have got to go to them.

Mr. J. Hegney: Of course they have.

Mr. SPEAKER: Order!

Hon. N. KEENAN: Why do certain people who require employment go to the private brokers in order to get it? Why do employers who want to secure employees go to brokers to get them?

Mr. J. Hegney: Because they have to get them somewhere.

Hon. N. KEENAN. If the State Labour Bureau is available all the time, it means that the bureau has a certain field in which it operates with success. Equally, the private employment broker has another field in which he or she also operates with success. Thus both exist side by side, discharging their respective functions. I find myself so wholly in agreement with what was said so well by the member for Katanning (Mr. Watts) that I do not intend to detain the House by going over the ground he traversed. It does not seem to me that a Bill of this character should be introduced unless the Minister, openly and candidly, avowed that the intention was to drive private employment brokers out of business. Is that a step in which any member of this Chamber would desire to take part? The private employment brokers perform a most useful function entirely different from that discharged by the State Labour Bureau. If we were to be foolish enough to drive the former out of existence, the State Labour Bureau could not fill the particular want that would be created in consequence.

The Minister for Mines: We will find men for the jobs.

Hon. N. KEENAN: Fortunately I have not myself had much trouble regarding servants. It is well over 11 years since I had to make my last engagement and so I do not know anything about the private employment brokers except that I remember when I was the owner of a yacht I rang up the State Labour Bureau for a man, and the prospective gentleman who came to see me was stamped all over as a longshoreman. He knew nothing whatever about the sea. I had to go to the private employment brokers to secure the fulfilment of my requirements.

Mr. Marshall: That man might have been a born sailorman, all the same.

Hon. N. KEENAN: He might have been something, but he was not a sailor! He knew nothing about it. In that instance, seeing that I required a man with a knowledge of boats, I had to go to a private employment broker. I got very good sailors; but unfortunately they were mostly Swedes.

Mr. Fox: You would not get many sailors at a private bureau.

Hon. N. KEENAN: I got Swedes, men who had been on sailing ships and knew all about sailing. What strikes me is this: How is it that private bureaux exist if they do not fill a useful function? Why should workers or employers patronise them? The answer is obvious; it is that they do fill a useful function. This Bill, as was pointed out by the member for Katanning (Mr. Watts) would wipe those bureaux out of existence. The State Labour Bureau has the State purse to fall back on; but a private bureau proprietor has to pay rent. What rent does the State Labour Bureau pay? The private bureau proprietor has to pay for advertising and wages and earn a living for himself.

Mr. Fox: If there were but one bureau, there would be no necessity to advertise.

Hon. N. KEENAN: If the hon. member himself wanted a worker he would have no hesitation whatever in advertising. There are few people to-day who do not know the value of advertising; it means that one asks in the right quarter for what one wants. Every wise person advertises. I do not intend to speak at length, because almost everything I would have said has been said much better by the member for Katanning, with whom I find myself in entire agreement.

MR. HOLMAN (Forrest) [9.12]: I am pleased that this Bill has been introduced. The member for Nedlands (Hon. N. Keenan) and I happen to view the private labour bureau from different angles. I had on one occasion to seek employment at a private bureau, after I had had an argument with my employer and was forced to seek work elsewhere. As I had walked out of my employment without a penny, I found it hard to pay half-a-week's wages by way of fee to the employment broker. However, I am digressing. People who go to the private labour bureau to seek employment are driven to do so by force of circumstances. Notwithstanding that the member for Nedlands said that the phrase "economic circumstances" was a pretty one and covered a multitude of sins, the fact remains that some unfortunate people are compelled, in order to secure employment, to make use of the only avenue available to them, which is the employment agency. The hon. member contrasted the State Labour Bureau with private employment agencies, but the difference between them is not sufficient to condemn this measure. The State Labour Bureau is certainly performing a function, but a limited one. In the first place, it does not receive the co-operation of the employing class or of the farming community.

Mr. Seward: What proof have you got of that?

Mr. HOLMAN: The proof of the pudding is in the eating.

Several members interjected.

Mr. SPEAKER: Order!

Mr. HOLMAN: The State Labour Bureau's greatest handicap is that it does not advertise. I was waiting for the member for Nedlands to say something about advertising. The very reason why people go to employment brokers in order to secure employment is because brokers advertise. Admittedly, employment brokers serve a useful purpose, but not a purpose that cannot be dispensed with. There is a vast difference between a necessary function and a function that can be dispensed with. If private employment brokers were put out of business, then people wanting employment would be attracted to the State Labour Bureau, while employers requiring workers would be forced to get them from that bureau. I have said that the State Labour Bureau does not advertise. Advertising is the lifeblood of business and consequently the State instrumentality is at a serious disadvantage compared with the employment broker. If I were looking for work, I would pick up the "West Australian" and study the advertisements under the heading of "Situations Vacant."

Mr. Abbott: Does not the State Labour Bureau advertise?

Mr. HOLMAN: No.

Mr. Abbott: Are you sure?

Mr. HOLMAN: Yes.

Mr. Patrick: Few advertisements for workers are inserted by employment brokers.

Mr. HOLMAN: People requiring work have acquired the habit of relying upon the newspaper for information about the work available. That bears out what Mark Twain said about advertising He said a merchant found a spider web across his door and complained about it to the spider. The spider replied, "If you advertised I would not have a home here." That exactly explains the difference between the State Labour Bureau and private employment brokers. It

was mentioned that the State Labour Bureau could not fill all jobs; but I venture to say that if it charged the fees set out in the schedule to the Bill, it would have sufficient money to do all the advertising necessary and would soon receive all the applications from both employer and worker.

Mr. Abbott: And pay salaries?

Mr. HOLMAN: Yes.

The Minister for Labour: And make a profit.

Mr. HOLMAN: Yes. It is hardly necessary for employment brokers to employ a staff; all the work required to be done could be performed by the broker himself. There is not much of it. Members owe it to unfortunate people seeking employment to ensure that their burden shall be as light as possible. They are down and out, they have no work, and we should give them a chance. Why should they be compelled to pay half-a-week's wages in order to secure employment? In any case, the charge for the service is too high. These unfortunate people cannot afford the fee. I will quote an instance the authenticity of which I can vouch. A hotelkeeper, not in my electorate but in the South-West, in one fortnight employed eight people. Each of those eight people paid half-a-week's wages to the employment broker. There were two housemaids, two cooks, two yardmen and two barmaids.

Mr. J. Hegney: Were the jobs as represented?

Mr. HOLMAN: The place was not exactly what it should have been. Something was wrong with it.

Mr. J. Hegney: Probably there was misrepresentation.

Mr. HOLMAN: Had something not been wrong with the place there would not have been that procession. The place was under my observation at the time.

Mr. Sampson: It was not a home for angels.

Mr. SPEAKER: Order!

Mr. HOLMAN: I made inquiries, because I did not believe that a sensible employee would go from one broker to another within a fortnight. I would advise the employees to seek another broker because they have not obtained satisfaction. They walked out, some of them without waiting to receive any more than their first week's wages. However, that is beside the point. I inquired from the local constable whether this was a frequent occurrence. He said that it was and that there were so many strangers coming and going that he had to keep them under observation. There was practically a continuous migration.

Mr. Abbott: No wonder, if they were under police observation.

Mr. HOLMAN: I would expect that from the member for North Perth (Mr. Abbott). We are on different sides so far as the workers are concerned. The people to whom I referred worked for a fortnight but received wages for only a week and out of the amount received they paid half to the agency. How can they continue living under such conditions? The schedule provided in the Bill is quite sufficient. If the private bureaus are doing such an immense service and are indispensible, then surely out of the suggested schedule they can make a much more satisfactory living than that enjoyed by the unfortunate people who have to seek employment through them.

Reference was made by the member for Katanning (Mr. Watts) to the cost of advertisements. I do not know whether he has gone into the matter or whether someone has told him about it. If he knew anything about advertising values, I do not think he would use that argument because classified advertisements in the "West Australian" are remarkably cheap.

Mr. Watts: What do they cost?

Mr. HOLMAN: The charge for insertions in the "Situations Vacant" column is 9d. per line, with a minimum of 1s. 6d. If the hon. member will only look at the advertisements of the employment bureaus appearing in to-day's paper—

Mr. Abbott: Or of the public one.

Mr. HOLMAN: I do not think the State Labour Bureau has advertisements in the paper. The hon. member has misunderstood the position. There is a reference to the Progressive Labour Bureau but there is no reference to the State Labour Bureau. If the advertisements are scrutinised, it will be found that in the first block—that having to do with Symons' Registry—there are 18 lines at 9d. a line, and in those 18 lines 20 vacancies are advertised. In many instances the advertisements are not just for single vacancies but for what I would term

multi-vacancies. For instance, in the third advertisement—that of Mrs. Mills—15 juniors are required. That is what I term a multi-vacancy advertisement. The cost of advertising is not high; indeed, it is hardly a factor in the argument. Actually, it becomes a decimal point of 9d. To advertise a job worth £2 a week, out of which the agency receives £1 for the service rendered, costs only a decimal point of 9d., and that is not a very big factor If the advertisements are examined, it will be found that they get gradually worse instead of better. Further down the column there are four lines at 9d. a line and in those four lines no fewer than 25 vacancies are advertised. That is to say, 25 jobs are advertised for 36d. In the circumstances it is wonderful that the "West Australian" can keep going on the return from advertisements. The factor of cost can be dispensed with, but a vital point that cannot be overlooked is the position of the worker who has to seek employment, who needs every penny he can secure, and who will obtain some relief as a result of this measure.

MR. SAMPSON (Swan) [9.27]: I find myself in a difficult position. I do not understand what has prompted the Minister to endeavour to close down one means whereby positions are offered people who desire work, while at the same time the State Labour Bureau is carrying out this function without any charge to those who care to avail themselves of its services. A service without charge should be popular. If the Government Labour Bureau is providing a means whereby work can be obtained, and employer and employee can be brought together without any expense to the employee, why is it necessary to go further?

The Minister for Labour: I know some cheap newspapers that have a very poor circulation.

Mr. SAMPSON: Exactly. Some people will limit their reading to most undesirable topics and give their attention——

Mr. SPEAKER: Is that referred to in the Bill?

Mr. SAMPSON: It is implied in the Bill. Some people will give their attention to matters that are quite illogical, and consequently a properly conducted newspaper finds little welcome. As the member for Pilbara (Mr. W. Hegney) said, many of those who go to employment brokers seek jobs inland. But why do they go to employment brokers? Why do they not go to the State Labour Bureau?

Mr. Holman: Because the State Labour Bureau does not advertise.

Mr. SAMPSON: Then that is another charge against the Minister. With all his acumen——

Mr. Cross: You should be able to advertise free in your chain of newspapers.

Mr. SPEAKER: Order!

Mr. SAMPSON: I would be prepared to do a lot through those newspapers free of charge if it would keep the hon. member quiet, but I doubt whether even the power of that chain of newspapers is sufficient to do that. The Minister in charge of the Bill has a labour bureau somewhere. Very few people know where. Perhaps if some hon. member would tell us where it is, we would be able to make it better known.

Mr. Cross: United Press newspapers could do it.

Mr. SAMPSON: I am pleased that the member for Canning is beginning to see the light.

Mr. SPEAKER: The hon. member will address the Chair and not heed the member for Canning.

Mr. SAMPSON: The Minister, when replying, should give us information along the lines I have suggested. He should not carry on what is alleged to be an employment depot and fail to give the service. The member for Forrest painted a very alarming picture. There seemed to be a regular flow of workers to some place and back again. It sounded like a story of the Tourist Bureau.

Mr. Holman: They paid half a week's wages for the tour.

Mr. SAMPSON: I take it they went out from the private employment agencies. Many people are afraid to go to the State Labour Bureau. I have not gone to an employment broker or to the State Labour Bureau for labour, but I have heard that people are afraid to send to the State bureau because they do not get the class of labour they require.

Mr. Fox: Oh, oh!

Mr. SAMPSON: I daresay the member for South Fremantle has heard that statement made.

Mr. Fox: No, never.

Mr. SAMPSON: Never! I am reminded of the passage, "They have ears, but they hear not." I cannot say whether the statement is true, but I have heard it made many times, and this in spite of the fact that the State Labour Bureau gives free service. As it is free service, why is it not availed of?

Mr. Holman: It is not advertised.

The Minister for Labour: What are your opinions on the Bill?

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

Mr. SAMPSON: I am endeavouring to deal with the facts reasonably and logically. What special advantages do the private employment agencies offer that the State Bureau cannot offer, seeing that the private agencies charge fees?

Mr. J. Hegney: Tell us why.

Mr. SAMPSON: You, Mr. Speaker, and I know that this is one of those perennial Bills. True, it has not been exhumed for some years.

Mr. J. Hegney. Then how can it be a perennial?

Mr. SAMPSON: I did not say it was a biennial Bill. At any rate, this is a measure that crops up after the lapse of a period. Some years have passed since we had a measure of this kind before us, but these old walls have oft resounded to echoes of protest by those who thought it their duty to speak for private enterprise and those who thought it necessary to speak in favour of a Government function that apparently does not function.

Mr. Patrick: It does not give the service.

Mr. SAMPSON: That seems to be the trouble, and these old walls have heard the complaint before. I suppose this measure is brought up as a little tit-bit for new members to try their teeth on. Nobody will utter a word in disparagement of any efforts made with the object of obtaining work for those who want it. I question whether the Minister is in order in determining the rates set out in the schedule. If a private employment agency can conduct its business by charging a half-crown fee for a job—probably that job would entail the writing of two or three letters and possibly advancing the fare, at all events the broker would handle the fare because the employer would send it to him with the application; I believe that is frequently done—is it right for us to fix a rate so low that these brokers will be forced out of business, perhaps by way of the Bankruptcy Court? Is the Minister for Labour working in conjunction with the Minister for Justice on the basis that what he loses through the employment bureau, the other makes up in the Supreme Court section?

The Minister for Justice: I am wondering which side you are on.

Mr. SAMPSON: I am trying to ascertain the object of the Bill. As yet nobody has been able to say what it is.

Mr. Holman: Do you ever have to use the private employment agencies?

Mr. SAMPSON: As I said earlier, I have not made use of either the private agencies or the State bureau, but I have heard people criticise the State bureau. The State Labour Bureau was located in a part of Perth that was not attractive. I do not know where it is now. I think it is in Marquis-street.

The Minister for Labour: It was.

Mr. SAMPSON: Perhaps the Minister will indicate where it is.

Mr. SPEAKER: Not now.

Mr. SAMPSON: Well, it was in Marquis-street. It might now be in James-street, but possibly it is in Wellington-street. I suggest that the Minister might set about improving the service provided by the State Labour Bureau and then there will be no need for this measure. Let the State Labour Bureau give the service required by employers and employees, and then there will be no need for the Minister to try to strangle the people conducting private agencies. They will see the writing on the wall; they will recognise that at long last service is being given by the State Labour Bureau and they will have to sky the towel. I applaud the Minister for endeavouring to obtain more work for those people seeking it, but though his intentions are doubtless of the best, he is actually nullifying the result of those endeavours by introducing this Bill. I should like the Minister when he replies to indicate how his special third-floor cut rates compare with the rates charged by private labour agencies in the Eastern States.

Mr. Cross: Third-floor cut rates!

Mr. SAMPSON: I understand that the interjector is a member of the House. Perhaps the Minister will be able to give in-

formation about those rates. I wish to see every opportunity provided for those who want work. That is the desire of every member of this House.

Mr. J. Hegney: This Bill will not give them any more work.

Mr. SAMPSON: No, and what I fear is that it might have the effect of discouraging people who are seeking work. I think the member for Middle Swan will agree that the Minister should take steps to provide the service through the State Labour Bureau. If he does that, he will have done everything and no need will then exist to introduce legislation that threatens a species of starvation for the private employment agencies. That is the position. Evidently the State Labour Bureau does not provide the service. It could not provide the service, and continue to remain unpopular. Unfortunately employers do not patronise the Labour Bureau to the extent the Minister would like, and unfortunately also, employees do not attend there and register their names. It would appear that both are afraid of the Government institution. I do not know why that should be so. If it be not so, why is the Minister afraid of the competition of those who do make a charge? Perhaps the Minister in his reply will clear an atmosphere that, to say the least, is murky, is clouded with doubt, and has the effect of creating in my mind the gravest misgivings as to the object for which this measure is brought forward.

MR. ABBOTT (North Perth) [9.42]: So much has been said on this measure that I do not propose to detain the House at great length in the observations that I will make. The Bill contains some provisions that will be of advantage to the workers, and for that reason I will support it. On the other hand, it contains others that are unnecessarily harsh and unreasonable. It can be said that no employer goes to a private broker and pays him a fee unless he feels he can get better service there than he will from the State Labour Bureau. No one desires to pay out money unless he feels he is getting some return from the expenditure. Very often a good hard-working employee also gets good service by going to a private broker, who will be in a position to assure the employer that the person he is engaging is able to perform the work required. The member for Forrest referred to advertising. Private brokers and the State Labour Bureau all advertise. That does not support the argument as to why private brokers are able successfully to carry on business. If these people were making an outstanding success of the business, many more persons would engage in it. Open competition amongst the brokers would keep the charges to a limit that was fair and reasonable. Under the existing law, brokers have to submit their charges to the Minister.

The Minister for Labour: What does that amount to?

Mr. ABBOTT: That would have a certain influence upon them.

The Minister for Labour: What influence?

Mr. ABBOTT: If the Minister thought the charges were improper, no doubt he could take some action.

The Minister for Labour: What action could be taken?

Mr. Fox: The Minister is taking action now.

Mr. ABBOTT: He could interview the brokers concerned. That would be something.

The Minister for Labour: Oh yes!

Mr. SPEAKER: Order! Will the hon. member address the Chair.

Mr. ABBOTT: For the reasons I have given, I will support the Bill.

Mr. Needham: What were the reasons?

MR. SEWARD (Pingelly) [9.46]: It is evident from the remarks of one or two members opposite that they have not had much experience of employment brokers, nor have they taken the trouble to read the reports of the State Labour Bureau. It is all very well for them to make cheap jibes and say that the farmers and country people have failed to patronise the Government organisation, and that if they had done so it would be in a more prosperous position. I hope to be able to prove to members that the position is not as stated by them. I have been reading through the latest report of the State Labour Bureau for the year ended the 30th June, 1940. On page 3, under the heading "Agricultural and Pastoral," I find the following:—

There was a good demand for men during the 1939 harvesting period, and also during April and May, in preparation for seeding, but owing

to the want of rain farmers were unable to proceed with their work and men engaged were thrown back on the labour market.

Those conditions were not caused by the farmers. Numbers of men were engaged, but owing to the adverse turn of the season, their employment could not be continued and the men had to be sent back on the labour market. Page 5 of the report contains a table showing the number of male applicants for work, and the number of engagements from 1931 onwards. I find that the number of applicants for work totalled 7,059 for the year ended the 30th June last, and of these 3,379 found employment. On page 9 I find the classification of the applicants for work, that is the 7,059. This was—Building 400, engineering and metal workers 331, wood (furniture), etc., 185, agricultural and pastoral 2,220, mining 233, food and drink 189, printing and books 17, other manufactures 15, hotels 167, railway and tramway workers 14, and so forth. Of the total of 3,379 engagements made by the State Labour Bureau no less than 2,220 were due to the farming and pastoral industries. Those figures do not show any lack of patronage for the State Labour Bureau on the part of those industries. The amount advanced to applicants for fares to enable them to take up their engagements amounted to £5,356, and of that £5,123 was refunded. In the face of this report, I do not think any charge can be levelled against country patrons on the score of failure to patronise the State Labour Bureau. Apart altogether, from that, I have my own personal experience, which perhaps is vastly more extensive than that of some members who have spoken to-night. I frequently went to the Labour Bureau, but could not get an order filled there as in private bureaus. The question why a person desirous of obtaining employment and even willing to pay a fee for getting it does not go to the State Labour Bureau, which requires no fee, has not been answered satisfactorily this evening. There have been statements made here about the wonderful amounts of money private bureaus make. I made inquiries into the operation of one private bureau, and found that the gross annual revenue was £500. Advertising cost £70. The salary of the person employed in the office was £100. General expenses ran to £52. Allowing also for stamps and stationery, the net return was below £250. That is not a wonderfully lucrative return. In justice to private bureaus I must state that on almost every occasion when I have applied to them, they have satisfactorily filled the order. While not opposing the Bill, I see no reason why these people should be put out of business. They are filling a useful function, and consequently I shall support some of the amendments placed on the notice paper by the member for Katanning (Mr. Watts), which will improve the measure. Unfortunately I was called out of the Chamber when the member for Katanning was speaking, and I do not know whether he referred to the schedule appended to the Bill. I observe in the schedule a reference to husband and wife being employed at £50 a year, with or without board and lodging. Surely the Minister for Labour does not suggest that the return for the employment of a married couple should be £50 annually with or without board or lodging. Certainly I would not care to offer such a wage.

The Minister for Labour: This Bill does not fix wages.

Mr. SEWARD: Thank God it does not! I do not know whether that matter was referred to by the member for Katanning, but I am surprised that the Minister should have included it in the Bill. I support the second reading, subject to certain amendments.

MRS. CARDELL-OLIVER (Subiaco) [9.54]: As I intend to vote against the Bill I think I should make my position clear. Firstly, women have had better service from private bureaus than from the State Labour Bureau; secondly, the State Labour Bureau is badly situated. Either to-day or yesterday, I believe, the premises accommodating the women's branch of the State Labour Bureau were moved to the other side of the railway, which puts it altogether away from the business centre. As regards advertising, the State Labour Bureau does advertise every few days. That applies to both the men's and the women's branch. It is quite a mistake for members opposite to say that the bureau does not advertise. Again, the State Labour Bureau does not offer accommodation for applicants and employers to discuss their problems. The private bureaus make provision for that kind of thing. I have no objection whatever to the

State Labour Bureau functioning. I would like to see in every suburb a State Employment agency, as is the case in England; but I would also like to see the private bureaus continue.

Mr. Cross: There are no private bureaus in England.

Mrs. CARDELL-OLIVER: Of course there are. They are to be found everywhere.

Mr. Cross: No.

Mr. SPEAKER: Order!

Mrs. CARDELL-OLIVER: The point is that there are State offices and private offices, but that many people prefer to go to the private offices though on some occasions they patronise the State offices. I would like to see the same conditions obtain here, and competition between the various offices. However, on the conditions laid down by the Minister in the Bill, it is absolutely impossible for private bureaus to continue. On that account I oppose the Bill.

MR. SHEARN (Maylands) [9.57]: As the member for Nedlands (Hon. N. Keenan) said earlier in the evening, the member for Katanning (Mr. Watts) dealt exhaustively with the Bill. For my part I wish to say that I agree with the member for Katanning to this extent, that unquestionably there is need for the tightening up of conditions with regard to private employment bureaus. To that extent, and as regards the terms which the Minister proposes, I agree with the hon. member. I believe that one can safely support the second reading in the hope that the Minister will realise that, as the member for Katanning pointed out, this is an inopportune time to institute a system which would have as its consequence the putting of all these people out of business. I certainly do not subscribe to the idea that a man looking for employment is a fit subject for fleecing. I have had no personal experience of the operations of either the State Bureau or private bureaus, but I have heard of cases in relation to which startling statements were made. At the same time I should mention that I have heard of instances where private bureaus have rendered admirable service. I imagine the Minister would be too sensible of his responsibilities to consider that all private employment brokers in Western Australia should be placed in the category of filchers of the means of men seeking work. I feel sure it is the desire of every member to protect such men. I favour such a tightening-up of legislation on this subject so as to prevent any improper incidents occurring. I support the second reading, hoping that the Minister will realise the position and readily agree to such an adjustment of the schedule as will not involve putting private employment brokers out of business.

MR. DONEY (Williams-Narrogin) [9.59]: I wish to add just one question. When the Minister replies to the debate—assuming that he does reply—will he tell the House whether he has given himself an opportunity to examine the books and figures of one or two or more private employment bureaus to assure himself, and thus be able to assure this Chamber, that the rates set out in the schedule, which strike me as unprofitable and absurdly low, are nevertheless high enough to allow a fair margin of profit to the proprietors of private employment bureaus?

Question put and passed.

Bill read a second time.

In Committee.

Mr. Marshall in the Chair: the Minister for Labour in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Repeal of Sections 4 to 13 and new sections:

Mr. SEWARD: I move an amendment—

That in lines 1 to 4 of subparagraph (vii) of paragraph (d) of Subclause 2 the words "the premises in which the applicant proposes to exercise or continue to exercise the license are unsuitable for the purpose" be struck out.

Paragraph (d) sets out the powers to be vested in the Chief Inspector of Factories enabling him to refuse to grant a license or to approve of the transfer or renewal of a license on the grounds set out. The first six grounds are sufficiently wide for that purpose without providing the Chief Inspector with the additional power in regard to the premises. The word "unsuitable" may have a very wide application, and, in any case, the unsuitability of premises from a structural point of view comes within the province of another authority altogether. To give the Chief Inspector the

right to refuse a license or to cancel a license because he regarded the premises as unsuitable is to ask the Committee to agree to a power that is altogether too wide. The Bill contains no definition of the word "suitable." If the Chief Inspector were compelled to give reasons for his action, we might regard the paragraph in a somewhat different light.

The MINISTER FOR LABOUR: I oppose the amendment. If we are prepared to trust the Chief Inspector of Factories with regard to so many grounds upon which he may take action, why not trust him to do what is fair and reasonable with regard to the premises in which the business of an employment broker is to be or is carried on? To refuse to do so on that one additional ground would hardly be logical. Members can easily conceive that a person might propose to commence business as an employment broker in a backroom of a very poor building that might be entirely unsuitable from many points of view. I see no danger in the proposal.

Mr. WATTS: In some respects the Minister's explanation may be regarded as satisfactory. Possibly the Chief Inspector should be able to exercise some supervision over premises, and I hope the Minister will accept the amendment if only for the reason I shall advance. The paragraph should be redrafted.

The CHAIRMAN: I would remind the hon. member that we are dealing only with the amendment.

Mr. WATTS: In dealing with the amendment it is necessary to refer to the proposed new subsection which deals with the granting of licenses and the transfer or renewal thereof, in connection with which the Chief Inspector is to have power to take action if he considers premises are unsuitable. Many employment brokers conduct their businesses in the same places for a considerable period and their licenses are renewable annually. A license may be granted in respect of premises in, say, Hay street, but when it is proposed to transfer the license to someone else, the Chief Inspector may regard the premises as unsuitable and refuse the transfer. I suggest that the provision regarding premises should apply only in connection with the granting of licenses. I think the Act contains a provision that any change of address must be notified. I do not feel disposed to agree to the new subsection in its present form.

Mr. SAMPSON: This condition is superfluous and unreasonable. Should the premises be unsuitable, then that matter can be decided under the Health Act. There is no justification, to quote an old problem, to put pig on bacon. We should not include in the Bill a provision that already appears in another Act. I support the amendment.

Mr. SEWARD: I hope the Minister will reconsider the matter. Persons carrying on business are the best judges of where it should be located. The State Labour Bureau was for some years conducting its business in Pier-street. From an employer's point of view—especially a lady—that was the most unsuitable place in the city. Yet the inspector might regard that situation as suitable. If the Minister were to say the premises were "structurally" unsuitable, I do not think there would be any great argument. That would indicate why they were unsuitable.

Mr. SAMPSON: I understand this provision does not apply to premises occupied by the Government.

The CHAIRMAN: I draw the hon. member's attention to the fact that there is nothing in the Bill appertaining to the State Labour Bureau.

Mr. SAMPSON: You are quite right, Mr. Chairman; I admit that without reservation. How different is the attitude of the Government if it requires premises! Any old building would, in the Government's opinion, be suitable for the State Labour Bureau.

The Minister for Labour: You must not attack the Government.

Mr. SAMPSON: No, that would be a cowardly thing to do. I hope the amendment will be agreed to.

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

Ayes	15
Noes	15
A tie	0

AYES.

Mr. Abbott	Mr. Sampson
Mr. Berry	Mr. Seward
Mr. Boyle	Mr. Shearn
Mrs. Cardell-Oliver	Mr. J. H. Smith
Mr. Hill	Mr. Watts
Mr. Keenan	Mr. Willmott
Mr. Mann	Mr. Doney
Mr. McLarty	*(Teller.)*

NOES.

Mr. Coverley	Mr. Millington
Mr. Fox	Mr. Needham
Mr. Hawke	Mr. Nulsen
Mr. J. Hegney	Mr. Panton
Mr. W. Hegney	Mr. Rodoreda
Mr. Holman	Mr. Withers
Mr. Johnson	Mr. Cross
Mr. Lambert	*(Teller.)*

The CHAIRMAN: The voting being equal, I give my casting vote with the noes.

Amendment thus negatived.

Mr. WATTS: I move an amendment—

That in lines 4, 5 and 6 of subparagraph (vii) of paragraph (d) the following words be deleted:—"or that for any reason which the Chief Inspector deems sufficient the applicant ought not to be granted the license applied for."

While there might be room for conflict of opinion as to the desirability of conferring power upon the chief inspector to refuse to grant a license for premises, I submit no sufficient reason can be offered to the Committee why these words should remain in the Bill. It is the duty of the Committee to set out the grounds on which the chief inspector may be permitted to refuse the grant or transfer of a license; but it is unfair to empower him to refuse for any reason which he thinks fit. No guidance is offered to the chief inspector as to what those reasons should be, nor is any suggestion made to the Committee as to what they should be. I submit that the wording is wide enough to allow the Chief Inspector to refuse licenses for any reason, however trivial. I admit there is a right of appeal to a resident magistrate contained in the next few lines of the Bill which would no doubt enable an obvious injustice to be corrected; but why should we permit a provision of this kind to be included in the Bill after having provided definite grounds for the refusal to grant licenses? To ask applicants to go to a resident magistrate is not fair. Such a course must entail some expense and they should not be put to that expense simply because the Chief Inspector has found some reason which in his view is sufficient to induce him to reject the application, but of which Parliament has never thought. Furthermore, one chief inspector might consider a certain reason sufficient whereas his successor a few years later might not hold the same view.

Progress reported.

House adjourned at 10.22 p.m.

Legislative Council,

Tuesday, 19th November, 1940

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

QUESTION—STATE SHIPPING SERVICE.

M.V. "Koolama."

Hon. J. J. HOLMES asked the Chief Secretary: 1, Were all the engines and mechanical appliances supplied by the builders of the m.v. "Koolama" new or were some portions second hand? 2, Has any claim been made against the builders of the "Koolama" for approximately £8,000, principally for excessive lubricating oil consumed on preliminary voyages of that vessel; if not, why not?

The CHIEF SECRETARY replied: 1, All units supplied for m.v. "Koolama" were new. 2, This claim has been lodged through the Agent General in London.