

power, and certainly a cost very much higher than by a small isolated crude oil driven plant such as is now being used. Also, in the considered opinion of Mr. Taylor, the supply of electrical energy to the principal parts of the State is at present out of the question; and the futility of that proposal was emphasised by Mr. Drew in 1928. Hon. members will ascertain why the suggestion is not entertainable if they will peruse his speech.

Apart from the main purpose of Mr. Lovekin's motion, it may be mentioned that a private company is erecting a power station at Collie; and it is an obstinate fact that that company offered to supply Bunbury and other country centres with energy but that the proposal was not entertained. Since then the Bunbury Municipal Council have installed crude oil engines, and are now generating power from that source. Also, the Collie Company offered power to the new fertiliser works at Pieton, but the management of the latter decided to instal crude oil engines notwithstanding the fact that by taking power from the Collie Company it would be using a local product in preference to paying for imported oil.

Returning to the main question and Mr. Lovekin's statement that Mr. Taylor had admitted that Collie was the right place to go to, I am assured by the latter gentleman that at present the proposal is not a commercial one, and that in any case financial conditions permit of no alternative to the generation of power at Perth instead of the unthinkable suggestion of heavy expenditure at Collie. Perhaps it is unnecessary to say that the erection of power stations and long transmission lines are matters for expert electrical engineers to deal with. As ordinary laymen we can have no conception of the problems that have to be faced in such schemes, and for that reason I think we should submit ourselves to the guidance of those competent to advise.

The Government are in no way hostile to the Collie proposal, and if they could reasonably see, on the advice of Mr. Taylor, that by not extending the East Perth power station the suggested expenditure at Collie would be practical and within our means, and that the cost to the consumer would be lower than that now prevailing, serious consideration would be given to the expenditure

of moneys. I think, in the circumstances, that the motion might well be withdrawn. Whilst recognising Mr. Lovekin's interest in the matter, the Government are of the emphatic view that in the parlous state of the finances the scheme is one for the pigeon hole of proposals for consideration in more prosperous times.

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

House adjourned at 6.10 p.m.

Legislative Assembly,

Thursday, 13th November, 1930.

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

BILLS (2)—FIRST READING.

1, Friendly Societies Act Amendment.

Introduced by the Chief Secretary.

2, Land Act Amendment.

Introduced by the Minister for Lands.

BILL—TENANTS, PURCHASERS AND MORTGAGORS' RELIEF.

Second Reading.

THE MINISTER FOR RAILWAYS (Hon. J. Scaddan—Maylands) [4.37] in moving the second reading said: All members will join with me in expressing regret that it

is necessary to introduce a Bill of this description. Times are such that there are people who require some relief from distress and they can obtain it, I am afraid, only by means of legislation such as that I am now placing before the House. It may be accepted as somewhat revolutionary as it represents a serious interference with the usual course of business. On the other hand, there are times when it is necessary to take such a step rather than to permit people to suffer unduly from distress through no fault of their own. The purpose of the Bill is set out in the Title. It is to afford relief to tenants, purchasers and mortgagors in occupation of dwelling houses and for other relative purposes. Hon. members will appreciate the fact that the Bill is restricted to the extent of affording relief to people who are in possession and occupation of dwelling houses. This refers mainly—I might almost say solely—to people who may be forced to leave their homes, primarily because of unemployment. I will be candid enough to say that the Bill is drawn largely on the lines of a measure recently introduced in the South Australian Parliament, but the Bill goes a step further. The South Australian Bill sought to afford relief to tenants and mortgagors who were in occupation of dwelling houses and were unemployed. In the main, our Bill will deal with the position similarly, but it also contains a provision to protect the mortgagors at the expiration of the term of the mortgage, from losing their dwelling houses because the mortgagee calls up the mortgage, and the mortgagor is unable to find the necessary money from other sources, due to the financial depression. There are really four points in the measure. One refers to the granting of relief to tenants who are paying rent and find it impossible to meet their obligations to the landlord, because of unemployment. The second relates to those who are purchasing their homes on the instalment plan and find themselves, again due to unemployment, unable to provide the regular payments to the vendor. The third concerns those who have homes they are purchasing under mortgages and find themselves, on account of unemployment, unable to meet interest and other charges. The fourth point is the one in which we have gone a step further than the South Australian Government. It deals with those

who are purchasing their homes under a mortgage, which may expire during the operation of the measure. The mortgagee may call up the principal and the mortgagor, being unable to raise the funds elsewhere, because of the condition of the money market, may, with those I have already mentioned, obtain relief under the provisions of the Bill by having the term of the mortgage extended.

Mr. Willcock: On the same interest rates?

The MINISTER FOR RAILWAYS: Yes, under exactly the same conditions as operated before. Regarding the last-mentioned section of the community, the difficulty may not arise because of unemployment. The person concerned may be in constant employment and may have met all interest and principal payments due under the mortgage. He may find it difficult now, and for some time to come, to provide the money necessary to meet a demand from the mortgagee, should it be made, for the payment of the principal. In the circumstances, such an individual might have his home sold over his head. In that instance, the difficulty would not arise because of unemployment, hence the reason for extending the title of the Bill to embrace such persons as well. To obtain relief from the provisions of the Bill, a person must be in occupation of the dwelling concerned. It is not intended to apply the Bill to those who are speculating in dwelling houses. In many instances, people have purchased a number of dwelling houses as a speculation. They do not occupy them themselves, and may find difficulty in meeting their obligations. They are not to be treated similarly to those to whom the measure will afford relief, and they will not be covered by the legislation. We are not interested at the moment in people who have been investing their money in speculative ventures such as I have indicated, but rather with those who are in possession of homes as dwelling-houses and who may be called upon to suffer unduly because of the existing depression, and particularly on account of unemployment. No action will arise in any instance until the person, who seeks relief, makes application to a commissioner, who will be either a judge of the Supreme Court or a magistrate. In the main, a judge will not sit to deal with such applications, but a magistrate will sit in districts

where the relief is desired, and he will hear and determine the applications.

Mr. Kenneally: Can a person make the application to the commissioner without legal assistance?

The MINISTER FOR RAILWAYS: Yes. In fact, I have made provision that no fees shall be paid.

Mr. Pantou: That is quite right.

The MINISTER FOR RAILWAYS: The applicant may approach the court in the simplest manner possible, without any costs being incurred, and obtain relief by furnishing what, I admit, must be evidence of his distress. If a man were in distress, it would be absurd to make a provision for him to pay fees of all descriptions, as they might prove a bar to his being able to apply for relief. We are making the procedure as simple as possible. Application may be made to a magistrate without the payment of fees.

Mr. McCallum: You mean court fees.

The MINISTER FOR RAILWAYS: There will be no court fees. There is also a provision that if any public servant—and that will embrace anyone likely to be interested in the matter—renders any service, it shall be rendered free. When the matter is submitted to the commissioner he may make a protection order, but he must first of all satisfy himself in the first three cases that the applicant is unable to meet his payments of rent or purchase instalments or interest on mortgage because he is unable to find employment and has been out of work through no fault of his own. If the commissioner is satisfied he may grant the order, but even then he must satisfy himself that he is not transferring the trouble from one individual to another. The Government, representing the whole of the community, could not be a party merely to relieving one person from distress and transferring the trouble to another. Members will admit that there are isolated cases—I think they are only isolated—in which such an order might relieve one person and transfer the distress to another. The commissioner must satisfy himself in granting such an order that he is not transferring the distress to another. In respect to No. 4, that is an application for relief from the payment by a mortgagor of the principal money, the commissioner is not required to take into account the question of unemployment. He has merely to consider whether the mort-

gagor in the circumstances is unlikely or unable to obtain the money elsewhere, and thus, but for this measure, is in danger of losing his home. Still, it is necessary for the mortgagor to show that he has no money of his own with which to meet his obligations and is unable to obtain the money elsewhere. The protection order that would be granted would prevent distress being levied in respect of any rent accruing or to accrue, and would prevent a person entering a dwelling to take possession of it. So far as I can judge, complete protection is afforded to the occupier against being disturbed during the currency of the order. The protection order may be granted for a period not exceeding three months, and, on the application of the person affected, may be continued for an additional three months. The operation of the measure, however, is limited to the 31st December, 1931, a period of roughly 14 months, but any order which may be made previous to that date may continue to have effect until not later than the 31st March, 1932. When the leasing of a dwelling contains an option of purchase agreement, the time limit for the exercise of the option may be extended under the protection order. Under a protection order for non-payment of interest due to unemployment, the prohibition prevents the mortgagee from enforcing or proceeding with the enforcement of the mortgage, and extends to the calling up from the mortgagor of any part of the principal or interest money secured by the mortgage. In that instance, it is necessary to protect him against the demand for the payment of interest because, if he fails to pay, the terms of the mortgage may empower the mortgagee to sell. The measure also provides for a stay of any proceedings which may have been commenced. Some little time must elapse between giving notice of this Bill and its actual passing into law, and there may be some persons unscrupulous enough to take advantage of the interval and thus do a tremendous amount of harm. I am afraid I must not mention the word "retrospective."

Mr. McCallum: What about when the Bill reaches another place?

The MINISTER FOR RAILWAYS: The measure will not be retrospective, except that it will prevent anybody taking advantage of the interval between the introduction of the measure and its passing into law. It is in the interests of the people

that that protection should be afforded. To that extent the measure is retrospective, if we may term it such. The Bill will also prevent the exercise of any powers of sale, obtaining or taking or keeping possession of a dwelling, the commencement or continuance of any action for foreclosure, or the cancelling or terminating of any of the rights of the applicant in respect to the dwelling. In cases of agreement for sale and of the vendors cancelling the agreement and terminating the right of purchase, the commissioner may annul the vendors' action.

Mr. Kenneally: The point made by you would warrant the expeditious passing of the measure through both Houses.

The MINISTER FOR RAILWAYS: I intended, in concluding, to ask members to facilitate the passage of the Bill by being ready to proceed with the second reading on Tuesday next and complete the Committee stage, so that the passing of the Bill will not be unduly delayed. That is contingent upon the House approving the principle. Once we agree upon the principle of the measure, there should be no undue delay in passing it into law, if the measure is considered necessary, as I believe it is. All the acts I have mentioned are of course dependent upon the commissioner being satisfied by the applicant in the manner aforesaid. In the measure we do not make provision that those things shall occur, but we do make provision to meet the circumstances in the event of a person applying to the magistrate and satisfying him that it is necessary to do those things for his protection. Regarding a protection order in respect of repayment of principal moneys, the applicant must show that he is unable to pay on the due date. The commissioner may offer, refuse or grant an order for relief to the mortgagor, or, if the mortgagee has taken possession of the dwelling, may direct that he shall relinquish such possession. The commissioner may make such order as he deems equitable between the two parties. I stress that point. I do not think there are likely to be many applicants because the landlord and tenant, the mortgagee and the mortgagor, knowing that this relief is available, will probably arrange it without applying to the commissioner at all. In most cases the mortgagee would prefer that there should be no publicity, and even the mortgagor might be equally

anxious to avoid publicity. The fact that the power exists would be an incentive for the parties to come to an arrangement to avoid undue publicity. However, it is within the power of the commissioner, when approached, to make such order as he deems equitable. During the currency of the order the mortgagee shall not, without the leave of a judge—this is where the judge comes in—call up or demand payment of the whole or any part of the principal moneys, nor commence or continue any action or proceedings for the recovery of any principal moneys, or the enforcement of any judgments for any such moneys, or exercise any power of sale, take or keep possession of the dwelling, or take any action, proceeding or application for foreclosure, or cancel or determine any of the rights of the applicant. I do not think we have missed very much there. It is not likely that any person could dispossess a man of his dwelling house once he had obtained a protection order from a magistrate, but if such actions were taken, as I have explained, the commissioner may annul it. This is probably a somewhat revolutionary measure, but I hope it will not cause any undue hardship.

Mr. McCallum: Or abuse either.

The MINISTER FOR RAILWAYS: I do not think that is likely.

Mr. McCallum: It might cause abuse.

The MINISTER FOR RAILWAYS: The only manner in which it could be abused is by a person who was not in possession claiming to be in possession of a dwelling house and asking for relief. However, in view of the fact that application must be made to a magistrate and that the applicant must give his evidence on oath and produce evidence to satisfy the magistrate, there is not likely to be any abuse. When returning from Kulgoorlie last Sunday, I was speaking to a gentleman whose name most members know. We were not talking about this measure, but he told me he had recently purchased a dwelling house and was given to understand that a mortgage on it of something like £1,400 had about three years to run. He discovered only a month since that the term of the mortgage expired on Monday last. It was therefore necessary for him to journey to Perth to deal with the matter. He told the parties that he understood the mortgage had nearly two years to run, but the reply was that that was not so. The mortgagee asked that the

mortgage should be cleared up because he wanted the money. After discussing the matter with the agent, the mortgagee offered that if the odd £400 was paid off and the interest on the remaining £1,000 was increased from 7 per cent. to 10 per cent., he would extend the mortgage. The purchaser was not prepared to accept those terms, and was endeavouring to obtain the money from some other source. Such a case would not come under this measure, because the house was purchased as an investment, but I believe there are people purchasing homes who are similarly affected. There is nothing more sacred on earth, apart from human life, than the home.

Mr. Angelo: An almost identical case was brought under my notice to-day.

The MINISTER FOR RAILWAYS: I know that sort of thing is happening. Where the person concerned is the occupant of the dwelling, it could not occur under this measure. He could apply for and obtain a protection order which would prevent the vendor claiming any increase of instalments or of interest, and also prevent the calling up of the mortgage during the period of the protection order. The magistrate will have regard to all the circumstances of the case including the ability of the mortgagor to redeem the property out of his moneys, the nature and conditions of the security, the hardship that may be suffered by the mortgagor in the event of refusal, and the conduct of the mortgagor. Provision is also made that there shall be no increase in the interest or instalment payments operating at the time the application was made, and if any such increase has been made, the commissioner may order a reversion to the position that existed previous to the difficulty arising.

Mr. McCallum: Can he sanction an increase in the interest?

The MINISTER FOR RAILWAYS: No increase in interest can occur. The position will remain exactly as it was at the time the application was made. It is not right that a landlord should lose his rent on a property, or that the mortgagee should lose interest on the money he has provided. Although there is a stay in the proceedings in the case of interest or rent, such moneys as would be paid by way of rent or interest, after such time has elapsed as will have enabled the person concerned to pay, must carry interest at the rate of 6 per cent. per

annum. That is just and equitable, I think, as between the two parties.

Mr. Panton: That applies to rent?

The MINISTER FOR RAILWAYS: Yes, it applies to all moneys that are held pending the time when payment is actually made. The person who obtains relief under such protection order is in a better position than anyone else if he is paying rent only, because he may leave the premises just before the order expires, and, although the debt may be recoverable by law, he has not the same amount to lose as would a person who was buying a house on instalments or the man who was paying interest on a mortgage. Such a person has, therefore, some advantage over the other two types of person. I have said that no increase in rent can take place. It is a popular move on the part of some landlords by which to cause the eviction of their tenants. They keep on increasing the rent beyond a fair thing to make it impossible for the tenant to pay it, and ultimately it becomes necessary for him to get out. In the case of a landlord or vendor against whom a protection order is in operation, in respect to any dwelling, who has mortgaged such dwelling to another person, termed the superior mortgagee, he may obtain protection in the same manner, subject to any conditions the commissioner may impose, and subject, of course, to this being revoked in certain cases. A person who has a second mortgage over a house which is mortgaged to someone else may not be able to pay the interest of the mortgagee in possession, and may lose certain rights belonging to him. He may, however, obtain protection from the magistrate similar to that accorded to the person who is in possession of the dwelling.

Mr. Panton: Many spec. cottages have second mortgages upon them.

The MINISTER FOR RAILWAYS: Quite a number of cottages have been built on mortgage for speculative purposes. Where the terms of a mortgage are regular instalments, and the rate of interest is not fixed by the mortgage, or the instalments are expressed to be for principal only, and interest is stated not to be payable, instalments for the purposes of the order shall be deemed to include interest at such a rate as is assessed by the commissioner. There are many cases where a person is purchasing a home which is sold on the basis of no interest. The interest, however, has been

charged up and spread over the period of the purchase. If this is not stated in the mortgage, the magistrate may fix what he deems to be a reasonable rate of interest. The man who is able to pay, because he is not out of work, will pay that rate of interest, although he may not be able to pay the instalments. Any order or decision of the commissioner or judge shall be final and without appeal. We should not have litigation in a matter of this kind; indeed, litigation should not arise. The regulations under the Act will provide for reasonable notice being given to all parties, with a proviso to meet cases where it is impracticable to give such notices, which might affect the hearing of the case and the granting of such protection. If it is not practicable that the parties should receive notice, the magistrate may make provision for a notice which he considers satisfactory and may proceed with the case so that protection can be granted. The parties may make their own contract outside the Act, but if any contract has been made prior to the passing of the Act, upon application being lodged, and upon this being considered unreasonable or unfair, the commissioner may make an order notwithstanding any such contract.

Mr. Willcock: For what period may they do this?

The MINISTER FOR RAILWAYS: Only after the passing of the Act; I should say from the date of its enactment. I am not sure about the period. If the commissioner, on application being made by a person, is satisfied that someone has done something of a wilful nature in the direction mentioned here, by compelling a person to do an unreasonable thing, the commissioner should be in a position to right that wrong, whether within three months of the passing of the Act, or on the date of the commencement of the Act.

Mr. Willcock: There are hundreds of cases similar to the Kalgoorlie case you mentioned.

The MINISTER FOR RAILWAYS: I would not specify any date at all. I have left that to the discretion of the commissioner.

Mr. Willcock: Every mortgage which has become due during the last three months has carried an additional impost of from 1 per cent. to 1½ per cent.

The MINISTER FOR RAILWAYS: I should not be surprised. If the applicant

can satisfy the commissioner that he has been imposed upon in such a manner, the commissioner ought to be free to make the order he thinks fit. I have not, therefore, specified any period. This has been left to the discretion of the man who hears the case himself. This is better than to fix a definite time. If we make a starting point, someone is bound to be at the back of that starting point, although he is entitled to receive the same consideration as the man who has come in just a moment after. The matter should be left to the discretion of the commissioner, who will see that any wrong is righted. No costs are allowed for the granting or refusing of a protection order, or any application for a protection order. I am trying to keep costs down to the minimum. If a person is in distress, he has nothing with which to meet such costs. No costs should be charged. If any other question arises under the Act, and the parties approach the commissioner or judge, or any other court, the costs relating to such questions shall be at the discretion of the judge or commissioner. No fees are to be exacted for any act done or service performed under this Act by any Government department or officer. These are the main provisions and purposes of the Bill. The measure is limited to the 31st December, 1931, but a protection order may be granted to a time beyond that, but is not to operate after the 31st March, 1932. No doubt, now that the provisions of this measure are known to members, they will admit there is good reason for some of the retrospective clauses being included in it, for without these we could have done a considerable amount of harm instead of any good. When discussing the question of retrospective legislation, I want members to keep this in mind. Between the present time and the passing into law of this Bill would be a period when many mortgages were falling due, and when a number of landlords would be seeking to impose the force of law against their tenants who could not meet their obligations. It is necessary to have provisions of that kind. The matter is an urgent one. Once we are settled as to the principles it is necessary to embody in such a measure, I hope it will be viewed not from the standpoint of our positions in this Chamber, but from the standpoint of those to whom it is likely to bring relief. There are, unfortunately, many per-

sons who, even a few months ago, had no idea they would be forced to apply to their landlord or mortgagee for relief, but who to-day are in that position. I believe, although this Bill may become law, there will not be anything like the number of cases going to the court and receiving publicity, that there would be were it not for the power given under this measure whereby people can obtain redress. I hope this Bill will receive early consideration at the hands of members. I do not propose to proceed with the second reading to-night, but I hope between now and next week members will have an opportunity to discuss it, so that we can pass it through and send it to another place, and it can be brought into law as early as possible.

On motion by Mr. McCallum, debate adjourned.

BILL—STIPENDIARY MAGISTRATES.

Returned from the Council with an amendment.

BILL—STAMP ACT AMENDMENT (No. 2).

In Committee.

Resumed from the 12th November; Mr. Richardson in the Chair; the Minister for Lands in charge of the Bill.

Clause 2—Duty in respect to sweep tickets:

Mr. SLEEMAN: I move an amendment—

That in proposed Section 107A, Subsection 1, paragraph (a), after the word "and" the following words be inserted:—"for which a charge of more than 1s. is made, and"

This will mean that sweep tickets up to 1s. will not be taxable. Most of these sweeps will be for hospital or other charitable purposes. If 1s. tickets are taxed, people will not be willing to organise those sweeps that will require to be organised, especially for hospitals. A tax on a shilling ticket means making shilling sweeps for charity impossible.

The ATTORNEY GENERAL: I regret that I cannot accept the amendment, the effect of which would be to wipe out the whole Bill. Promoters of sweeps would issue

none but shilling tickets. It is just as easy to sell a person five 1s. tickets as one 5s. ticket.

Mr. Sleeman: That does not apply to sweeps run outside the State.

The ATTORNEY GENERAL: The Bill is not designed to touch only those sweeps. The amendment would render the measure absolutely useless.

Mr. SLEEMAN: If this is to be made a party question, the amendment can no doubt be defeated. The people who run sweeps for charity are doing work which should be done by the Government. If desired, the amendment can be restricted to sweeps for charitable purposes.

Mr. H. W. MANN: The hon. member's references to charity might bring support based on sentimental grounds. For the last eight or 10 years the race clubs have, through race meetings, given thousands of pounds to charity. Either the Bill is necessary, or it is not. If it is necessary, its efficacy should not be whittled away by reducing the price of tickets. That is a device which can be overcome by running two or more sweeps instead of one. The suggested amendment of the member for Leederville is reasonable, and I shall support it.

Amendment put and negatived.

Mr. SAMPSON: I move an amendment—

That in line 1 of paragraph (b) of Subsection 1 of the proposed Section 107A, after the word "by" there be inserted "stamps or."

The amendment would enable stamps to be added in the case of a small sweep. Not all sweeps are for large numbers of tickets. Under the amendment, if tickets were printed in Meekatharra or some other far distant town, there would be no need to submit them to the Treasury to have stamps impressed.

The ATTORNEY GENERAL: I do not like the amendment. An accurate check will have to be kept; and if people are to be entitled to impress stamps, the stamps might be put on at the wrong time. The measure will deal with large sweeps, not with tiddly-winking little church bazaars. By the use of an impressing machine the stamping of tickets can be done much better and more cheaply.

Mr. McCallum: Are you going to grant exemption to small sweeps?

The ATTORNEY GENERAL: Yes.

Amendment put and negatived.

Mr. PANTON: I move an amendment—

That the following be added to the definition of "sweep":—"provided the amount or value of such prizes exceeds £25."

The object of the amendment is obvious. The Attorney General has said he does not want to collect duty on small raffles, church bazaars and goose clubs. The limitation to £25 gives the Government an ample safeguard.

Mr. SAMPSON: I have an amendment dealing with this matter on the Notice Paper: "The term does not include any sweep, art union, raffle, lottery, or any other scheme or system for the winning of prizes conducted by any religious, charitable, or educational body or institution for its own purposes, provided that the tickets in connection therewith are sold and the drawing for prizes is held only at a fete, bazaar, or other function or entertainment of such body or institution, and the price charged for a ticket does not exceed 1s."

The CHAIRMAN: That amendment will have to come after the amendment of the member for Leederville.

Mr. SAMPSON: I take it that if the amendment of the member for Leederville is carried, mine cannot be considered.

The CHAIRMAN: I have the amendment of the member for Leederville before me. We cannot at present consider any other amendment.

Mr. SAMPSON: The granting of an exemption of as much as £25 would make serious inroads upon the revenue which otherwise would be produced by the tax.

Mr. Panton: It would be worth while to run a sweep for £25, would it not?

Mr. SAMPSON: In many sweeps the value of the prize does not exceed £25.

Mr. Panton: Little local affairs.

Mr. SAMPSON: Not necessarily. The amendment of the member for Leederville applies to sweeps for any purpose.

Mr. McCallum: You are trying to encourage bad habits amongst the churches.

Mr. SAMPSON: The proposed limit of £25 being unwarrantable, I shall vote against the amendment.

The ATTORNEY GENERAL: When on the second reading the member for Leederville pointed out the wide scope of the Bill, I think it was agreed that we did not want to touch the little things at all.

Mr. Sampson: That was not said on the second reading.

Mr. Panton: Yes, it was; that was the chief argument I put up.

The ATTORNEY GENERAL: The amendment the member for Swan has on the Notice Paper is of precisely the same nature as that before the Committee. The difference is that the one is contained in 13 words and the other in 13 lines. So I prefer this amendment. I have no fear that the revenue produced by the Bill will be materially affected by this £25 limit.

Mr. SAMPSON: The £25 face value by no means expresses the value of the tickets sold, which might easily be £100. If the value of the prizes is not to exceed £25, then the principle contained in the measure is thrust aside.

Amendment put and passed.

The ATTORNEY GENERAL: The member for Middle Swan has placed on the Notice Paper certain amendments. The principle embodied in them appeals to me as being correct, but the machinery provided in them is not quite adequate. So I have prepared other amendments to take their place. I move an amendment—

That at the end of Subsection 2 of the proposed new Section 107B the following be added:—"or security for such payment is given in the manner hereinafter provided."

Amendment put and passed.

The ATTORNEY GENERAL: I move an amendment—

That after "duty," in line 1 of Subsection 4 of proposed new Section 107B the following be inserted:—"or on security for such payment being given in the manner hereinafter provided."

Amendment put and passed.

The ATTORNEY GENERAL: I move an amendment—

That at the end of Subsection 4 of proposed new Section 107B the following be added:—"or that security for such payment as aforesaid has been given."

Amendment put and passed.

The ATTORNEY GENERAL: I move an amendment—

That after Section 5 of proposed new Section 107B the following subsection be inserted:—" (6) The Commissioner of Stamps may, on the application of the promoter of any sweep, in lieu of requiring immediate payment of the amount of duty assessed, require such promoter to enter into a bond with two approved sureties in the amount of duty assessed, such bond being

conditioned on the payment within seven days from the drawing of the sweep of the amount of duty so assessed."

Mr. PANTON: I suggest to the Attorney General that the word "seven days" be altered to "fourteen days." On the night a sweep is drawn a large number of unsold tickets will not have been returned, and probably the proposed period of seven days will not suffice for the return of all of them. So it would not be reasonable to claim tax at the end of seven days, although it might be reasonable after the lapse of 14 days.

The Attorney General: But some of the tickets will never come back. I occasionally have books of sweep tickets sent to me, and I invariably toss them into the waste-paper basket.

Mr. PANTON: If I promote a sweep of 50,000 tickets the Commissioner of Stamps will make me pay tax on 50,000 tickets; but surely if I return a number of unsold tickets he will not charge me tax on those?

The Attorney General: No, he would take the number of tickets that were in the draw.

Mr. PANTON: If that is so, it will be all right.

The Attorney General: Only the tickets in the draw will have to be accounted for to the Commissioner.

Mr. PANTON: There is nothing in the Bill to provide for that.

The Attorney General: It is purely a matter of evidence.

Mr. PANTON: Under the Bill the Commissioner must charge tax before the tickets are issued.

The Minister for Railways: And invariably he will stamp a greater number of tickets than will be sold.

Mr. PANTON: Yes. Every sweep promoter issues a larger number of tickets than he expects to sell. The Commissioner will stamp them all and apparently will allow a rebate for those that are returned.

The Attorney General: Those that have gone into the waste-paper basket cannot be returned.

Mr. PANTON: But thousands of tickets will come back, and surely the promoter is entitled to a rebate on those.

The Attorney General: Of course so.

Mr. PANTON: If the Minister is satisfied that the returned tickets will not be charged for, I have nothing more to say.

The ATTORNEY GENERAL: I am quite satisfied of that. When application

is made for a rebate of the tax on any tickets not sold, the Commissioner must get the best available evidence of their not having been sold. There could be no better evidence than that they were not in the draw. It will be easy to show how many tickets went into the draw, and the Commissioner will allow a rebate for the difference.

Mr. Kenneally: Could it not be managed by the promoter swearing a declaration?

The ATTORNEY GENERAL: We can safely leave the machinery part of it to the Commissioner.

Mr. Kenneally: Are there provisions in the Act for the issuing of the regulations?

The ATTORNEY GENERAL: None whatever. It is purely a matter of evidence to be adduced. The Commissioner, although grasping, is reasonably sensible and he will take evidence that will satisfy any person who has money in the sweep.

Mr. HEGNEY: The explanation of the Attorney General regarding the two proposed subclauses is satisfactory, but I think the wording could be improved. The first subclause refers to the payment of the amount of duty assessed. The duty would be assessed by the Commissioner of Stamps on the figures being taken to him. The promoter of the sweep could return the figures included in the barrel. If it could be done that way, it would be all right. There is another way to get over the difficulty. We know that an audited statement of a consultation has to be submitted to the Commissioner of Police and from that statement it is possible to assess the amount that would be due. It is not incumbent on the promoter, however, to return unsold tickets. We know that many tickets are sent throughout the country and are not returned, and if the clause remains as it is, and the Commissioner of Stamps enforces it, it will be necessary to return all the unsold tickets or pay the tax.

Mr. H. W. MANN: There is no doubt about the intention of the Attorney General, but I remind him that he will not always be the Attorney General.

Mr. Raphael: Are you satisfied that you are going out at the next election?

Mr. H. W. MANN: You ought to be out now. I have in mind how exact officials are, and it does occur to me that the officials dealing with these matters may demand a return of the stamped tickets before mak-

ing a refund. The Attorney General might make some provision to meet that position.

The Attorney General: I can make provision for that in the next proposed subclause.

Amendment put and passed.

The ATTORNEY GENERAL: I move an amendment—

That the following subsection, to stand as Subsection 7 of proposed new Section 107B, be inserted:—“(7) In the event of any tickets which shall have been duly stamped as aforesaid not being sold, a refund in cash or a rebate of the amount of duty paid or payable in respect of such tickets may be made by the Commissioner, and in such case Section 15 shall not apply.”

To meet the position raised by several members, I intend to add these words to the subclause—“the number of tickets included in the draw shall be deemed to be the number sold.”

Mr. Panton: Does not “may” in the subclause mean “shall”?

The ATTORNEY GENERAL: Yes, I will alter it to “shall.”

Hon. W. D. Johnson: The last line of the subclause refers merely to Section 15. Should it not refer to Section 15 of some Act?

The ATTORNEY GENERAL: Yes, the principal Act. I can add those words.

Mr. KENNEALLY: After the word “shall,” that the Attorney General has agreed to substitute for “may,” we should also add “on application” so that the line will read—“shall on application be made by the Commissioner, etc.”

The Attorney General: I have no objection to that.

Mr. Parker: It should be “on application in writing.”

Mr. KENNEALLY: Very well. Will the Attorney General agree to add the words “in writing”?

The Minister for Railways: All that can be done by regulation.

Mr. KENNEALLY: You cannot by regulation legislate, and that would be legislating by regulation. The Attorney General, I know, will inform the Minister for Railways in his quieter moments that he is not prepared to subscribe to the idea of legislation by regulation.

The Minister for Railways: But in this case regulations are provided for in the principal Act.

The ATTORNEY GENERAL: There should be a time limit, otherwise an individual might come along years after and ask for a rebate. The whole matter wants to be cleaned up immediately after a sweep has been drawn.

Mr. Kenneally: Let us make it seven days.

The ATTORNEY GENERAL: I think it had better be made 30 days.

The CHAIRMAN: The amendment, as I shall put it to the Committee, will now read—

In the event of any tickets which shall have been duly stamped as aforesaid not being sold, a refund in cash or a rebate of the amount of duty paid or payable in respect of such tickets shall on application within 30 days of the drawing of the sweep, be made by the Commissioner, and in such case Section 15 of the principal Act shall not apply. The number of tickets included in the draw shall be deemed to be the number sold.

Mr. WITHERS: Will not the amendment conflict with the earlier part of the provision? I should think that when an individual paid the duty to the Commissioner of Stamps, he would enter a claim on account of the unsold tickets.

The Minister for Railways: He would not know how many tickets had been sold until the draw and he would have to pay the tax before that.

The Attorney General: At any rate, a man might prefer to get some cash.

Mr. HEGNEY: The latter part of the provision suggested by the Attorney General should receive consideration because it may lend itself to abuse unless the Commissioner of Stamps has an audited statement showing the actual position of the sweep.

The ATTORNEY GENERAL: I do not think it would be necessary to make the additional provision suggested by the hon. member. The Commissioner of Stamps will demand proper proof.

Amendment, as amended, put and passed.

Mr. HEGNEY: I move—

That a new subsection be added, as follows:—“On payment or provision for payment of such duty, all actions and things done bona fide and incidental to the promoting of such sweep and the disposal of tickets therein shall be exempt from the provisions of Section 212 of the Criminal Code, 1913, and the provisions of the Police Act Amendment Act, 1933, No. 1.”

When a promoter of a sweep has received permission to run it and arrangements have been made for police supervision, the Criminal Code should not apply. There have been instances where it has applied. In the Bill dealing with winning bets, this phase has been taken into consideration and is dealt with in Clause 9. As we are practically legalising sweeps, in that we are imposing a tax on the tickets, the promoters should be granted the exemption I suggest.

Sitting suspended from 6.15 to 7.30 p.m.

The ATTORNEY GENERAL: I cannot accept the amendment. In effect it would mean the repeal of Section 212 of the Criminal Code and of the Police Act Amendment Act. For under the Bill there is no power in the Commissioner of Stamps to refuse to stamp tickets and receive payment or security for payment for them. The net result of the amendment would be that any person, however undeserving, who proposed to run a sweep to fill his own pocket could march along with the tickets, get them stamped and then carry on his sweep. I do not believe any member desires to give a person an opportunity to run a sweep as a means of earning a living.

Mr. Withers: They are becoming pretty popular again in the streets just now.

The ATTORNEY GENERAL: Maybe, but the hon. member does not desire to see anybody running a sweep for any object, including his own pocket, that he chooses. The whole question of the control of gambling is a most difficult one. Our present system is full of inconsistencies and hypocrisies.

Hon. W. D. Johnson: We are taxing an illegal operation.

The ATTORNEY GENERAL: I agree. I object to it, but we have been doing it for years. The Government intend at the earliest opportunity to go into the whole matter and try to put it on a more honest basis than it is at present.

Mr. Sleeman: To run one big lottery?

The ATTORNEY GENERAL: What the Government will do I do not know, but it has been determined to go into the whole question.

Hon. W. D. Johnson: Governments have been promising that for 30 years.

The ATTORNEY GENERAL: We have certainly determined to go into the whole matter and endeavour to achieve something more honest and less hypocritical than the present system. But I cannot possibly accept the amendment, for it would serve to legalise all lotteries by whomsoever they might be run.

Amendment put and negatived.

Mr. SLEEMAN: The next proposed new section is Section 107C. I want to enter a protest against paragraphs (a) and (b) of Subsection 1. Under these two provisions any policeman could say to any citizen, "I believe you have a sweep ticket in your possession. Fork it out quick and lively." Then the onus is on the citizen to prove that he has not such a ticket.

Mr. Parker: They do that in respect of a railway ticket.

Mr. SLEEMAN: I am surprised that the hon. member should not know the difference between a railway ticket and a sweep ticket. I hope the Attorney General will not insist on these two paragraphs going in.

Mr. PANTON: I agree with the member for Fremantle that this is carrying legislation a little too far. It is proposed not only to give a policeman such a right, but also to give to any officer authorised by the Commissioner of Stamps the same right to hold up a man believed to have a sweep ticket. With sweeps semi-legalised under the Bill, there will be just as many if not more people selling sweep tickets in the street as there are at present. And if a person be seen talking to one of those sellers of sweep tickets, some officious officer will tap him on the shoulder and say, "I believe you have purchased a ticket reasonably believed to be unstamped."

The Attorney General: Then what happens?

Mr. PANTON: It all depends on the temperament of the accosted man. If when accosted I happened to be in a good humour, probably I would turn out my pockets and show I had no ticket; if I were in a bad mood, I do not know what I might say or do. I have no very strong objection to paragraph (a), which applies to the seller of sweep tickets, but I do strongly object to paragraph (b) which refers to the purchaser of such a ticket. Some of the authorised officers might be pretty officious, and so cause a lot of trouble in the streets. It is for the person promoting a sweep to see to

it that the tickets are stamped. That is all right, but we should not lay the same responsibility upon the purchaser of a ticket. I trust the Attorney General will agree to delete these two paragraphs, for he has ample protection without them.

Mr. H. W. MANN: It seems to me that paragraphs (a) and (c) give the Attorney General all the power he requires. I agree with the member for Leederville that the onus of having the tickets stamped should be on the seller of the tickets. I can picture the Attorney General, if an officer were to bail him up in the street and search him to see if he had an unstamped ticket. It is an irritating provision without being of much assistance. Paragraphs (a) and (c) give the Attorney General all the power he requires to administer the Act.

The Attorney General: Thank God I haven't got to do it yet.

Mr. H. W. MANN: But the Attorney General will have to do it. I ask him to reconsider paragraph (b) with a view to its deletion.

Mr. PANTON: I move an amendment—

That paragraph (b) of Subsection 1 of proposed new Section 107C be struck out.

The ATTORNEY GENERAL: It did not occur to me that this was a very harassing provision. It does give power to a policeman or to an authorised officer, to ask a person to produce a ticket. More or less I agree with the member for Fremantle in objecting to any more powers than are necessary being given over individuals.

Mr. Sleeman: Yes, we give you credit for that.

The ATTORNEY GENERAL: I do not want it. I might get into bad repute if it were too widely known that I agreed with the member for Fremantle on anything. I dislike any more interference with the rights of an individual than is necessary. The paragraph, although useful, is not necessary and I agree to its deletion.

Amendment put and passed.

Mr. PANTON: I move an amendment—

That paragraph (b) of the proposed new Section 107E be struck out.

I hope the Attorney General will go the rest of the way.

The Attorney General: Very well.

Amendment put and passed.

Mr. SAMPSON: I move an amendment—

That the following be added to the proposed new Section 107E:—“(c) who within 30 days of the drawing of a sweep fails to present to the Treasurer a duly audited balance-sheet showing the details of the sweep.”

At present many sweeps are conducted, but the public have little or no protection regarding the expenses or the disposition of the funds. It would be helpful if a balance sheet were required.

Mr. Panton: A balance sheet has to be presented now as one of the conditions of receiving a permit.

Mr. H. W. MANN: I deny the inference of the member for Swan that many sweeps are open to fraud. Before any sweep can be conducted, the permission of the Commissioner of Police must be secured, and subsequently a balance sheet must be submitted to him. No organisation can obtain permission to run a sweep unless the request is made by a person in authority. I do not wish it to go out to the public that sweeps are open to fraud. They are promoted for good objects and conducted under strict control.

Hon. W. D. Johnson: Under what authority does the Commissioner of Police require a balance sheet?

Mr. Panton: Under the same authority as he grants permits—none.

Mr. H. W. MANN: During the war and since the war, Governments have recognised the necessity for allowing gambling under control. It is easier to raise money by way of sweeps than by any other means.

Mr. Sampson: On a point of order, this is not a Bill to legalise lotteries.

The Attorney General: It is that fact which makes your amendment objectionable.

The CHAIRMAN: The member for Perth may proceed.

Mr. H. W. MANN: The amendment is quite unnecessary.

Mr. HEGNEY: I oppose the amendment because the promoter of a sweep is granted permission to conduct it only on undertaking to submit a balance sheet to the Commissioner of Police. The period of 30 days would be insufficient, because a fair amount of advertising has often to be done in the country and the accounts might not be received for a couple of months. The Midland Trades Hall ran a sweep and there is an unclaimed prize of £10. We have been

advertising for a fortnight for the holder of that ticket, and we cannot finalise the accounts until the matter is settled.

Mr. MILLINGTON: The suggestion that sweeps have been loosely run is erroneous. I had something to do with the granting of permits and I know that drastic restrictions were imposed. The Commissioner of Police granted permission to run sweeps provided the promoters complied with certain conditions. If, during the running of a sweep, the conditions were infringed, the permit was withdrawn. No law is required because the permit is granted as a favour. If we made legal provision, no stricter measures of control could be devised than those enforced at present. More than a month might be required in which to produce a balance sheet, but the Commissioner insists upon one being provided within reasonable time.

Mr. SAMPSON: I ask leave to make the amendment read "three months." The passing of the amendment would inspire greater confidence amongst the public. I do not specially advocate the running of sweeps, but, if they are conducted, the greatest possible security should be afforded to the public. No one can object to the presentation of a balance sheet within three months after the holding of a sweep.

The CHAIRMAN: By leave of the Committee I will alter the amendment as requested.

Hon. W. D. JOHNSON: I do not at all like this Bill.

Mr. Panton: Neither do we, but we are doing the best we can with it.

Hon. W. D. JOHNSON: In the past the Commissioner of Police has exercised his discretion, with the approval of successive Governments, with regard to allowing certain sweeps to be conducted under conditions laid down by him. Parliament is now altering that. Sweeps will be run as outlined by the Bill.

The Attorney General: The Bill does not outline how sweeps shall be run.

Hon. W. D. JOHNSON: It gives directions. For the future, sweeps will be different from those which have been conducted in the past.

The Attorney General: Not because of this Bill.

Hon. W. D. JOHNSON: It will permit the collection by the Government of certain revenue, because certain individuals are to be allowed to conduct legalised sweeps.

The Attorney General: The Bill does not say so.

Hon. W. D. JOHNSON: The Commissioner of Police at present has no directions from Parliament in this matter. These sweeps are now to be recognised by Parliament to the extent that we are to raise money by them. If we are going to tax the proceeds of sweeps by placing an impost on the tickets sold, and the Government are going to call upon the promoter to give evidence as to the number of tickets sold, and the collections are based upon that, some finalisation of the matter should be submitted to the Government. It is essential that the Commissioner of Taxation should be able thoroughly to check the expenditure and the revenue. The Bill should provide that the Government through their officers shall have some knowledge of the ultimate realisation of every sweep.

Mr. WITHERS: I do not know what sort of a Bill we are going to send to another place if we continue to move amendments in this way. The Attorney General has inserted certain words indicating that the Commissioner of Taxation shall accept the drawing of a sweep under certain conditions upon the bona fides of the individuals running it being established. A period of 30 days is allowed in that case. Now we have a suggestion that within three months a balance sheet shall be sent to the Treasury. This may conflict with what has already been done. I oppose this last amendment.

Mr. PARKER: I oppose the amendment, because I do not like legalising sweeps. There is a general impression that the Commissioner of Police authorises and permits sweeps. All he does is to ensure that, provided the promoters do certain things, his officers will take no action.

Hon. W. D. JOHNSON: He keeps the dogs off.

Mr. PARKER: Other dogs may come along if they like. The amendment suggests that the Treasury shall receive a balance sheet and will scrutinise it. Such a document is entirely useless unless it is audited. What is the good of the Government going to the expense of auditing all these balance sheets?

Mr. Millington: It would be an audited balance sheet.

Mr. PARKER: If a sweep has not been properly conducted, not much difficulty will be experienced in getting the

balance sheet audited. I am opposed to the attempt that is being made to legalise sweeps; in other words, to hoodwink the public. We shall be hoodwinking the public if we say that all balance sheets are going into the Treasury. A balance sheet is not a hallmark of the honesty of the promoter.

Hon. W. D. Johnson: Is not the impressed stamp on a ticket a hall-mark of its honesty?

Mr. PARKER: Is an impressed stamp on a promissory note a hallmark that it will be met?

The ATTORNEY GENERAL: I should imagine that the amendment is outside the scope of the Bill. This is a Bill for the imposition of stamp duties on sweep tickets, and not one for the regulation of the conduct of sweeps. The amendment of the member for Swan is irrelevant to the subject matter of the Bill. I must ask the Committee not to make any effort under this measure to regulate the conduct of sweeps. If we want to regularise these things, we must do so under another measure. The holding of a sweep is permitted only if the promoters observe certain formalities, and one of these is the presentation of a proper balance sheet. This is purely a taxation measure.

Mr. SAMPSON: The public should be protected, and their confidence should be established.

Mr. Parker: This is to protect the public purse.

Mr. SAMPSON: We will do that if we give the public confidence, but they will not get it without the safeguards I suggest. The Treasury should have an opportunity to see that everything has been carried out on fair and equitable lines.

Amendment put and negatived.

Mr. SAMPSON: I move an amendment—

That a new subsection be added to stand as Subsection (e), as follows:—"Who diverts from the object or objects as specified on the sweep tickets the fund so raised thereby."

The intention of this amendment is to ensure that the funds which are raised for the purpose set out on the tickets shall not be diverted to any other purpose.

Mr. Corboy: If the previous amendment was out of order, surely this is.

The Minister for Lands: Surely, Mr. Chairman, this amendment is irrelevant to the subject matter of the Bill.

The CHAIRMAN: It is irrelevant to the subject matter of the Bill, and I cannot accept it.

Mr. MUNSIE: I want an explanation of proposed Section 107f. The object of the section is to compel people who sell Tattersall's or Golden Casket tickets here to stamp the receipts they give for the moneys they receive. If it is possible for the State to obtain revenue in that way, we have a perfect right to get it. However, the proposed method will not succeed. The other day I received from Tasmania a card measuring 18 inches by 10 inches, stating the number of sweeps conducted by Tattersall's, the total amount of money paid in prizes, the total amount of money paid to the Government, and the total of unclaimed money. At the bottom of the card was a list of 14 or 15 agents in Tasmania to whom any person in this State could apply for sweep tickets. If the proposed tax is put on, the people who now pay 6s. 4d. for a ticket to an agent here, will write to one of those Tasmanian agents and obtain a ticket for 6s. 3d., thus avoiding the tax, which I estimate will be, not 6d., but 9d.

The Attorney General: Have you any suggestion for catching those people?

Mr. MUNSIE: I have not. The Government ought to have had courage enough to bring down a Bill to run sweeps themselves. At present Tattersall's agents here receive a commission of 3d. per ticket. This provision would add a further 9d. to that commission; and certainly people will not pay the additional amount when by writing to the agents of Tattersall's in Tasmania they can save that 9d., or rather 10d.

Mr. Parker: If the State Government informed the Postmaster General about those agents in Tasmania, would they not be barred?

Mr. MUNSIE: For eight or ten years after Federation there was an absolute bar to communicating with Tattersall's through the post office. Nevertheless, during those years many thousands of people sent money for sweep tickets to Tattersall's agents in Tasmania. That system has ceased since the ban on Tattersall's has been lifted. Apart from Tattersall's Tasmanian agents, a resident of this State can obtain Tattersall's tickets from a friend in any other

State. In Western Australia to-day there are probably 500 persons making a living by acting as agents for Tattersall's.

Mr. H. W. Mann: What means did you have of stopping those agents when you were proposing State lotteries?

Mr. MUNSIE: I proposed to make illegal every lottery except the State lottery. Agents for other lotteries would have been prosecuted. If the Government want money, let them introduce State lotteries, and deduct 15 per cent. of the total proceeds. They already take 12½ per cent. from the totalisator.

The ATTORNEY GENERAL: The hon. member has far too much respect for the intelligence of gamblers. I do not think they are a bit too foolish to pay the extra 9d. I am convinced that scores of thousands of them will pay the extra 9d. if they have to. I am informed that out of the 6s. 4d. put in by the Western Australian punter, 3s. 6d. goes into the pool, the rest being extracted by various agents, Governments, and the heirs of George Adams.

Mr. Munsie: That information is not correct.

The ATTORNEY GENERAL: With so much to come and go on, I wonder whether the local agent will not be able to arrange a slight alteration in the commission. Even if the hon. member's prophecy is correct, the Government will have a try. We may not get anything out of this, but I think it will be agreed that the object is laudable.

Mr. Munsie: No. It would be laudable if you started a sweep yourselves.

The ATTORNEY GENERAL: Perhaps the scheme will not work out as we hope.

Mr. Corboy: Your own speech tells people that you hope they will pay, but that you do not know how to make them pay.

The ATTORNEY GENERAL: The man who wants a ticket in Tattersall's will not remember what the poor Attorney General said. Will the man wanting a ticket write a letter to Hobart, buy a postal order, and despatch the communication? I do not think so. No new scheme of taxation ever works out exactly as anticipated. I think the Government will catch quite a lot of money by this scheme. I shall be glad of suggestions for perfecting it. The Committee need not delay longer over a matter which is not objectionable.

Clause, as amended, put and passed.

Clause 3—Amendment of Second Schedule:

Mr. SLEEMAN: I agree with the member for Hannans that under Clause 2 buyers of tickets will have to pay an additional 9d., and that it would have been much better if the Government had brought down a Bill to institute State lotteries. Western Australians ought not to send their money out of the State for sweep tickets, but those who do so should not be penalised to the extent of 9d. on every ticket. I move an amendment—

That in subparagraph (ii) of paragraph (b) the words "and threepence for every two shillings and sixpence or part thereof by which the price exceeds two shillings and sixpence" be struck out, and "sixpence for every ticket over two shillings and sixpence" inserted in lieu.

The Minister for Lands: What about £1 sweep tickets?

Mr. SLEEMAN: I understand there is only one such sweep annually.

The Minister for Lands: What about 10s. tickets?

Mr. SLEEMAN: How many of those are there?

The Minister for Lands: They are common now.

Mr. SLEEMAN: There is only one £1 sweep, on the Melbourne Cup. As the Attorney General is in a reasonable frame of mind this evening, he will agree that the people who want to purchase a ticket outside the State should not be penalised to the extent of 9d. Of course I would like to stop those people pursuing that course altogether, and would do so if we had a lottery in Western Australia. Men who want a ticket in a sweep will get it, even if they have to send their money to Calcutta.

Mr. H. W. Mann: Let us get something from this tax.

Mr. SLEEMAN: If we make it too much, we will use the lot.

The ATTORNEY GENERAL: The object of the hon. member is to make the tax less than is suggested in the Bill.

Mr. Sleeman: There is some doubt as to whether the tax will be 6d. or 9d.

Mr. H. W. Mann: But your amendment will make it 6d.

The ATTORNEY GENERAL: The price paid for the ticket on a 5s. sweep run by Tattersall's is 6s. 4d. and on that the tax

will be 9d. After all, this is a matter for the Government to decide and I think we should take a risk and retain the tax of 9d.

Mr. SLEEMAN: Until the Government are prepared to introduce a Bill to authorise the running of a lottery in Western Australia, we should not penalise people who wish to buy a ticket in Tattersall's sweep.

The Minister for Lands: You know it is useless to introduce such a Bill, because we could not get it through.

Mr. PANTON: It is not often that I disagree with the member for Fremantle, but I do so on this occasion, and I am surprised at his attitude, seeing that he is such a strong supporter of local industry. As such, he should make it as prohibitive as possible for people to take tickets in sweeps outside the State. If that were done, we would probably get more support for the sweeps run by the Children's Hospital and the Ugly Men's Association.

Mr. SLEEMAN: One would think from the utterances of the member for Leederville that we will have sweeps run here in a wholesale manner. One would think that we were to have one every week in the year.

Mr. Panton: I think we will.

Mr. SLEEMAN: I do not think that will happen, nor do I think the Government will give permission for more than a reasonable number of sweeps to be run in a year. I give way to no other member in my support of local industry, but until such times as we have a lottery run within the State, we should not penalise people who take a ticket in Tattersall's sweep.

Mr. MUNSIE: I cannot support the amendment. I believe that between £40,000 and £50,000 is sent annually from Western Australia to Tattersalls. Of that amount, I do not suppose more than £500 is represented by single tickets taken by individuals. Usually, tickets are procured by syndicates of a few people, who take tickets weekly throughout the year.

Mr. Angelo: Nearly every office staff runs a syndicate.

Mr. MUNSIE: If the Bill is agreed to, in all probability one of those participating in the syndicate will write to Tattersall's direct and thus save the 9d. on each ticket. If the amendment be agreed to, a tax of 6d. would apply to the £1 tickets on the Melbourne Cup and to the 10s. tickets

on the Sydney Cup. I do not think that would be right.

Mr. SLEEMAN: In view of the evident feeling of the Committee, I shall not work any more on behalf of the Government to secure more revenue. I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

Clause put and passed.

Mr. HEGNEY: Can the Attorney General give us any intimation as to when the Bill will become operative? If it will apply to the sweeps at present being run locally, I shall move an amendment making the Bill operative as from the 1st January, 1931.

Mr. Munsie: I think we have wasted enough time over the Bill now, because it will go out through the window in the Upper House.

The ATTORNEY GENERAL: I do not think it will. The intention is not to make the Bill applicable to the present sweeps, and I will see that they are not affected.

Title—agreed to.

Bill reported with amendments.

BILL—TRAFFIC ACT AMENDMENT.

Council's Amendments.

Schedule of 19 amendments made by the Council now considered.

In Committee.

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

No. 1: Clause 4, Subclause (1).—Before the word "subject," at the commencement of Subclause (1), insert, "Until the 30th day of June, 1932, but."

The MINISTER FOR WORKS: I move—

That the amendment be not agreed to.

When I introduced the Bill, I said it represented experimental legislation and that the measure would have to be amended in the future. If the amendment be agreed to, and the Bill is not amended next year, it will lapse. The Bill may not have been operating long enough to enable us to ascertain what amendments are required. The reason why "June" is inserted is because the

licenses will expire on the 30th June. If we do not re-affirm this legislation next session the Act will expire before the following session.

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

No. 2. Clause 4, Subclause 1. Strike out the words "domestic requirements" in line 24 and insert "articles of domestic use or requirements."

The MINISTER FOR WORKS: This is not very important. I move—

That the amendment be agreed to.

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

No. 3. Clause 4, Paragraph (a). Strike out the words "timber mills" in line 3 and insert "forests":

The MINISTER FOR WORKS: An amendment by the member for Nelson in this House was responsible for the insertion of the words "timber mills." I felt that the phrase was not quite the right one, but at the moment I could not improve upon it. I have since had the amendment properly drafted, and it was at my instance that it was inserted by the Council. I move—

That the amendment be agreed to.

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

No. 4. Clause 4, Paragraph (a). Strike out the words "timber mill" in line 4, and after the word "requisite" in the same line insert "or requisites for the production of timber."

The MINISTER FOR WORKS: This and the next amendment are consequential upon No. 3. I move—

That the amendment be agreed to.

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

No. 5. Clause 4, Paragraph (a). Strike out the words "timber mill" in lines 5 and 6 and insert the word "forest."

The MINISTER FOR WORKS: I move—

That the amendment be agreed to.

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

No. 6. Clause 4.—Insert a new paragraph to stand as paragraph (b), as follows:—(b) For carrying grain in a vehicle owned by the producer of such grain to a flour mill for the purpose of being gristed, milled, or treated, and carrying from such mill, flour, meal, bran, pollard, or 'offal received in exchange for such grain for use on the farm where the grain was produced.

The MINISTER FOR WORKS: I agree to this. I move—

That the amendment be agreed to.

Hon. W. D. JOHNSON: Why should we agree to this? It is to encourage farmers to use motor trucks for carting their grain to the mill and carting the grist back again. Very few farmers are in a position to do that; only those within striking distance of a mill. They are very few in number and I do not know that we should legislate specially for them. Those who are within short distance of a flour mill should not use motor trucks, an uneconomic proposition, for carting their grain to the mill, but should use teams instead.

The MINISTER FOR WORKS: The amendment is not very important. Only a few farmers require the exemption here provided. Still there are a few, one of whom has written to me on this very subject, asking permission to cart his grain to the mill per motor truck. The amendment has been made by the Council, and it is not of sufficient importance to be worth combating. It cannot make much difference.

Hon. W. D. JOHNSON: In those circumstances I ask the Committee to reject the amendment. It is conveying to the general public the belief that we are always granting special concessions to the farmers. This concession is not worth the bad repute into which it will bring us.

Mr. Willcock: Quite a number of farmers will be affected.

Hon. W. D. JOHNSON: I want to see the farmer get every legitimate consideration, but I hate giving him special concessions which, after all, are not worth much to him. This can affect only a few farmers within a short distance of flour mills.

Mr. PIESSE: I do not agree with the hon. member when he says this will affect only a few farmers. If the amendment be not agreed to, inconvenience and even hard-

ship will be entailed upon many farmers who have their wheat gristed at the nearest mill in small quantities of less than two tons. Without this amendment they will have to rail their wheat to the mill and have the flour returned in the same way.

Mr. BROWN: I will support the amendment, although there is not much in it. Our nearest mill is at Narrogin, 32 miles away. The farmers have to bring in their wheat by truck to the railway station and put it on the rails, whereas many of them could run their wheat straight to Narrogin. And I can say that quite 60 per cent. of the wheat carted to the railway station is carted by motor truck.

Hon. W. D. Johnson: Yet that is the most poverty stricken part of the State!

Mr. BROWN: It has produced some pretty good men, anyhow. However, this amendment is not of very much consequence, and possibly not many will avail themselves of it. Still, it would be just as well to accept it. We require to encourage the farmers to make their own bread, and so it is better for them to have as much gristing done as possible.

Mr. WITHERS: Judging from the remarks of previous speakers, the amendment will not be of great advantage to the farmers. How can the Minister hope to police all the conditions prescribed in the amendment?

The Minister for Works: The farmers are all honest.

Mr. WITHERS: All people are when it suits them. The Minister is prepared to grant exemptions, where justified, and that should be sufficient.

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

No. 7: Clause 4, paragraph (b).—Delete all words after "carrying" in line 7, and insert the following: "livestock, poultry, fruit, vegetables, dairy produce or other perishable commodities from the place where they are produced to any other place, and for carrying on the return journey any farmers' requisites for domestic use or for use in producing the commodities named herein and not intended for sale."

The MINISTER FOR WORKS: Although this amendment sounds impressive, only three words have been altered, namely

"livestock," "poultry" and "perishables." I move—

That the amendment be agreed to.

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

No. 8: Clause 4.—Delete the word "solely" at commencement of paragraph (c), and insert "principally."

The MINISTER FOR WORKS: A mine owner might use a truck for the cartage of ore and while it might not be used solely, it might be used principally for that purpose. The amendment will not increase any privilege, because the ore must be carted to the nearest station or town. I move—

That the amendment be agreed to.

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

No. 9: Clause 4.—Delete the word "solely" at commencement of paragraph (d), and insert the word "principally."

On motion by the Minister for Works, the foregoing amendment was agreed to.

No. 10: Clause 4.—Insert a new subclause to stand as Subclause (8), as follows:—(8) For the purposes of this section, subject as in this section previously provided, the term "goods" means chattels of every kind capable of physical transport, but does not include live animals or chattels when the same are being conveyed to or from agricultural shows for show purposes.

The MINISTER FOR WORKS: This will make the position clearer. I move—

That the amendment be agreed to.

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

No. 11: Clause 5.—Before the word "A" at the commencement of the clause insert the words "Subject to Section 10a."

The MINISTER FOR WORKS: This, too, will make the position clearer. I move—

That the amendment be agreed to.

Hon. W. D. JOHNSON: Before you put the amendment, Mr. Chairman, I want to understand it. It is all very well for you and the Minister to be satisfied with it, but I want to be satisfied also.

The CHAIRMAN: The hon. member should be on his feet to discuss it, if he so desires, and must not criticise the Chair.

Hon. W. D. JOHNSON: I want to understand what is passing between you and the Minister. I could not hear, and I demand my right to know what is taking place so that I might understand, just as you and the Minister understand.

The MINISTER FOR WORKS: I am informed that this amendment will make the matter clearer.

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

No. 12: Clause 5.—Before the word "In" at the commencement of Part 2 of the Schedule, insert the words "Subject to section 10a."

On motion by the Minister for Works, the foregoing amendment was agreed to.

No. 13: Clause 7.—Add a paragraph to stand as paragraph (e), as follows:—(e) by deleting the words "that portion of Railway Road abutting on the Karrakatta Cemetery" from paragraph (b) of Subsection (2).

The MINISTER FOR WORKS: Under the original Act, the money paid into the Metropolitan Traffic Trust Account is divided in the manner prescribed in the Act. Certain roads are proclaimed as Class A roads, and this is one of them, and money is provided out of the fund to maintain those roads. Then there is a deduction out of which local authorities are paid £8 per chain to keep certain roads in repair. All we can do with the mile of road running past the Karrakatta Cemetery is to keep it in repair. The section of the road in the Subiaco municipality, on which £8 per chain has been paid, has been widened, but the Main Roads Board cannot widen the portion near the cemetery.

The Minister for Railways: The local authority could.

The MINISTER FOR WORKS: But the local authority cannot touch a road which is under the Main Roads Board, and the Main Roads Board cannot undertake the widening unless money were borrowed for the purpose. It is proposed to place this mile of road under the Claremont Road Board and pay the board £8 per chain to widen and maintain it.

Mr. Willcock: That is on the bus route to Fremantle.

The MINISTER FOR WORKS: Yes. If this amendment be agreed to, the Claremont Road Board will receive £640 a year for the work. It is an important road.

Mr. Willcock: And a dangerous road, too.

The MINISTER FOR WORKS: Yes, on account of its being so narrow.

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

No. 14: Clause 13, Subclause (1).—Insert at the commencement of second and third paragraphs, lines 27 and 31, the words "as from and including the first day of January, 1931."

The MINISTER FOR WORKS: This will bring about the licensing of trailers as from the 1st January, 1931. I move—

That the amendment be agreed to.

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

No. 15: Insert a new clause as follows:—

The principal Act is amended by inserting after Section 18, new sections as follows:—

Provision for registration of licensed vehicles.

18A. (1.) Every licensing authority shall keep a register of vehicle licenses, and enter therein as prescribed particulars of every vehicle license issued by such authority; and shall upon payment of the prescribed fee issue to every applicant for a vehicle license a certificate of such registration of such license.

(2) A certificate of registration shall have effect only whilst the license in respect of which it is issued remains in operation.

(3) Every owner of a licensed vehicle shall at all times whilst the license for such vehicle remains in operation affix and keep affixed to the vehicle the certificate of registration issued to him under this section by such means in such manner and in such place in the vehicle as may be prescribed.

Offences.

18B. Any person who drives or causes or permits to be driven upon any road a vehicle—

- (a) not having the proper certificate of registration as required by section eighteen A of this Act, affixed thereto; or
- (b) not having such certificate of registration properly affixed thereto; or
- (c) having such certificate of registration obscured so that the same is not clearly visible; or
- (d) having such certificate of registration obliterated by any material; or
- (e) having such certificate of registration so damaged that the same is not completely and distinctly visible,

shall be guilty of an offence under this Act.

Penalty: Twenty pounds.

The MINISTER FOR WORKS: I had this amendment made in another place because the necessary power was lacking. In nearly every country the license is displayed in a disc attached to the vehicle. The discs I produce are from South Australia, one for a truck, another having a spring for a cycle, and the third for attachment to the windscreen of a car. We have arranged for the manufacture of similar discs locally.

Mr. Raphael: Will they be given away?

The MINISTER FOR WORKS: Not to members of Parliament. The Government will enter into a contract for the manufacture of the discs, which will then be sold to the public. I hope that after the 1st January we shall be able to provide that the owner of a motor vehicle must purchase one of these window-screen licenses, which will be of a different colour each year. The police or the local authorities will then be able to see at a glance that the vehicle has been licensed for the current year. I move—

That the amendment be agreed to.

Mr. MUNSIE: I suppose the owner of a motor car will have to pay his license fee each year just the same?

The Minister for Works: Yes.

Mr. MUNSIE: The Minister has not told us what the price of these discs will be. We should not pass anything that savours of an extra tax upon the people unless we know what that will amount to.

The MINISTER FOR WORKS: We shall sell these discs to the owners of motor vehicles, and they will then become their property. As we are arranging to make a contract for the supply of these articles, we shall be able to sell them at 1s. 6d. each.

Mr. WILLCOCK: I can hardly agree to the inclusion of some of the paragraphs in 18B. A person may be haled before the bench and fined £20 for some trivial offence. Country inspectors employed by local authorities often try to justify their jobs by launching prosecutions. For an offence under this clause they will be able to ask that a penalty of £20 be imposed. They can take proceedings if the license on the windscreen has by some mischance been obscured from view. The penalty is altogether too high; in fact there should be no penalty at all for such offences, so long as the disc is on the car. Some of these inspectors are altogether too officious.

The Minister for Railways: Strike out the word "inspector" and put in "police officer."

Mr. WILLCOCK: Police officers in the country do not act as traffic inspectors. All that is required is to see that the disc is available to the inspector if he wants to see it. In the case of a prosecution probably the minimum fine will be £2 and costs will amount to £2 or £3. The metropolitan police do not, as a rule, bring trivial charges against people, but it is often done in the country. Once the offence is proved a fine must be inflicted. I move—

That the Council's amendment be amended by striking out paragraphs (c) and (d).

The MINISTER FOR WORKS: Country inspectors are not as dangerous as the hon. member would make out.

Mr. Willcock: I said they were officious.

The MINISTER FOR WORKS: They are the servants of local authorities, and if they exceeded their duties they would soon be dealt with. These paragraphs are copied from other Acts. Of what use is it to insist upon these discs being carried unless we put these provisions into the Bill? If a defendant can prove that his disc was accidentally obscured, and that the inspector

maliciously prosecuted him, no penalty would be inflicted.

Mr. Willcock: I see no necessity at all for the clause.

The MINISTER FOR WORKS: These discs are used in practically every other country. Many members have remarked that cars have travelled on the roads for years without a license. If these discs had been in use, the owners would have been found out long ago. Some people may deliberately obscure one of these discs from view.

Mr. Willcock: He would soon be found out.

The MINISTER FOR WORKS: If that were done the owner would be fined.

Mr. Willcock: Suppose it is obliterated as the result of a car passing over a muddy road?

The MINISTER FOR WORKS: That fact could be proved to the court.

Mr. Willcock: If an offence is proved a fine must be inflicted.

The MINISTER FOR WORKS: Not necessarily. The Bill will be rendered more effective by the inclusion of these paragraphs.

Mr. SAMPSON: I am opposed to the deletion of the paragraphs. I know the difficulties local authorities have to contend with in securing proper identification discs. These discs are often rendered invisible to their inspectors.

Mr. Willcock: An inspector would soon become suspicious if he saw one that was mutilated in any way.

Mr. SAMPSON: The identification disc of the owner who has paid his license fee is nearly always visible and clean.

Amendment on the Council's amendment put and negatived.

Mr. CORBOY: Except as regards paragraph (a), the penalties apply to people who have already paid fairly substantial license fees; and the maximum penalty of £20 is altogether out of proportion to the offences. In fact, the minimum penalty of £2 might be disproportionate. I move an amendment—

That in the last line of proposed Section 18B the word "twenty" be struck out, with a view to the insertion of another word.

A maximum penalty of £2 would be ample for, say, not having a disc properly affixed.

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

Ayes	..	..	..	..	13
Noes	..	..	..	..	21

Majority against .. 8

A YES.

Mr. Brown	Mr. Raphael
Mr. Corboy	Mr. Sleemans
Mr. Coverley	Mr. Troy
Mr. Hegney	Mr. Willcock
Mr. Lamond	Mr. Withers
Mr. Millington	Mr. Wilson
Mr. Munsie	

(Teller.)

NOES.

Mr. Angelo	Mr. McLarty
Mr. Barnard	Mr. Parker
Mr. Davy	Mr. Patrick
Mr. Doney	Mr. Piesse
Mr. Ferguson	Mr. Richardson
Mr. Griffiths	Mr. Sampson
Mr. Johnson	Mr. Scaddan
Mr. Latham	Mr. Thorn
Mr. Lindsay	Mr. Wells
Mr. H. W. Mann	Mr. North
Mr. J. I. Mann	

(Teller.)

Amendment on the Council's amendment thus negatived.

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

No. 16:

Insert a new clause as follows:—

Amendment of Section 60.

Section sixty of the principal Act is amended—

- (a) by inserting the words "or certificate of registration" after the words "number plate" wherever such words appear in the said section;
- (b) by inserting in paragraph (g) after the word "license" where it appears a second time in line two of the said paragraph, the words "or a certificate of registration or any article resembling a certificate of registration."

The MINISTER FOR WORKS: This being consequential on the previous amendment, I move—

That the amendment be agreed to.

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

No. 17:

Insert a new clause, as follows:—

Amendment of Second Schedule.

The Second Schedule to the principal Act is amended as follows:—

(a) by adding to the description of "Trailer" the words "but includes a semi-trailer."

(b) insert after "Trailer," in the column headed "Vehicle," the word "Semi-trailer" and opposite such last-mentioned word, in the column headed "Description," the words following:—"A vehicle drawn by another vehicle, but so constructed and by partial superimposition attached to the vehicle drawing the same in such a manner as to cause a substantial part of the weight of the trailer to be borne by the vehicle drawing the same."

The MINISTER FOR WORKS: Motor trailers are increasing at so rapid a rate that it was thought necessary to request another place to include this new clause. The tax on trailers was originally fixed in 1925, when they were small affairs. In the case of the semi-trailer now in use, however, power is put on the two front wheels and taken to the back wheels; and if that semi-trailer were licensed under the existing law it would pay only £8, whereas a 6-ton truck pays £50. I move—

That the amendment be agreed to.

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

No. 18 :

Insert a new clause as follows:—

Amendment of Third Schedule.

12B. Part I. of the Third Schedule to the principal Act is amended, as follows:—

(a) delete the words "For a trailer, 10s. per ton per wheel on the weight of trailer, plus declared maximum load" where the same appear in the item "For a locomotive or traction engine"; and

(b) insert in lieu thereof words and figures, as follows:—"As from and including the first day of January, 1931, for a trailer or semi-trailer:—

	£	s.	d.
Up to 1 ton 5 cwts., including the weight of the trailer or semi-trailer, plus declared maximum load	4	0	0
Exceeding 1 ton 5 cwts., but not exceeding 2 tons	6	0	0
Exceeding 2 tons, but not exceeding 3 tons	9	10	0
Exceeding 3 tons, but not exceeding 4 tons	13	10	0
Exceeding 4 tons, but not exceeding 5 tons	18	0	0
Exceeding 5 tons, but not exceeding 6 tons	23	0	0
Exceeding 6 tons, but not exceeding 7 tons	28	10	0
Exceeding 7 tons, but not exceeding 8 tons	34	10	0
Exceeding 8 tons, but not exceeding 9 tons	41	0	0
Exceeding 9 tons, but not exceeding 10 tons	48	0	0
For every additional ton	4	0	0

The MINISTER FOR WORKS: This new clause is intended to bring the taxation on trailers up to date. If a person has a 6-ton truck and puts a 6-ton trailer on the back of it, he should pay in addition more than one-sixth of the fee he pays for the truck. A trailer weighing $\frac{3}{4}$ ton and carrying $2\frac{1}{4}$ tons, thus representing a load of 3 tons, is to pay a license fee of £9 10s. A motor wagon carrying the same weight pays £10. A trailer weighing 3 tons and carrying 6 tons, thus representing a load of 9 tons, is to pay £34 10s. A motor wagon of the same weight pays £31 7s. 6d. The amendment is necessary for the sake of uniformity.

Mr. H. W. MANN: I regret that the member for Murchison, who has a special knowledge of this phase, is not present to-night. I am sure he would be keenly interested in the new clause. For more than a year cattle stations in the Roy Hill district have been endeavouring to find means of transporting their cattle from the stations to Meekatharra. They have thousands of cattle, but the distance from Roy Hill to Meekatharra is 120 miles, and the road is perfectly bare. Consequently the pastoralists have not been able to bring their stock to market. They have

experimented with motor transport for over a year, and have only just achieved success with trailers. This new clause will impose hardship on men who were unable to shift their cattle until they adopted the 4-wheel trailer. By that means they are now able to bring in four loads each week from the Roy Hill district to Meekatharra. I hope their case will be considered.

Mr. Angelo: This measure does not affect those pastoralists.

Mr. H. W. MANN: I think it does, and I am bringing the matter to the Minister's attention because the new clause may inflict a hardship he does not intend. A motor running with a trailer is able to balance around bad bends and get through.

Hon. W. D. JOHNSON: The Minister should give consideration to this question, because it is important. In the circumstances outlined by the member for Perth, we should exempt the producers who have overcome a difficulty in getting their produce to market by the use of trailers. The Minister should report progress and look into the matter.

Mr. ANGELO: In the Gascoyne and Murchison districts large numbers of sheep and stock are conveyed by means of trailers.

Mr. Willecock: If they are doing much business, they can pay the tax.

Mr. ANGELO: But consider the costs already imposed on the station owners in dealing with valuable stock. I was always under the impression that the North-West was exempt from these conditions.

The Minister for Works: But we are dealing with the principal Act now.

Mr. ANGELO: The North-West should be exempt. There are very few roads constructed there with main roads money.

The Minister for Works: This has nothing to do with main roads funds.

Mr. ANGELO: Nearly all the roads in the district I refer to are bush tracks and when one is worn out, another is made.

Mr. H. W. MANN: I am inclined to press the point because the member for Murchison, who is in possession of the details concerning the difficulties of growers in the Murchison areas, is not present. I have been handling the matter at this end for some time and know that for four or five years the cattle growers in the North have

been confronted with the difficulty of shifting their stock over a stretch of 150 miles on which there is no feed.

Mr. Willecock: But they have had good seasons there.

Mr. Angelo: It is stony country and will not grow anything.

Mr. H. W. MANN: From Three Rivers upwards there is a stretch of 150 miles where there is no feed at all. The cattle owners there got in touch with the growers in North Queensland regarding the methods adopted for shifting cattle through drought-stricken country. A man came across from Queensland and as a result Metters Ltd. constructed a type of trailer with which the growers are now operating successfully. They are able to convey sixteen bullocks per trip, eight in a truck and eight in a trailer, and make the trip twice a week. That means they can supply 32 bullocks weekly for the Midland Junction market and can keep that up for some years. The tax will be a hardship seeing that for four-fifths of the journey, station properties are traversed and not Government roads.

Mr. Willecock: They follow the stock route.

Mr. H. W. MANN: That may be so for part of the way. I suggest that the Minister report progress.

The MINISTER FOR WORKS: I am afraid hon. members do not quite understand the position. The amendment proposed is to the principal Act and has nothing to do with the imposition of heavier fees on prescribed routes. Taking a trailer with the declared maximum load, exceeding 1 ton 5 cwt., but not exceeding two tons, the proposed increase represents 50 per cent., which is not very much. I would point out that the local governing authorities in the North-West do not pay portion of their collections into the main road fund as the other local governing bodies are required to do. I will agree to report progress, and I hope to be able to inform the Committee on Tuesday exactly what this will mean. I may even agree to exempt the North-West from the operations of the Bill.

Mr. Angelo: Well, do it now.

Progress reported.

BILL—HOSPITAL FUND.*In Committee.*

Resumed from the 12th November; Mr. Angelo in the Chair; the Minister for Health in charge of the Bill.

Clause 10—In certain cases salary or wages to be treated as income for the purposes of contributions to be paid by contributor:

The CHAIRMAN: When the Bill was last before the Committee the consideration of this clause was postponed.

The MINISTER FOR HEALTH: I have given a lot of consideration to the clause and have consulted the Crown Law Department. I have been assured definitely that it can apply to only one section of Government employees—those employed by the Commonwealth Government in this State. The department suggest the inclusion of certain words, but I regard them as objectionable because I do not think we should pick out one section of Government officials in particular. I am advised that we cannot deduct the amount. The Commonwealth Government refuse to be tax collectors for us and will not collect money on our behalf from their employees. I am further advised that no one can have the right of appeal except on legal grounds, and that there cannot be other legal grounds, because this legislation will over-ride any other deductions that can be made. I hope the Committee will accept the clause because otherwise I should have to move to amend it by inserting the word "being a person employed by the Commonwealth Government of Australia and resident in Western Australia." That would look too pointed altogether.

Mr. MUNSIE: I shall not raise any objection to the clause, but, with all due deference to the opinion of the Crown Law authorities, I contend that any employer or employee in receipt of a salary or wages will, if we agree to the clause, have to be subject to the usual conditions of collection through the Taxation Department. The Government insist upon this clause and they can have it. I have done my best to assist them to get as much money as they can, and I have done that for the sake of the hospitals. The Minister seems to be determined to get as little as he can, and

he can have it his way. I shall take care that he gets objections.

Clause put and passed.

Title—agreed to.

Bill reported with amendments.

BILL—COMPANIES ACT FURTHER AMENDMENT.*Second Reading.*

THE ATTORNEY GENERAL (Hon. T. A. L. Davy—West Perth) [10.1] moving the second reading said: It will be remembered that last session at the instigation of the member for Guildford-Midland (Hon. W. D. Johnson) an amendment of the Companies Act was made to prohibit companies from calling themselves co-operative companies, unless they complied with certain conditions. Since then two co-operative companies in which the hon. member is interested decided to enter into mutual partnership and desired to call themselves by a name in which the word "co-operative" occurred. They could not do so under the legislation then in existence, so he moved for an amendment of the Act allowing that to be done. This Bill is the result. All it does is to provide that where two co-operative companies desire to enter into a partnership, that partnership can call itself co-operative. That is all there is in the Bill. I move—

That the Bill be now read a second time.

HON. W. D. JOHNSON (Guildford-Midland) [10.3]: I want to thank the Minister for having introduced the Bill. It is purely to overcome a slight defect in the Act passed last session. It provides that persons or companies or firms trading shall if they use the term "co-operative" be registered. The position is that the Bunbury Butter Co. were operating principally in the South-West, and the Westralian Farmers Ltd., also were operating in the same territory. The two co-operative companies established themselves, one competing with the other when, as a matter of fact, if they had combined they could have done greater service to the dairy farmers, and on a less capital expenditure. That is only one instance. Ultimately common sense prevails and although there were slight differences respecting the details of the articles of

sociation, these were put into a form to the satisfaction of both companies. They then formed a partnership so that they could operate in conjunction rather than in opposition, the object of the company being, of course, to make the whole co-operative movement function on a co-operative basis for the benefit of those dairy farmers who believe in trading on co-operative lines. When we went into the details of registering the partnership we found there was no provision in the Act permitting of a partnership formed of two co-operative companies being registered. At the request of both the partners under the agreement I made representations to the Attorney General, and he has kindly brought in this Bill. It is a matter that requires attention because we desire to complete our registration. I suppose to-day we are producing from 600 to 1,000 cases of butter per week more than can be consumed in the State. In anticipation of the lean portion of the year, a considerable quantity is in cold storage. Of the total production of butter in this State, about 75 per cent. is produced co-operatively.

Mr. Withers: Exactly 83 per cent. of the butter produced in the State is controlled by the co-operative movement.

Hon. W. D. JOHNSON: Very well; 83 per cent. I am glad to have it confirmed. When I speak of its being produced co-operatively, it is produced on what is known throughout the world as the Rochdale system, which was the original co-operative system introduced by the Rochdale weavers many years ago and has been generally in practice in Great Britain, where it has built up a huge co-operative system which has extended to other parts of the world. Western Australia is highly thought of in the Old Country; so much so that a great deal of our finance is provided by the Co-operative Wholesale Society Bank of Great Britain in regard to quite a number of concerns. It was considered that at the peak period we might have as much as £70,000 worth of butter in cold storage over and above our sales.

Mr. Parker: Is all this related to the Bill?

Hon. W. D. JOHNSON: Yes. As I say, £70,000 had to be paid, and we had to make representations to the bank for the purpose of getting the money so that it might be distributed to the cream suppliers. We com-

municated with the Co-operative Wholesale Society Bank in Great Britain offering to pay them 6 per cent. for the money. For the information of the member for North-East Fremantle I may say we nominated the interest rate at 6 per cent., but they replied stating that the money would be available at 5½ per cent. That is the kind of co-operative spirit we are fostering in a Bill such as this. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Richardson in the Chair; the Attorney General in charge of the Bill.

Clause 1—agreed to.

Mr. Panton called attention to the state of the Committee. Bells rung and a quorum formed.

Clauses 2, 3, Title—agreed to.

Bill reported without amendment and the report adopted.

House adjourned at 10.13 p.m.

Legislative Council,

Tuesday, 18th November, 1930.

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

ASSENT TO BILL.

Message from the Governor received and read, notifying assent to the Parliamentary Allowances Amendment Bill.