

Unless one is on the spot in Melbourne with the cash ready to purchase direct from the manufacturer, one is left. The trouble is that when orders are sent to manufacturers in the Eastern States and a bank draft is arranged for payment, the manufacturer has to do the packing and attend to the shipping. "Under existing conditions," the manufacturers say, "we are not going to be bothered about it." They do not admit it, but that is the actual position. Eastern States manufacturers will not bother about a Western Australian order because there is another buyer right on the spot, who purchases goods immediately they come from the machine.

Mr. Marshall: The Eastern States manufacturer has a ready local market.

Hon. W. D. JOHNSON: Yes; and that market, being available, excludes us from obtaining that flow—which is the problem—of commodities so essential to the people's needs. It is useless to talk about reserve stocks and committees functioning and all that kind of thing if the commodities are not flowing into Western Australia up to the requirements of our people. It is that aspect of the subject in which I am interested. I know from experience that we are not getting the even flow we need, and that the difficulties are not being overcome but are accumulating; that the conditions are getting worse instead of better. It is true that organisations have been created, but those organisations are being side-stepped by reason of the circumstances of the local market, as already pointed out. That is the aspect that needs examining. Personally I would like it to be examined by some committee or some authority, so that we shall not have these constant worries as to whether this commodity or that commodity will be short soon, or whether it is possible for us to maintain reserve stocks. I repeat, reserve stocks are not the problem at all.

Current stocks represent the problem to the people of the State. It is the current stocks we are always anxious about. If we could secure a guarantee of the flow that we want, the flow that one usually does in business receive, if that flow could be organised and maintained, our difficulties would be overcome. But until that is done, there is no use in talking about all those things the Minister has spoken about today. They do not come into the picture. What we have to do is to discover means of obtaining a regular

flow for current needs from manufacturers in other parts of Australia, a flow up to the full needs of the people of Western Australia, so that we shall not have a surplus for the moment and a deficiency the next day. That kind of thing increases prices and disorganises conditions generally. I hope the member for West Perth will move for an investigation into that side of the subject, to see whether we cannot improve the opportunities for Western Australia to purchase in the Eastern States when we have the money available and everything is in order except that Eastern States buyers, being on the spot, get the first supplies and we get, if anything, what they have left—which, generally speaking, is not sufficient for the needs of this State. I would rather a committee went into that phase than let it drift any further. That phase is not fair to our people in this State.

On motion by the Minister for Lands, debate adjourned.

House adjourned at 6.9 p.m.

Legislative Council.

Thursday, 15th October, 1942.

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The PRESIDENT took the Chair at 2.15 p.m., and read prayers.

QUESTION—TAXATION.

As to Departmental Staff.

Hon. A. THOMSON asked the Chief Secretary: 1, How many State officials were employed by the Taxation Department before the introduction of uniform taxation by the Commonwealth Government—(a) males; (b) females? 2, How many of these State officials respectively have been retained by the Commonwealth Government in the Taxation Department? 3, How many respectively have been transferred to Commonwealth Government activities and to what departments? 4, How many have been released

for active service as a result of the introduction of uniform taxation? 5, What steps, if any, have been taken to protect the interests of State officials affected by the Commonwealth Government's taking sole control of taxation?

The CHIEF SECRETARY replied: 1, Nil, with the exception of the Commonwealth Deputy Commissioner of Taxation, who is also State Commissioner of Taxation. 2, 3, 4 and 5, Answered by No. 1. The Commonwealth has collected taxation on behalf of the State since the 1st July, 1921, since which date all officers of the Taxation Department have been employed under Commonwealth conditions.

MOTION—COMMONWEALTH AND STATE RELATIONSHIPS.

As to Referendum Proposals.

HON. C. F. BAXTER (East) [2.18]: I move—

Whereas the Commonwealth established by and in pursuance of the Commonwealth of Australia Constitution Act is, and is expressly declared to be, a Federal Commonwealth:

And whereas the Constitution of the Commonwealth of Australia by Sections 106 and 107 preserves the Constitution of Western Australia and the legislative powers of the Parliament of Western Australia:

And whereas the said Commonwealth Constitution by Section 128 provides inter alia that no alteration increasing, diminishing, or otherwise altering the limits of the State, or in any manner affecting the provisions of the Constitution in relation thereto, shall become law unless the majority of the electors voting in that State approve the proposed law:

And whereas the proposed law, entitled "The Constitution Alteration (War Aims and Reconstruction) Bill," is calculated to impair and indeed obliterate the Federal nature of the Commonwealth of Australia and is inimical to the highest interests of this State and the people of this State and is calculated to abrogate the Constitution of Western Australia: Now, therefore, this House resolves:—

- (i) That the people of Western Australia by every legitimate means at their disposal should ensure that the proposed law be not approved by a majority of the electors in this State;
- (ii) That in the event of the proposed law being approved in a majority of the States and by a majority of all the electors voting then and in such case, this House will not consider itself in any way bound by such proposed law (or by any laws, regulations, or proclamations, or any other deeds or acts whatsoever, purporting to be made thereunder or in pursuance thereof) if such proposed law be not approved

by a majority of the electors voting in the State of Western Australia: And that on its own behalf and on behalf of the people of Western Australia, this House accordingly reserves the fullest liberty of action.

And this House further resolves that the present time is most inopportune to bring forward such a proposal as it must inevitably tend to divide the people when it is of the utmost importance that we should be united in order to attain the nation's maximum war effort.

I wish it to be distinctly understood that the moving of this motion has not been prompted by any Party—neither the Country Party nor any other political body. It merely represents an effort on my part to bring before the people of Western Australia the dangerous position that is facing them with regard to the proposed referendum. It is surprising to find the large numbers of people in this State who, until recently, were ardent State-righters.

Hon. T. Moore: Secessionists.

Hon. C. F. BAXTER: I am not speaking of secessionists. I am speaking of those who stood out against encroachment upon State rights by the Commonwealth Government. Today those people are unificationists. To a large extent, the reason for this is ignorance; but to a certain extent our own Government has been responsible, because it has frequently approached the Commonwealth Government to promulgate regulations under the National Security Act to control activities that the State should never have relinquished. The Premier, in his speech dealing with uniform taxation, said the Government had used every means in its power to oppose unification. I do not think he was quite sincere in making that statement. He overlooked the fact that the Government was following the policy of the trade unions in handing over activities to the control of the Commonwealth Government.

This in no small measure has been responsible for the present trend towards unification. Take the black-out farce. It has been a farce; it still is. This House rejected the regulations. Unfortunately, it had no option but to reject all the regulations. At the time they were rejected, if my memory serves me aright, it was necessary to alter only three of the regulations in order to meet the wishes of Parliament, and not Parliament alone, but of all the people of the State, who were labouring under great disadvantages. In my opinion, there was not the slightest necessity to go to such extremes.

What did we find? A delay of practically five weeks occurred after the regulations were disallowed. Then the Minister for Mines announced he had received the regulations promulgated under the National Security Act. Within a few days his department put them into force. There is little to boast about in that, especially as they were not put into force until five weeks had elapsed. Why should the State Government ask the Commonwealth Government to promulgate regulations, when the State Government could have amended the regulations which this Chamber disallowed? Why should the Government, representing the electors of the State, take the control out of the hands of the people? We cannot deny the fact that many people have been killed and large numbers injured by accidents on account of the black-out regulations inflicted on this State. The Government is not blameless in that respect.

Consider the question of liquor control. The Government has been backing and filling on this matter for the past two years. To me it certainly appeared to be wrong that the Government should have waited for a long time in the hope that the Commonwealth Government would take some steps to control the sale of liquor. Mr. Curtin, the Prime Minister, did take a stand on two or three occasions; but it would have been bad for the State had the Commonwealth Government assumed complete control of the sale of liquor in Western Australia, because we are in a different position from any other State, and there must be a variation of hours for the sale of liquor in different parts of the State.

Another glaring matter—and I have yet to learn that the Government protested against it—is the control of labour in this State. Labour here is completely controlled, with the exception of domestics and one or two similar small sections. The control of labour here is now vested in one body. For years that is what the Government has been working for, but Parliament in its wisdom would not agree to it. Now the Government has succeeded. But is it nice to say that it has succeeded under the aegis of a war, that the Government has taken advantage of the war to bring its policy into operation?

These and many other matters have unwittingly assisted the attempts to bring about unification. It is time that the Government looked to see where it has pushed this State.

Although the Government has been lax in many things, and in the last 12 months has shown little initiative, I do hope that we can now look to it to assist in every way to protect this State against the encroachment proposed by Mr. Curtin and Dr. Evatt and their political party.

I believe it can be accepted as an axiom that the most efficient and economic Government, and the most responsive to the mature will of the people, is that which is closest to the people concerned. A central Government operating over a wide area has never been known to deal equitably with different sections of the people, and it has been well said that local government is the lifeblood of liberty. No doubt it was with a full appreciation of the truth of this principle that Hitler's first action on achieving power was to abolish the State Parliaments throughout Germany. That is the very thing which the Curtin Government wants to do in Australia. Hitler proposed to rob the German people of their liberties, and he knew that he must first get rid of that bulwark of liberty—local self-government.

At this stage I propose to survey the strength we have in the Federal arena, and what would be our position if unification were brought about. The representation of the States in the House of Representatives leaves no hope at all for Western Australia, with only five members. Two States have a representation of 48 members, and four States only 26. That is a ridiculous and impossible position. It leaves the Federal control entirely where the strength lies. It is unfortunate that that position has been brought into existence. New South Wales has 28 members out of 74, and Victoria 20, making a total of 48 for those two States. South Australia has six members, Queensland ten, Western Australia five, Tasmania five, and the Northern Territory one, but of course he has no vote. Members can see what an impossible position it is. Without strength, what are we going to get, and what have we been getting? Unless there is a continual flow of Ministers and public servants to the Eastern States, we get nothing at all. As it is, we do not get justice in any way.

The House of Representatives is elected from single constituencies on a purely party basis. This means that in every constituency, very many—often over 40 per cent.—are left without representation. That is by no means the chief defect. The City of Sydney—

I refer to what I may describe as Greater Sydney—has more members than the whole of the States of South Australia and Western Australia combined, and does exercise an influence over Federal politics that is highly prejudicial to the smaller and more distant States. The Senate—which, according to the Constitution, is designed to protect the interests of the States—has completely failed in its purpose. It has become a purely party House and its function as a House of Review is discharged on purely party lines.

Then we come to the method by which the Senate is elected. No one has the smallest chance of securing election in any State unless he is one of a group of three, and those groups are necessarily arranged on party lines. Invariably the three members who succeed at each election are of the same party. Anything up to one-half of the people of a State may be left without representation—in fact, that is what actually happens over and over again. It has happened that of the 36 members of the Senate, 35 belonged to one party; one-half of the people of Australia being left without representation in a Chamber intended to protect the interests of the States. Can one single word be said in favour of such a system? Can it be said that the smaller States have any hope of justice if Australia adopts unification?

The Government, of course, is composed entirely on party lines, and, whatever may be said in favour of party government, I do not think any thoughtful person will agree that party government when on purely class lines—as is the case in Australia—is likely to succeed. In this respect I will show that never in the history of Australia, and more especially during the war—which we never thought we would have to face but which threatens our very existence—have we found 100 per cent. effort being put forward by our politicians or the political parties of Australia, but simply the same old fight. But the worst feature is that those in power at the present time work entirely on party lines, which would be absolutely wrong even in peace-time, but at the present juncture it is disgraceful to see what is happening. Has this strangely-constituted Parliament governed Australia well? I say it has not. It has built up an Australian economy founded on three fallacies, which are—

1. Excessive borrowing without much regard to the productive character or otherwise

of the undertakings on which the money was spent and with too little consideration for the necessity of repayment;

2. The arbitrary fixing of wages, hours and conditions of labour in naturally sheltered or politically protected industries without regard to the effect upon industries that have to compete in the world's markets; and

3. The elimination of competition by tariffs and prohibitions without regard to the enmity that must be—and has been—created in other countries; and with a total disregard of the country's and the people's duty to our neighbours.

Just how that will fit in after the war I cannot see. I am afraid we will suffer severely through the attitude which has been adopted for several years. I am quite free to admit that a policy so based may appear to succeed—for a time. Has it succeeded? It has so checked the population increase that the excess of births over deaths is not sufficient to maintain even our present totally inadequate population. It has bled our countryside white and caused a steady flow of population from the country to the big cities. These two results, acute centralisation and failure to maintain, let alone increase population—each closely associated with the other—would be enough to condemn the system even if everything else was in its favour.

And what is its effect upon the financial structure? It has been well said that government is finance and finance is government. We are told that comparisons are odious, but it is necessary that a comparison be made with another Dominion to show how wrong are the lines upon which Australia has been working. Let us make a comparison with Canada. Canada is a low-tariff country, which Australia should have been. Approximately 50 per cent. of its manufactured imports are admitted duty free. On motor cars there is no duty against England and only 17½ per cent. against the United States of America. The Australian duties are 35 per cent. against England and 53½ per cent. against the rest of the world.

Hon. J. Cornell: From the point of view of the Constitution, there is no comparison.

Hon. C. F. BAXTER: I am aware that the Commonwealth Constitution is based on that of the United States of America, but here is an instance of the actual effect of good government.

Hon. J. A. Dimmitt: Some of the foreign tariffs are much higher than those you have quoted.

Hon. C. F. BAXTER: Quite so. Yet Canadian progress in industry has been tremendous. We have made no progress except in the manufacturing of bodies at an extravagant price. Then take refrigerators, and I quote this item because I think every house in Australia, because of our climate, should have a refrigerator. In Canada the duty against the United Kingdom is 15 per cent. and against the United States of America and other countries 25 per cent. In Australia it is 42 per cent. against England and 75 per cent. against America. Further, Canada has made much more progress in manufacturing its own requirements than has Australia, and it is also an exporter of manufactured goods.

How are the two countries facing up to the present war emergency from the financial point of view? We are unable to pay our way without resort to currency inflation that may at any time become dangerous. Already our note issue, which stood at the very high figure of £45,000,000 before the war, is over £110,000,000, and there is an admission by the Commonwealth Government that this year's Budget cannot be financed without a further increase of probably £100,000,000. Canada has not done this. That Dominion has made a free-will gift of 1,000,000,000 dollars' worth of food and munitions to Britain without question of payment now or in the future. It has also made a loan of 700,000,000 dollars to Britain free of interest for the war period. It has also purchased 295,000,000 dollars' worth of Canadian Government securities from Britain, thus freeing that amount for British purchases abroad. Canada has given unstinted co-operation the war movement, sent large armies to Britain and maintained them exclusively at the cost of its own taxpayers. Canada raises enormous loans for war purposes without difficulty, and the percentage of people subscribing to them is nearly four times as great as the percentage in Australia.

I have given these details in order that members may have some understanding of the sort of Parliament to which we are to be asked to transfer practically unlimited powers in the management of our own affairs. The argument is sometimes advanced that, by abolishing State Parliaments, a great deal of money might be saved for use in our war effort. If the total cost, direct and indirect, of the whole of the six State Parliaments, in-

cluding the pay of Ministers, members, officials, etc., the cost of elections and the upkeep and everything associated with them, was saved, the saving of the whole year would pay the cost of the war for how long? For only half a day!

Let me give another instance. The peacetime price of sugar in Australia is £33 per ton. The sugar exported from Australia brings only £9 per ton and would realise only about £6 if it were not for British preference. But even if £8 be taken as the real value, we pay an excess price of £25 per ton as a bounty to the Queensland sugar industry. The average consumption of sugar is 1 cwt. per head per annum so that each individual pays an excess of 25s. per annum. In other words, the people of Western Australia alone pay each year in the excess price of sugar enough to defray the whole of the direct and indirect cost of our State Parliament for a period of between five and six years. But it is entirely false to assume that, by abolishing State Parliaments, we would save their cost. Additional Federal members would be required—the Commonwealth Government has already announced a move to this end—and each Federal member costs twice as much as does a State member.

The cost of the Commonwealth Parliament has steadily increased until now it is almost equal to that of the whole of the six States combined. I remind members that when the people were urged to vote for Federation, they were definitely assured that the cost of Federation would be only 2s. 6d. per head per annum. It would not be fair to quote the cost in a war year, but in the year before the outbreak of hostilities the cost of the Commonwealth Parliament had risen to £17 per head per annum, showing how costly Federation has become. Further, if State Governments were abolished many of their activities would still have to be carried out by local authorities, probably appointed by the Commonwealth Government; and it has been the invariable experience that Federal activities are always much more expensive than are those of the States.

This should be sufficient to show that the point at issue is not one of cost but one of efficiency, and I repeat that always the most efficient form of Government will be that which is the closest to the people governed. If time permitted I could advance many other arguments against enlarging the powers of the Commonwealth Parliament. Can-

berra itself is one of them. The chief aim of members of Parliament on arrival at that capital is to get out of it again as quickly as possible. Being remote from the Press and the public it is a happy hunting ground for the lobbyist, and we have seen many results of that state of affairs. It is an excrescence from which our State Parliaments are fairly free. Ministers are seldom able to be in their Canberra offices with the result that far too much is left to officials. Bureaucratic control is developing to a dangerous extent.

I have heard no less than seven important persons speaking over the air about our wonderful Australian democracy. I have heard the voice of the Prime Minister, Mr. Curtin, over and over again on the subject. Where is our democracy? The word must have a different meaning from what is given in dictionaries. We have had nothing but bureaucracy, and for many years past have gone even further than that in Australia. In this House we enact an average of 60 Bills in a session. Probably only two or three of those measures deal with new matters, and the others simply amend existing Acts mainly in conformity with the opinion of public servants. The dice is loaded very heavily against democracy by reason of that principle. Whilst we may have 60 Bills to deal with during the session, there will probably be double that number of regulations put through, and they find birth in the Civil Service through bureaucracy.

Today Australia is nothing but a bureaucracy. From day to day we do not know what to expect. Industry and business are practically settled. I am afraid people who talk about democracy do so with their tongues in their cheeks. Whatever else may be said of the Commonwealth Government's conduct of the war, no one can deny that waste and extravagance are rampant. If the Federal authority is to have full power with respect to post-war settlement we shall have the same waste and extravagance; the same display of ignorance regarding local conditions; the same showering of favours on the localities where the votes are, to the detriment of the distant and smaller States, of which—from the inception of Federation—Western Australia has been the greatest sufferer of all. Goldmining is, from a Commonwealth point of view, almost exclusively

a Western Australian industry, but was at the outbreak of war subjected to special and peculiarly unjust taxation. During the 1914-1918 war the Commonwealth Government bled the industry to such an extent that it practically collapsed, and only constant agitation and appeal will save it now from a like fate, notwithstanding the great need—after the war—for this industry, on which the economy of the State so much depends, being placed in a position to employ the maximum number of men and produce the maximum quantity of gold for use in foreign exchange. The present policy is very nearsighted.

Western Australia is the only State in which factory employment has decreased since the outbreak of war. Every week manufactured articles are sent here from the Eastern States by rail or boat, notwithstanding the heavy demands upon traffic facilities, and notwithstanding that the articles could be made just as well here. These are some indications of what we may expect under a system of government in which all the power would rest with a Federal authority dominated by the big industrial centres on the eastern seaboard. The greater part of Western Australia is 2,000 miles from the seat of Government in Canberra, and there is a great deal of country intervening that is likely to remain unsettled for many years to come. It is as if we were on an island, where we shall be left to perish if unification is brought about. No one realises more fully than I do the need for reform in our method of government, both Federal and State.

I shall not further criticise war-time administration except to say that I am by no means convinced that Budgets framed to win votes are the best calculated to win wars. I think it is reasonable to object to any Government using the emergency of war as a means of advancing the political aims of its party. Many peace-time attempts have been made to increase the powers of the Commonwealth Government by referendum. Only one of these has succeeded. No sound argument can be advanced in favour of taking a referendum during war-time on a highly controversial subject, a procedure that must result in creating discord and bitterness at a time when unity of purpose is one of the first essentials. The restrictions on Press publicity, the difficulty of

holding public meetings, and the absence on war service of many thousands of electors, are further arguments against the holding of a referendum at such a time. It appears to me that the Commonwealth Government is taking advantage of the position and the emotions of the people to gain what is an unjust privilege. Probably the strongest argument against such a procedure is the discord that that course of action will arouse throughout Australia. If there is one lesson we can learn from the tragedy of France, it is that "a house divided against itself cannot stand."

In the preamble of the Commonwealth of Australia Constitution Act (Nos. 63 and 64 Victoria, Ch. 12) it is recited that the peoples of the respective States agreed to be united in a Federal Commonwealth under the Crown and under the Constitution thereby established. By Section 3 of the Act—the covering clauses—it was declared that "it shall be lawful for the Queen . . . to declare by proclamation" that the people of the respective States "shall be united in a Federal Commonwealth under the name of the Commonwealth of Australia." The proclamation was duly promulgated, and was the genesis of the Australian Commonwealth. It was declared to be a Federal Commonwealth, and an authoritative exposition of the nature of the Commonwealth is to be found in the judgment of Viscount Haldane, L.C. in "*Attorney General for the Commonwealth v. Colonial Sugar Refining Co. Ltd.* 1914," A.C. 227, wherein the learned Lord Chancellor said, commencing at page 252—

About the fundamental principle of that Constitution there can be no doubt. It is federal in the strict sense of the term, as a reference to what was established on a different footing in Canada shows. The British Law of America Act, 1867, commences with the preamble that the then Provinces had expressed their desire to be federally united into one Dominion with a Constitution similar in principle to that of the United Kingdom. In a loose sense the word "federal" may be used, as it is there used, to describe any arrangement under which self-contained States agree to delegate their powers to a common government with a view to entirely new conditions even of the States themselves. But this natural and literal interpretation of the word confines its application to cases in which those States, while agreeing on a measure of delegation, yet in the main continue to preserve their original Constitutions.

Hon. J. Cornell: Those were the five original States or Provinces.

Hon. C. F. BAXTER: They protected their original Constitutions. The powers of the Commonwealth Parliament are set forth in Section 16 of the Commonwealth Constitution. In time of war the position is that under its defence powers, the Commonwealth Parliament is able to do practically anything under the sun. It has already carried that out. Anything, no matter how remotely connected with the war, is given the appearance of legality by prefacing the relative enactment with a preamble relating that the Act is enacted "with a view to the public safety and defence of the Commonwealth and for the more effective prosecution of the war." That is used continually.

A startling example of the manner in which this power can be used, or misused, was recently furnished in connection with the uniform taxation legislation, and the taking over of the State Taxation Departments in some of the other States. The proposed alteration of the Constitution is ingeniously described as "The Constitution Alteration (War Aims Reconstruction) Bill," and is calculated to permit of a similar racket in times of peace. The Bill does not merely add a clause to Section 51. Oh, no! It proposes to re-write the Constitution. It does not seek to re-organise the Australian Federation; rather does it aim to annihilate it and set up unification. The proposal is to insert an entirely new part in the Constitution giving the Commonwealth Parliament full power—

To make laws for the peace, order and good government of the Commonwealth and of the places under its control, to give effect to Australia's war aims and objects as one of the United Nations, including attainment of post-war economic and social justice, and post-war reconstruction.

Hon. J. Cornell: That is a big phrase.

Hon. C. F. BAXTER: It is made wide enough for anything. The Commonwealth means to take the lot. The Bill declares that this power shall extend to all measures which, in the Commonwealth Parliament's opinion, would achieve such objects, and that such powers may be exercised notwithstanding anything contained elsewhere in the Commonwealth Constitution, or in the Constitution of any State. It also specifies numerous particular items in respect of which the Commonwealth Government shall have power, but all these are in the nature of electioneering propaganda, because full

power to do anything at all will be given by the granting of the general power to which I have referred—power which the Commonwealth Government already possesses. All that would be necessary to ensure the validity of any Commonwealth legislation at all would be a preamble to the Act that, in the opinion of the Commonwealth Parliament, such Act was “designed to give effect to Australia’s war aims and objects including the attainment of post-war economic and social justice and post-war reconstruction.” Under its defence powers the Commonwealth Government held that State Taxation Departments were not necessary. If this new Bill is passed the Government will be able to assert that State Parliaments are not necessary—and they certainly will not be, because full power will then have been assumed by the Commonwealth Government.

I entertain no doubt that at the forthcoming referendum the Bill will be rejected by the people of Western Australia, but by Section 128 of the Constitution an alteration to the Constitution becomes law if it is carried in a majority of the States and by a majority of all the electors voting throughout Australia. Therefore it is conceivable that while this Bill may be rejected in Western Australia it may be carried by four out of six States and by a majority of the electors voting at the referendum. While the smaller States have fought against an extension of powers for the Commonwealth Government it may happen on this occasion that South Australia will provide a majority in favour of the Government’s proposals. We must not overlook the fact that over the last 30 years greed of gain and the idea of personal aggrandisement have permeated people very strongly. South Australia has done better during wartime as a result of the establishment of war industries than has any other State in the Commonwealth.

Hon. J. Cornell: South Australia has always proved loyal to this State.

Hon. C. F. BAXTER: I hope it will do so now, but I am afraid that perhaps the wave of prosperity that State has experienced through the establishment of war industries and the enormous amount of defence work it has secured will have an opposite influence. If Western Australia were dragged into unification on votes of four or five other States, unconditionally and entirely against its will, then as “The West

Australian” in an editorial on the 3rd October remarked—

Unification in those circumstances would be indistinguishable from annexation, which seems scarcely consistent with Dr. Evatt’s advocacy of the Four Freedoms.

Dr. Evatt borrowed from President Roosevelt the reference to the “Four Freedoms.” But Section 128 of the Constitution also contains provisions which are set forth in the third paragraph of the motion. Whatever interpretation the High Court may give respecting the provisions in Section 128, this House should make it clear that, adhering to the fundamental principle of government by consent of the people and adhering to the principles of the Atlantic Charter and the Four Freedoms, we rely upon those provisions of the Constitution as preserving the inalienable rights of the citizens of this State and entitling us to refuse to be bound by these monstrous proposals which have been brought down by the Commonwealth Government.

I think the motion sets out the position with sufficient clarity as not to require any further exposition, but it is imperative that, without delay, we tell the Commonwealth Parliament just where we stand on this issue. This startling move by the Commonwealth Government makes it imperative that in this State we should have an early general election at which every member who is returned should be pledged to resist by every means, orthodox or unorthodox, this flagrant piece of aggression by the Commonwealth Government.

In the Federal “Hansard” No. 11 of the 3rd September, 1942, Dr. Evatt is reported as saying, on page 82—

While in the United States, I found many who were particularly anxious to have promulgated a special charter covering the future of the peoples of the Pacific and South-East Asia. Why not, it was said, establish a Pacific and Asiatic charter on the lines of the Atlantic Charter? This question shows a misunderstanding of the true position.

By subscribing to the Atlantic Charter all the united nations have now declared—

First: Their countries seek no aggrandisement, territorial or other.

Second: They desire to see no territorial changes that do not accord with the freely expressed wishes of the people concerned.

Third: They respect the right of all peoples to choose the form of Government under which they will live; and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them.

That was a recent statement made by Dr. Evatt. Is that consistent with the attitude of the Commonwealth Government? Far from it! In his speeches on the platform, over the air and in Parliament, Dr. Evatt has merely copied President Roosevelt's four points; but he has gone further than that. His views are in direct opposition to those of President Roosevelt. The Australian Constitution is based on that of the United States.

Hon. J. Cornell: Only partially.

Hon. C. F. BAXTER: President Roosevelt has declared definitely, and in no uncertain terms, that the United States of America will, at the end of the war, hand back to the different States all their rights. The American Congress is not encroaching; it does not want to encroach. Every right that President Roosevelt's Government has taken over is to be handed back free and untrammelled. That is different from what was done in the 1914-18 war and will be done here now. I think the learned Dr. Evatt must have had his tongue in his cheek.

What can we expect from a Government which acts on party lines the whole time? Every appointment made is made from the executive of the unions. Worse than that, although every Minister of the Crown has to swear to uphold the Constitution, we find that part of the Federal Constitution has been handed over to an irresponsible body outside, to executives of unions who say whether the Constitution should or should not be upheld. To leave the power in their hands after several threats by the Prime Minister was a display of weakness in the extreme. Later than that, we have had another example of partisanship. Trained men with years of experience have served on the Wheat Board, and it is imperative that men on that board shall have expert knowledge, but quite recently the only man who was not a very strong partisan for the political party in power was laid aside. Such things are enough to cause a revolution. In referring to South Africa, Dr. Evatt made an unfortunate choice. It will be a sorry day for Australia if this country follows on the lines of South Africa.

Hon. J. Cornell: Provincial councils there elect the Senate.

Hon. C. F. BAXTER: That is the only point of the South African system with which I agree. It is a much better system

than we have here. In South Africa there are separate provinces with the one central Union Government. There is an Assembly with 164 members and a Senate with 40 members. If a Bill fails to pass the Senate, there is a conference between the two Houses to decide the issue. What a farce! There are provincial councils in every province, but the central Government departments are distributed amongst the various provinces. For instance, there is the Agricultural Department at Cape Town, the Mines and Railways Departments at Johannesburg, the Crown Law Department at Bloemfontein and other Government departments at Pretoria. Every province has a Government department. There are pretentious Government buildings in Pretoria that cost £3,000,000. Can members imagine the state of chaos that exists? There is an army of civil servants continually travelling on the railways, while Parliament sits in Cape Town. Costly homes for Ministers exist in Pretoria, which are occupied only once or twice a year. Do we want that sort of thing here?

Hon. J. Cornell: It would not prevail here. Everything would be in Canberra.

Hon. C. F. BAXTER: We would get nothing at all, as a matter of fact. Even in South Africa there has been trouble. Natal has been fighting for years for secession but with no hope in life of getting it. I am fearful that unification may come to Western Australia and leave it a ghost State. If unification comes, we shall be in a deplorable position. The State will very soon be depopulated. We have only to look at other parts of the Commonwealth, at this State and at the City of Perth to discover the irresponsible way in which the Commonwealth Government is handling matters, and the manner in which money is being wasted. Such practices have applied not only in war-time but in peace-time also.

Take that sorry white elephant, the Northern Territory. Think of all the millions of money spent there. To what purpose? It was all wasted—because it was spent injudiciously. There is a wonderful country absolutely thrown aside, though a lot of money was spent on it. If Western Australia is forced to accept unification, it will mean annexation pure and simple, and we will be in exactly the same position as that in which Czechoslovakia found itself, and which that country faces today.

On motion by the Chief Secretary, debate adjourned.

BILL—PUBLIC AUTHORITIES (POSTPONEMENT OF ELECTIONS).

Second Reading.

Debate resumed from the previous day.

HON. J. A. DIMMITT (Metropolitan-Suburban [3.19]: When the Honorary Minister moved the second reading of the Bill, he laid particular emphasis on two reasons for the postponement of elections of representatives to sit on municipal councils, road boards and other local authorities mentioned in the measure. The first of the two points had reference to economy. While I agree that economy should be practised at all times and is most essential at the present juncture, I feel that in the direction suggested it would be false economy and that any saving effected by the postponement of such elections would not be commensurate with the loss ratepayers would experience. The other point the Honorary Minister made concerned the possibility of diverting the attention of citizens from the one all-important objective—the achievement of a maximum war effort.

I think the latter point is to an extent unjustifiably pressed at times, although I do not say it was in this instance. However, I think the Honorary Minister did unduly emphasise the point. Certainly there was nothing in his argument that could, to my mind, justify the postponement of elections in connection with local authorities, either for the duration of the war or for any shorter period. I think the public will very rightly resent any such interference with their right to elect their representatives to sit on local governing bodies, at the intervals set out in the various Acts governing such elections. I have received letters from several road boards in my province indicating that they have passed resolutions at their meetings strongly resenting the introduction of this legislation and requesting that I present their views and endeavour to defeat the measure.

I have also received correspondence from, and had conversations with, ratepayers of one of the municipalities in my province, and I find that these people are extremely resentful of this legislation having been introduced. They hold that any obstacle placed in the way of their replacing some of their representatives now sitting on the local governing body concerned is absolutely wrong. They

feel that they should have the right at the appropriate time to elect representatives who, in their opinion, will be more satisfactory than those now holding such positions. To my mind, it is very unwise that any governing body, be it road board, municipality, State Parliament or Commonwealth Parliament, should comprise men unresponsive to, and unmindful of, the criticism and discipline of their electors. For these reasons I intend to vote against the Bill.

Hon. L. B. Bolton: Did you not support a Bill to extend the life of this Parliament?

Hon. J. A. DIMMITT: The raising of that point is justifiable. I certainly did support the legislation that extended the life of this Parliament, but so did Mr. Bolton and every other member of this House. I would draw the hon. member's attention to the difference between the atmosphere then and today. When the Bill was before us on the 12th December last, it was about six days after the debacle at Pearl Harbour, when Japan entered the war, and two or three days after the sinking of H.M.S. "Prince of Wales" and H.M.S. "Repulse." Conditions are entirely different today, and I am convinced that if a similar Bill were submitted to Parliament at this stage we would find that a measure that was passed unanimously last December would not receive such overwhelming support now.

Hon. J. Cornell: The position is worse today.

Hon. J. A. DIMMITT: I do not think it is.

Hon. J. Cornell: I do, from the electors' point of view.

Hon. J. A. DIMMITT: We are entitled to our individual opinions. I make no apology for the attitude I adopt today contrasted with my attitude when the Bill was before the House last December to prolong the life of the Parliament. I oppose the second reading of the Bill.

HON. J. CORNELL (South): I support the second reading of the Bill which contains little at which to cavil. It simply provides for the postponement of elections in connection with road boards, municipal councils and other local authorities mentioned, where 10 per cent. of the ratepayers do not raise any objection. If that proportion of the ratepayers indicates an objection, the election is not postponed. The rights of minorities are well safeguarded. From the standpoint of local governing bodies in the South Pro-

vince, I take the long view and that also applies to the reply Mr. Dimmitt gave to Mr. Bolton's interjection a few minutes ago.

I have always endeavoured to pay due regard to the future and to bear in mind the conditions likely to arise in connection with biennial elections. I did that last year in anticipation that the elections would be held last May. I can indicate to Mr. Dimmitt what has happened since then regarding the electors in the South Province. I candidly admit that the atmosphere at the time the Parliamentary elections were postponed was perhaps different from that apparent today, from the point of view of the possibility of an invasion. On the other hand, from the point of view of the person that matters in this connection—I refer to the elector—the position has been accentuated tenfold.

In all parts of the South Province there has been an exodus of Legislative Council electors and the exodus of Legislative Assembly electors has been in the ratio of five to one compared with the former. Where have those people gone? They are scattered throughout the length and breadth of Australia; some are in New Guinea or in the Middle East; others are in Canada. That is the only phase that concerns me. In present-day circumstances, we could not get one-tenth of the electors who are now in the various services, to record their votes; it would be humanly impossible. There is no machinery to enable those who have gone oversea to record their votes. It is on that ground that I support the Bill.

If we are to carry on with the machinery of peace and hold elections, then it should be an obligation upon Parliament to provide means by which men and women who stand between us and the common enemy will be able to exercise the franchise. Under existing circumstances it is impossible to provide that opportunity. As for the remainder who are not in the Army or are in the Civil Construction Corps, or engaged in other avenues of war effort, what remains? There are those who are enjoying freedom and, practically without curtailment, all the amenities they enjoyed before the declaration of war. If the disgruntled cannot muster up ten per cent. of the community, something is wrong. Take the municipality in which I now reside, Claremont—one can walk all over it in a day. If ten per cent. of the electors in that municipality were not interested enough to get up a petition for

the holding of an election, I do not think they would be worthy of consideration, and they would not receive it from me. I believe in Cromwell's maxim, "Put your trust in God and keep your powder dry."

I have ascertained from the municipality of Boulder that there is no intention whatever to compile a new municipal roll. To my knowledge, in that municipality there are scores and scores of electors who have joined the Military and Naval Forces. New ratepayers have entered upon the goldmining area where mines have closed down, and they have taken the places of many ratepayers who have gone into the Fighting Services. Were an election held in the Boulder municipality, there would be two injustices done. Scores and scores of the electors would not be in a position to record their votes, and dozens and dozens of persons entitled to be on the roll but not enrolled—and with no possibility of enrolling—would be debarred from voting. In all the circumstances, any reasonable man taking a long view of the situation must support the Bill. What would be the net result of municipal elections held at this juncture? Is the life or continuity of local government dependent upon either the rejection or the return of perhaps half a dozen men? Merely a third of municipal representatives are concerned in this.

Hon. J. A. Dimmitt: If Mr. Cornell carried that argument to its logical conclusion, he would never bother with another election.

Hon. J. CORNELL: I want to know what benefits would result from municipal elections held at this period. I have lived a long while and have crossed many dry creeks in my time. I have seen many Parliaments come and go, and many local governing bodies come and go; but I have yet to learn that their fate, or for that matter the fate of those represented by them, hinges on the re-election of, at all events in one case, a few individuals. The disgruntled can say, "There will be an election, and what more do you want? Do you want more than ten per cent. of the electors to vote?" The strength of the Boulder roll is about 2,000, and ten per cent. of that number would be 200 electors; and the area of Boulder is not more than one square mile. If an election is desired at Boulder, anyone sufficiently interested should be able to get the signatures of ten per cent. of the electors. Just

at present, however, I believe that not two per cent. of those signatures would be obtainable.

HON. W. J. MANN (South-West): I am in favour of the Bill. Recently I took the opportunity in the South-West Province of discussing this question with men interested in local government. Strange to say, I did not meet one man who had any complaint to make. In point of fact, I met many who had no hesitation whatever in saying that if the labour position got much worse in the rural districts, great difficulty would be experienced in finding electors who would be able to spare the time to serve on road boards. Further, the chairman of a board expressed to me the hope that there would be no election, because some of the members retiring upon the expiry of their term would give the work up altogether and he could see no suitable candidates offering.

This is an optional Bill, containing nothing mandatory. The people, if they desire a change, can demand it. I would be greatly surprised if in connection with any of the boards in the province I represent, a demand of that nature was made. One never knows, but to me the feeling in the country appears to be that this is a useful measure and one that, in existing circumstances, should be passed. Consequently I support the Bill.

On motion by Hon. L. B. Bolton, debate adjourned.

BILL—ALBANY RESERVE ALLOTMENTS.

Second Reading.

THE CHIEF SECRETARY [3.40] in moving the second reading said: This Bill relates to an area of land at Middleton Beach, Albany, which was originally set aside as a reserve for recreation purposes as far back as 1894. In recent years circumstances have arisen rendering it necessary to obtain some legislative authority to deal with the position that has been created. Albany, naturally, is a highly popular holiday resort. Difficulties as regards accommodation resulted from the number of visitors to the town. One method by which the Albany Municipal Council endeavoured to meet the situation was to lease the area of the recreation reserve to private individuals for the purpose of erecting sectional huts to be rented to summer visitors. Representa-

tions were made to the Government accordingly, and the purpose of the reserve was changed from "recreation" to "recreation and camping," and it was vested in the Albany Municipal Council with power to subdivide and lease for terms of 21 years. Thereupon the council subdivided the area and leased the land to various persons for that term, 21 years, the leases expiring between February of 1943 and February of 1958, according to the date of the commencement of the leases issued.

One of the conditions of the leases was that lessees should clear and fence the land and erect dwelling houses in accordance with plans and specifications to be approved in writing by the council. The result was that on most of the leases permanent dwelling houses were erected. No steps have been taken by the council to limit occupation and improvement of leased areas in accordance with the purposes for which the land was reserved, namely, "recreation and camping." In 1934 the council approached the Lands Department as to the possibility of lessees obtaining the freehold of the lots which were occupied, and in 1935 the council requested that it should be granted the freehold of the reserve in order to enable sales to be made. As to camping, the buildings erected would not of course, take the form of permanent habitations; but the conditions laid down in the leases led to the erection of substantial buildings. The council was informed that as the public had been permanently deprived of the land, the department would agree to submit the lots to auction, sales to be subject to the value of improvements being paid by any purchaser who was not the owner thereof.

On inquiry into the procedure best suited to meet all existing circumstances should a vesting order—which was considered to be the best means for meeting the council's wishes—be granted, it was discovered that there was some doubt as to the legal position. As a result of further investigations by the Crown Law Department, we have now reached the stage when we find that we can cancel the purpose for which the reserve was granted, but not the vesting order. That raises a position difficult to overcome without obtaining an Act of Parliament to authorise the procedure suggested in the Bill. The proposal that the Lands Department should cancel the reserve and submit the block to public action at a certain upset price, plus

the valuation of the improvements, was considered. The lessees generally considered the upset price of the land would be too high and the valuation of the improvements too low. Under the Land Act, it is not possible, without Parliamentary approval, to sell Crown town lands unless they are submitted to auction. A provision has been included in the Bill dealing with that phase of the matter.

The Bill provides that the lessees will be enabled to continue their existing leases until these expire, should they desire not to accept the privileges which the Bill, if passed, will confer. Upon the land reverting to the Crown on the expiration of the leases, the lessees will be given three months in which to remove their improvements. The rental reserved by the leases is £2 per annum, and this amount cannot be increased. The Bill also provides that application for the fee simple of the land must be made within six months of the passing of the Bill, the purchase price to be fixed by the Governor on the recommendation of the Minister, on the basis of the unimproved value of the land and upon the terms and conditions specifically set out in the Bill. When unalienated town lots are sold by auction, the Land Act provides that the purchase money may be paid in four quarterly instalments over a period of one year. The Bill provides that such of the lessees as may desire to purchase these allotments may, should they not have the total amount available, pay the purchase price by a deposit of 10 per cent. and eight quarterly instalments, thus giving them two years in which to pay the purchase price. The Bill is well drafted and members who read it carefully will see there can be no mistake as to what is intended. Reserves usually are dealt with in a comprehensive measure, but on this occasion, on account of the circumstances I have mentioned, we have thought it desirable to introduce a specific Bill. I feel sure that members who have some knowledge of what has occurred in regard to this land will be only too pleased to support the Bill. Once it becomes law, it will settle for all time the many discussions that have occurred with regard to the reserve, and it will, of course, put right something which, in my opinion, should never have occurred. The Albany Municipal Council, in its desire to ensure that buildings erected upon these allotments should comply with certain require-

ments, created a situation which the council now desires to have rectified. This Bill will achieve that end, and I hope the House will agree to the measure. I move—

That the Bill be now read a second time.

On motion by Hon. V. Hamersley, debate adjourned.

BILL—PERTH DENTAL HOSPITAL LAND.

Second Reading.

THE HONORARY MINISTER [3.52] in moving the second reading said: The purpose of this Bill is to authorise the transfer of a certain portion of the land comprised in Perth Town Lot 05 to the Perth Dental Hospital Board for the purpose of a site for a public dental hospital. In 1932 an area of land comprising 12.9 perches and described as Perth Lot 654, situate in Pier-street, between Murray and Wellington streets, was set aside as a reserve, and a Crown grant for the site, which was to be used for the purposes of a dental hospital, was issued to the Perth Dental Hospital. It was realised later that the site was unsuitable for the purpose, and representations were made to the department concerned for permission to sell it, so that the proceeds could be utilised in the purchase of another site. No other Crown land was available for exchange purposes.

By this time the Perth Dental Hospital had become merged in the Western Australian College of Dental Science and the Perth Dental Hospital Incorporated. The Public Dental Hospital Land Act of 1934 gave authority to this composite body to sell Lot 654 and apply the proceeds of the sale to the purchase of another area and the construction of the necessary building. The sale realised £1,500, and a fresh lot was bought in Wellington-street between Lord-street and Hill-street for £1,050, the balance of the money being applied towards the cost of the building which is now erected there. The new site is held under the name of the composite body, but now as the college and the hospital have been divided and are administered under separate constitutions, it is desired that the ownership of the land be transferred to the Perth Dental Hospital. The parties are agreeable to such a transfer and this Bill has been brought forward to obtain the necessary authority.

Some time ago when this matter was brought up and the necessity for the trans-

fer was pointed out, an examination showed that the word "incorporated" was being improperly used. The legal interpretation of the word "incorporated" is, I understand, quite different from what was intended in connection with the Perth Dental Hospital, and the word has consequently been eliminated from the title of that institution, which is now known as the Perth Dental Hospital. The Bill is a simple measure rendered necessary because of the division of the interests which formed the conjoint ownership of the area in question, and I trust it will receive the approval of this House. I move—

That the Bill be now read a second time.

On motion by Hon. L. Craig, debate adjourned.

House adjourned at 4.55 p.m.

Legislative Assembly.

Thursday, 15th October, 1942.

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The SPEAKER took the Chair at 2.15 p.m., and read prayers.

QUESTIONS (3).

MUNICIPAL CORPORATIONS ACT.

Councils' Revenue.

Mrs. CARDELL-OLIVER asked the Minister for Works: What are the respective amounts calculable as local revenue for the purposes of Section 480 of the Municipal Corporations Act from the last year's annual statements of—1, The Perth City Council; 2, Fremantle City Council; 3, Subiaco Municipality?

The MINISTER replied: The figures supplied by the councils are as follow:—Perth City Council, £255,862; Fremantle City Council, £54,978; Subiaco Council, £36,034.

SHIPBUILDING.

Qualifications of Management Committee, etc.

Mr. BERRY asked the Minister for Industrial Development: 1, Will he please inform the House what qualifications for shipbuilding are possessed by each of the members of the management committee set up to inaugurate and control the industry of building wooden ships in Western Australia? 2, Is there any reason why an experienced shipbuilder has not been included in the personnel of this committee? 3, When may we anticipate the laying of the first wooden-ship keel in this State?

The MINISTER replied: 1, Two members of the Committee are civil engineers of high standing with special organising qualifications. The third is a marine engineer who has had shipyard experience. 2, An expert on wooden-ship building is to be appointed almost immediately as works manager. 3, Eight to ten weeks.

PIGS, PRICES.

Mr. BERRY asked the Minister for Agriculture: As he is aware of the wide discrepancy between the price of pigs in this State and the Eastern States and because of the rising resentment of Western Australian pig breeders, will he make a statement explaining the reasons for such discrepancy?

The MINISTER replied: The basis of increased production of pigs in Western Australia is the policy to produce for the export market. In the Eastern States, particularly Victoria and New South Wales, growers have produced for the local market rather than for the export trade. Because of this factor, we have been subjected to a 15 per cent. discrimination on the export price which has, following our constant representations, recently been removed. This represents a little more than 1d. per pound to the grower. The Government has also on numerous occasions stressed the necessity of the grower having a period of security during which the price will not be reduced. It is known that this provision was included in the drafts of the plan to control the meat industry. The price alone is not sufficient to induce farmers to enter upon a policy of pig production, as is clearly indicated by the receding number of pigs in the Eastern States where the price is high.