

license fees for the right of carrying passengers are entitled to be protected. The schedule of fees to be paid by the owners of trailers has been remodelled. The scale in the Act was designed at a time when trailers, mainly of a heavy type, were attached to motor trucks. The minimum fee prescribed for a trailer was £4. Light trailers are now attached to motor cars and to small runabouts, and, as a matter of fact, the minimum charge for a trailer is higher than the charge for a light motor car. The Parliamentary Draftsman has also simplified the schedule to the Act whereby different classes of motor vehicles are better described.

Mr. Patrick: What about paying license fees on a monthly basis?

The ACTING MINISTER FOR WORKS: I do not think there is any need to provide for less than quarterly payments.

Hon. C. G. Latham: In the Old Country provision is made by issuing licenses in the months one to 12.

The ACTING MINISTER FOR WORKS: I think we have met motor owners fairly by providing for quarterly licenses. The Act also provides the method whereby fees shall be assessed, based on what is known as the Dendy-Marshall system. It has been ascertained that this method has been discarded in other countries. The Bill, therefore, provides for the assessment of fees, based on what is known as the R.A.C. formula.

Mr. Marshall: Will you explain that formula?

The Premier: Does it bring in more revenue?

The ACTING MINISTER FOR WORKS: In some cases slightly more and in other cases a little less. It is considered to be a more up-to-date system than the existing one.

Mr. Marshall: There is more gelignite in this formula than in the other.

The ACTING MINISTER FOR WORKS: The effect of the alteration will be that in some instances the fees will be increased beyond what is now being paid for certain classes of vehicles, but on the other hand a few reductions will be made. It will be noted that in this Bill no provision is made for the compulsory insurance third party risk by owners of all motor vehicles, including motor cycles. The Act itself pro-

vides for compulsory insurance for all vehicles licensed to carry passengers for hire or reward, in respect only of injury that might be caused to persons. We have made inquiries and obtained information in respect to third-party insurance policies, and consideration is now being given to the introduction of a Bill providing for that. It is a difficult matter to provide something that will be fair to the public, and prevent them from being exploited if the system is made compulsory. That, however, is not included in this measure. In the main the amendments are those which have been asked for by interested organisations associated with the motor traffic, and by the Commissioner of Police. It is entirely a Committee Bill and I move—

That the Bill be now read a second time.

On motion by Hon. C. G. Latham, debate adjourned.

House adjourned at 8.43 p.m.

Legislative Council,

Thursday, 5th September, 1935.

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

BILL—PLANT DISEASES ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [4.35] in moving the second reading said: The purpose of this Bill is to give the Agricultural Department power to deal more effectively with the fruitfly pest, which during the last 12 months has been more prevalent, has become more

widely distributed throughout the State, and has done greater damage than in any similar period since the introduction of the pest into the State. For some time after the discovery of the introduction of the fruit-fly, it was believed to be mainly a stone-fruit pest, and it was thought that the area of its operations would be confined to districts with warm climatic conditions during the summer and with winter fruits forming a continual carry-over from season to season. It is now found that many fruits which were thought, if not to be immune, at least to be highly resistant, are subject to attack. Even growers of export apples and grapes now have reason to view the matter seriously. The realisation of the danger has caused great concern to all fruit-growers. Meetings have been held in many fruitgrowing centres to discuss ways and means of combating the pest; and as a result it was decided to appoint a committee to advise what action should be taken in an endeavour to control if not eradicate the scourge. The Government decided to give effect to the suggestions of the committee by introducing this Bill. There will be no tax on the fruitgrowers, many of whom are already suffering severely on account of the low prices they are receiving for their products. It is essential, however, that the department should be in a position to know every place where fruit trees are grown, not only for commercial purposes, but for private enjoyment also. To ensure that this information shall be available, provision is made in the Bill for the registration of all places where one or more fruit trees or vines are grown. It is proposed to charge a nominal registration fee of one shilling, and the money obtained from this source will be put into a special fund, and will be utilised solely for the purpose of assisting in controlling and eradicating the pest. Registration is essential in order to enable the department to locate all orchards, and to learn the area of them, and so assist in the campaign for the destruction of the fruitfly.

The responsibility of taking action to free their orchards of the pest will rest upon all orchardists; and if the action required by the department is not taken, it is proposed, in the growers' own interests, to prosecute without fear or favour, and also without giving notice that such action is proposed. Necessary power is provided in the Bill to declare any particular area in the State to be infested, so that owners of orchards

within that area, even though not infested, shall be bound to take steps to prevent the spread of the scourge. Under present conditions a disease must be found in an orchard by an inspector before instructions can be given to the owner or occupier to take action, and under these conditions a pest might easily increase and multiply before either the owners of the properties, or the inspectors, were aware of its presence. The action which will be necessary for growers to take under the provisions of the Bill will undoubtedly have the effect of preventing the spread of disease in what are now practically clean areas. Much publicity has been given recently to the damage caused by this pest, and the time is now opportune to take vigorous and concerted action, as there is a marked disposition amongst all growers, whether commercially or for private use, to do their bit towards eradicating the pest, provided that an assurance is given that everyone will be compelled to shoulder his portion of the responsibility. The powers provided in the Bill will enable the department to force all growers to take necessary action. I move—

That the Bill be now read a second time.

HON. C. F. BAXTER (East) [4.43]: I shall support the second reading of the Bill, and I desire to compliment the Government on bringing the measure before Parliament. It is, indeed, a measure long overdue. The fruit-growing industry of this State is fortunate in being free from numerous pests and troubles; but a menace which has been knocking at our door for a number of years has created a dangerous position. I refer to the spread of the fruit-fly, and accompanying diseases. Small orchards, or I may say the few fruit trees to be found in city and suburban gardens and about small towns, are the local sources of the danger. In connection with the retention of these trees there is a certain carelessness which has become a menace to the industry generally. The fruit industry of Western Australia is a highly important one, and brings large amounts of money to this State by the export of several varieties of fruit—not alone of apples, in which respect Western Australia is not surpassed by any part of the world. Western Australia has made its name as an apple-growing country. Some people may maintain that Tasmanian apples are better than the Western Australian; but that has not been proved. During war

time, when our fruit industry, like every other industry, was in a parlous condition, the Federal Government made available funds for the payment of 9d. per case on all fruit which, having been shipped to the Eastern States, did not realise a certain price. I am pleased to state that that fund was never availed of by our growers, because Western Australian fruit always realised at least the minimum price. What was more astonishing to me, as Minister for Agriculture at the time, was the fact that Western Australian apples brought a higher price in the Sydney market than did the Tasmanian apples, which were then thought to be the best apples in Australasia. With an industry such as we have, it is very necessary to adopt every safeguard. The Bill will not inflict any injury on those people who have backyard orchards, unless indeed those areas become diseased or attacked by fruit fly. It is here that carelessness is shown. The position is they will be registered in future, and as a result the inspectors will know where to find them.

Hon. E. H. Gray: Grape vines as well?

Hon. C. F. BAXTER: Yes, certainly. It will cost money to carry this out, and I notice that Clause 4 provides that the fee for registration or transfer of registration of an orchard is to be fixed at 1s. I do not know why it is so low.

Hon. E. H. Gray: Because of the backyard orchard. Consider the working man.

Hon. C. F. BAXTER: But surely it should be raised a little above that, for money has to be found for the inspection of the orchard.

Hon. H. J. Yelland: It will cost more than that to make one inspection.

Hon. C. F. BAXTER: Of course so. I consider the fee should be doubled, and in Committee I will move an amendment to that effect.

Hon. G. W. Miles: You cannot do that, for it would be increasing taxation.

Hon. C. F. BAXTER: That is right; I see I have slipped there. But the shilling will not be of much value for providing funds for the inspection of orchards. I hope the Bill will be well received in this House, for it is very necessary. I understand that some of the backyard orchards are badly neglected. But this fee will cover any orchard, big or small. Otherwise the clause would not read as it does.

Hon. G. W. Miles: Continue the clause from where you left off reading it.

Hon. C. F. BAXTER: It continues—

And other registration fees may be graded from 2s. 6d. upwards, according to area.

I should like members to get it into their minds that a shilling fee for registration is too small an amount. I do not want to pile up expenses on the orchardists, but certainly one shilling is altogether too low for the purpose. When this registration is completed members will be astounded to find how many small orchards there are. With that qualification about the fee, I will support the second reading. I hope the Bill will pass, and so give the responsible department, the Agricultural Department, the control of these orchards, that they may not only check the pest but wipe it out altogether.

HON. L. CRAIG (South-West) [4.50]:

I wish to commend the Bill, which has been asked for by the fruitgrowers themselves so that they may protect themselves. It is the job of a fruitgrower to protect his own orchard, but under the Bill the Government will have power to insist that all orchardists do their fair share in eradicating the pest. At present many orchardists are taking precautions, picking up their affected fruit and burning it, and so on, but there are a few who are not doing their share, and consequently the work of those who have looked after their orchards is rendered useless, because the pest will spread from two or three neglected trees until the whole area is infested. Fruitfly when first discovered here, was not supposed to be able to live in a climate like that of Perth. It was thought the winter would be too severe for the pest. For many years the pest has not spread beyond the metropolitan area and outlying districts, but as time has gone on the fruitfly, like other pests, has become acclimatised and is now in evidence down as far as Bridgetown, and no doubt will spread right through the fruitgrowing areas unless something be done to check it. In France it has lived through a French winter including several days below freezing point, so obviously our climate will not stop the spread of the disease. The fruitgrowers themselves have asked for the Bill, but are not asking that a lot of money be spent by the Government in the eradication of the pest. I cannot support Mr. Baxter's suggestion that a shilling fee is too small.

Hon. J. Nicholson: That is only for transferring a registration.

Hon. L. CRAIG: No, it is for a registration or the transfer of a registration. The whole point is that a lot of money is not required. The Minister will have power under the Bill to instruct the orchardists in a certain area to take certain action. The only money required will be for the payment of the inspectors to see that the work is carried out by the orchardists. So I think a shilling should be quite sufficient, since a lot of money is not required. It is also necessary that the Bill should not be delayed. The fruitfly is very active in summer time and almost dormant in the winter. Except oranges, very few fruits serve as a carry-over for the pest during the winter, but as soon as the warm weather comes the fly is once more very active indeed. So it will be necessary for the department to get the Act into operation as soon as possible, and have the orchards registered before the hot weather comes, so that they may take action to keep the orchards clean. The main provision in the Bill is to register the small backyard orchard. It has been found that as many as 50,000 pupae can be gathered under one tree. So if one backyard tree is neglected it may serve to infest a whole area of orchards, even orchards that have been kept clean. I commend the Bill to the House, and I suggest that it be put through as quickly as possible.

HON. A. THOMSON (South-East) [4.55]: I, like the last speaker, hope the Bill will go through the House quickly, because prevention is better than cure. Last session the Bill was before another place, but was crowded out in the closing days of the session. I cannot agree with Mr. Baxter that the sum of one shilling is too little as a registration fee. The object of the Agricultural Department is to compile a list of the fruit trees planted around private homes. Many people living in the metropolitan area like to have one or two fruit trees about their homes. No doubt, as pointed out by Mr. Craig, a good deal of the trouble can be traced to these orchards in private homes, which are in effect neglected orchards. We have passed an Act which gives the department power to go in and destroy an orchard if it is found to be a neglected orchard and likely to become a menace to the industry. Only this morning, when chat-

ting with a gentleman interested in the citrus industry. I remarked that the 2s. bonus given by the Federal Government should be of some assistance to him this year in view of the low prices. To my astonishment he informed me that, unfortunately, Western Australia, by virtue of the fact that she suffers from fruitfly, will not be able to participate in that bonus.

Hon. E. H. Gray: That was only on fruit for export.

Hon. A. THOMSON: Yes, I understand that we used to export oranges.

Hon. H. V. Piesse: So we do now.

Hon. A. THOMSON: This was a man interested in the citrus industry, and possibly it may be that his orchard is in an infested area, and consequently he cannot participate in the bonus. I will support the Bill, believing it will be of benefit to the people of Western Australia as a whole. It is alarming to find that the fruitfly has got as far as Bridgetown and is still spreading. The sooner we give the department power to take effective steps the better it will be for the industry in Western Australia, and even for those who have trees in their own private yards. I support the second reading.

HON. H. V. PIESSE (South-East) [4.58]: I intend to support the Bill. I am sorry the delay has taken place and that the measure was not brought before this House and passed last session. Many years ago when I was a lad codlin moth was discovered in an orchard we had at Katanning. Regulations to deal with the pest were quickly brought in, and all the fruit we obtained during the next few years—running into thousands of cases—was destroyed. The Government rightly took action, although it was very costly to the owner of the orchard. Still the codlin moth has never really got the start in Western Australia that it has in the Eastern States and Tasmania. Consider the cost it has been to Tasmanian orchardists. I was at Hawkesbury College in 1902, when we had continually to bandage the trees in order to check the pest. Once the regulations are brought into force in a country where codlin moth is rampant, it becomes a very costly matter and tremendous loss is caused through damage to the fruit.

Therefore, like other members, I think the Bill should be passed as quickly as possible.

HON. J. CORNELL (South) [5.0]: The only thing I see wrong with the Bill is that it is not drastic enough, and the sooner we wake up to actualities the better. There is really only one course we should follow, and that is to get rid of the one-man orchard in the metropolitan area. Next door to my place there is a fig tree, and I am prepared to say it is quite capable of propagating enough fruitflies to affect the whole of the metropolitan area.

Hon. E. H. Gray interjected.

Hon. J. CORNELL: Mr. Gray is a champion of repression in one direction but not in every direction. It is ridiculous, in my opinion, for any man to try to grow fruit trees in the sand in the metropolitan area. Even lemon trees, I believe, are capable of carrying the fruit fly. If we are going to exterminate the pest and declare that the man growing one fruit tree must not be looked at, then we are on the wrong track. Let us root them all out.

The Honorary Minister: What about vines?

Hon. J. CORNELL: If phylloxera appeared, what would we do? We would root out and burn all the vines. I am satisfied if we want to cope with the fly in the metropolitan area, we must root out all the trees, and start all over again. To try and police the one-man orchard will be impossible. I support the second reading of the Bill, and regret it does not go further.

HON. G. FRASER (West) [5.2]: I am sorry we have to take the Bill through so quickly, because, had more time been available, we might have moved amendments to improve it. The Bill as it has been presented to us is certainly an improvement, and for that reason I am prepared to support it. I should like to see a provision inserted for compulsory spraying.

Hon. L. Craig: Spraying will not kill fruitfly.

Hon. G. FRASER: It has been proved that spraying has checked the fly very considerably. Some few years ago we had compulsory spraying.

Hon. H. S. W. Parker: But you do not want to spray if it is not necessary to do so.

Hon. L. Craig: Picking up the fruit is the main thing.

Hon. G. FRASER: I have not the figures now—they would be very interesting if I

could give them—to show the difference after spraying has been carried out. It has been said by a lot of orchardists that the small orchards in the metropolitan area are responsible for the spread of the fly.

Hon. L. Craig: And the country towns.

Hon. G. FRASER: I am not prepared to speak about country towns; I am familiar only with the metropolitan area. The average person in the metropolitan area who owns the house he lives in and who has one or two trees, usually looks after those trees fairly well, but where properties do not belong to the occupier, there is considerable indifference.

Hon. L. Craig: There are also a lot of neglected orchards responsible for the spread of the fly.

Hon. G. FRASER: Those who are merely occupiers of houses are not as careful as they might be with their small orchards. I know of one place close to my people's property which was neglected, with the result that every orchard in the district suffered. It is a very serious thing for those who are prepared to look after their orchards, especially when they do everything possible to keep down the pest. Some orchardists after carefully inspecting their fruit before sending it to market, discovered later that a small portion of it was affected, and the whole lot was condemned. That is what happens to people who, while they themselves are careful, suffer through the neglect of others. If it were made compulsory for all to do everything possible to keep their orchards clean, then the neglectful people would have to suffer for their own neglect. I want the measure to go through as quickly as possible, because it is badly needed, and I hope that at a later stage it will be possible to improve the legislation.

HON. H. J. YELLAND (East) [5.6]: I intend to support the Bill because I recognise the necessity for action being taken to secure the safety of orchardists. I endorse what has been said by those members who referred to the damage being done by the metropolitan backyard orchards, the owners of which are not giving any attention to the need for spraying. My mind goes back to the time when considerable expenditure was incurred by the State to cope with the fly, and when it was found that all that was done was unavailing. We sent one of our entomologists all over the world to find the fruitfly parasite, and it was claimed that if the parasite were found there

would be no need for us to do anything further to eradicate the pest. The pest came from South America and logically it was said that if the entomologist went there, according to the laws of nature, that was where the parasite would be found. However, it was found from experience in dealing with the pest that the parasite usually attacks the pupae, and, as the fruitfly egg is laid in the fruit, and develops under the skin, it is impossible for the parasite to get at it.

Hon. J. Cornell: They found a parasite for the prickly pear and eradicated that pest.

Hon. H. J. YELLAND: That is a different thing altogether. The parasite there attacked the pear itself; it did not attack another insect. The parasite was able to live on the flesh of the prickly pear, but the parasite required for the fruitfly would have to lay its eggs in the grub and so destroy the grub before it became a fly. It was found that that could not take place because the grub lives a sheltered life within the fruit. As the fruit falls or ripens, the grub develops into the fly and lays its eggs, and so the whole cycle goes on. Therefore it was found necessary to turn our attention not to the parasite but to use other means of dealing with it in a totally different way. Experience has shown that there are certain ways of dealing with the fly, and what is proposed is only a means of giving the department a right to insist that the methods that have been found to be efficacious shall be adopted. The first thing to be done is to find the orchards that are neglected, and I have no hesitation in saying that the greatest menace is the person who is growing fruit not for commercial purposes. He plants a few trees just for the sake of having them in his garden, and because he is not making anything out of the trees, he does not realise the seriousness of neglecting them. No one would charge that person with wilfully spreading the disease: he is responsible for its being spread because he does not realise what a menace he is to the industry generally. So it becomes essential to bring him under control. In doing this, I feel certain we shall be going a long way towards keeping the pest in check. It is the cheaper way of doing it and the education of the defaulter in this respect is far more economical than sending inspectors around the districts to

destroy the trees. There is another point the department will have to take into consideration, and that is the number of our fruits that carry the pest. I understand that the fly has been found in the apple of Sodom, especially around the Fremantle district and in other settled places.

Hon. E. H. Angelo: That would be affected by the native fruitfly.

Hon. H. J. YELLAND: Perhaps that is so, and in those circumstances it would not be so important. On the other hand, the ordinary fruitfly has been found in the eastern wheat belt, where many of the farmers have a few trees. Obviously, the fly has been imported and most probably it has been brought in from the metropolitan area. A consignment of infected fruit may have escaped the vigilance of the inspectors and been conveyed to the eastern wheat belt. There are no restrictions with regard to that part of the State because there are no commercial orchards to be affected, but the fact that fruitfly can be found 200 miles inland demonstrates how easily the pest can spread. When we realise that possibility, it will surely indicate the necessity for stringent action to keep the pest in check. Reference has been made to the cost of combating the codlin moth. We must commend the officers of the Agricultural Department upon the manner in which they have kept the State free from that worst of all fruit pests. What the departmental inspectors have done in preventing outbreaks of codlin moth, can also be done in a smaller way with regard to the fruitfly. If the fruitfly is kept in check, no measure will be too stringent in order that our fruit-growing industry may be protected. I support the second reading of the Bill, and I trust it will be passed speedily so that the regulations under it may become enforceable.

HON. E. H. GRAY (West) [5.17]: I support the second reading of the Bill, but I disagree with the argument advanced by Mr. Cornell. Although I am not an expert, I believe that the fruitfly is spread in the metropolitan area by the retailers of fruit.

Hon. G. W. Miles: You are wrong.

Hon. E. H. Gray: A lot of it is spread that way.

Hon. H. J. Yelland: I have not yet bought any infected fruit from retailers.

Hon. J. Cornell: Where did the fruit come from before the retailers handled it?

Hon. E. H. GRAY: They must have purchased it.

Hon. L. Craig: I remember fruitfly in Perth 30 years ago.

Hon. E. H. GRAY: If the retailer conveys fruit from house to house in an endeavour to dispose of it, that practice must have the effect of spreading the fruitfly. I support the Bill because it will have the effect of making people careful, but I hope it will not be enforced in the metropolitan area until the people receive due notice. There are thousands of small backyard orchards, and it is idle to say it is impossible to grow fruit of any kind in the metropolitan area. The finest fruit one could wish for can be grown in the Fremantle district, including grapes, peaches, apricots, oranges and many other varieties. I would like the Minister to inform members why vineyards have been included under the Bill. I have not known of the fruitfly affecting grapes.

Hon. L. Craig: It does, most definitely.

The Chief Secretary: Yes, it does to a certain extent.

Hon. E. H. GRAY: It must be to a very small extent, for I have never seen grapes affected by the fruitfly. One effect of the Bill, in my opinion, will be to put hundreds of people to unnecessary trouble in registering their orchards or vineyards.

Hon. L. Craig: But registration will cost only a shilling.

Hon. J. Cornell: What is the difference between making a man register his dog and register his orchard?

Hon. E. H. GRAY: If it is unnecessary, why bother about it? I have never seen grapes affected by fruitfly.

Hon. L. Craig: Of course, the fly affects grapes.

Hon. E. H. GRAY: If that is so, I shall surrender.

HON. H. TUCKEY (South-West) [5.21]: I do not agree with the suggestion that the Bill should be rushed through. It is far too important to be dealt with in that way. I hope the debate will be adjourned till next week, so that members may have a better opportunity to consider its provisions before we deal with the measure in Committee. The worst feature of the fruit fly pest is that it is rapidly spreading through the fruit-growing districts of the South-West and the Great Southern. The

Bill is long overdue, and I shall support it.

HON. H. S. W. PARKER (Metropolitan-Suburban) [5.22]: I agree with other members who have stated that the Bill is long overdue. Ten years ago I was employed in prosecuting people for not complying with the requirements of the Agricultural Department. In those days, inspectors were sent from house to house. If my recollection serves me aright, there was not a solitary house visited where trees growing on the property were not affected by the pest. It was pointed out to me by the departmental officials at the time that the most prolific source for the spread of the fruitfly was the stray trees in backyards, and that another great source of infection was represented by the few trees grown on properties in the hills where people had week-end cottages. The owners of those blocks would not even worry to pick the fruit, which simply dropped, rotted on the ground and spread the fly. A lot of trouble was occasioned through those prosecutions, although the people concerned had previously been warned by the inspectors that they had to take certain action with regard to their fruit trees. Although warned, the people would not take any heed. Subsequently inspectors were sent to various properties to cut the trees down, and that gave rise to a further source of trouble. I have a vivid recollection of one inspector who went to the home of a very senior civil servant. He threatened to cut down the only tree that that official had in his backyard. The inspector happened to know who the man was, and he was bluffed. The individual who has one or two trees in his backyard, represents a grave danger and causes, although unwittingly, the rapid spread of the fruitfly pest.

Hon. J. Cornell: Such trees ought to be rooted out.

Hon. E. H. Gray: But the man could keep his trees clean.

Hon. H. S. W. PARKER: I feel sure that not one of the persons concerned is anxious to eat fruit affected by fly, and I, for one, am most anxious that my fruit shall not be affected merely because the gentleman next door will not attend to his trees. It is important that this task shall be dealt with in a large way, not piece-

meal. I trust the department will not spare expenditure in undertaking the necessary advertising. Unfortunately, we must reach many people who do not read the newspapers and do not realise the fact that their one or two trees may cause so much harm. They cannot realise, as Mr. Gray cannot, that one vine in a backyard may cause considerable damage to the fruit trees and vines of neighbours.

Hon. E. H. Gray: I know more about the matter than you do. I have systematically baited and sprayed my trees for the last five years.

Hon. H. S. W. PARKER: I am glad to hear that. After listening to the hon. member's remarks, I was under the impression that he did not know that vines could be attacked. I am pleased to know that he has not been neglectful of his duty. Another source of trouble is the few trees that may grow on unoccupied blocks of land. Throughout the suburbs and in the outer areas there are odd trees, especially fig trees, that are neglected and help to spread the fruit fly. I fear the departmental officials may have some difficulty in finding owners in some instances, for very often they are absentees. I notice, however, that provision is made for power to destroy such trees, and I trust the department will have sufficient funds to enable that work to be undertaken. I probably represent as many people as any other member, who will be affected by this legislation. In fact, my province will possibly provide more funds by way of fines for non-compliance with the Act or regulations, than any other part of the State.

Hon. L. Craig: The people will go to you to be defended.

Hon. H. S. W. PARKER: They may, but I certainly do not want them to come to me as their representative in Parliament with a request that I shall defend them as such. I note that the penalty provided is a fine of £20 and £1 per day. There is also a section in the Act that provides that the minimum penalty shall be one-twentieth, so that if a person is charged, he must be fined at least £1. That may work hardship in some instances, and, unfortunately, the people who do the most damage are those who do not realise that they are doing so. I trust the departmental officials will make every endeavour to notify the more ignorant, or more careless, section of the com-

munity of what is required and perhaps the Education Department could assist by means of supplying information through the school children. I trust that every opportunity will be taken to broadcast the provisions of this legislation as soon as it becomes law.

HON. J. M. MACFARLANE (Metropolitan-Suburban) [5.30]: I support the second reading. With my colleague, Mr. Parker, I recognise that the measure is likely to cause a good deal of disturbance in the Metropolitan-Suburban Province, due to the fact that many people who have two or three trees in their backyard will have no knowledge that a measure providing for the care of orchards applies to them. Therefore, if the drastic provisions of the measure are to be enforced in the metropolitan area, they are likely to work some hardship. I appreciate that the metropolitan area is a potential source of trouble for the fruitgrowing districts of the State, but it will be hard for people who conscientiously care for the trees on their small holdings to be subject to conditions that will apply to orchards conducted on a commercial scale. If a separate set of conditions could be applied to the commercial orchards, the provisions might be eased in their application to the metropolitan area. Certainly the few trees grown by a householder cannot be considered as being on the same plane as an orchard having commercial value. Who would deny that a householder is entitled to grow a few fruit trees?

Hon. L. Craig: Under the measure a certain area may be declared affected.

Hon. J. M. MACFARLANE: All people having fruit trees, few or many, will be liable to the heavy penalty proposed, many of them without knowledge of their responsibilities. Who reads the notices in the "Government Gazette"? While I am fully in accord with the intentions of the Bill, I cannot shut my eyes to the difficulties that are likely to arise. I hope the Minister will extend consideration to the people in the metropolitan area as distinct from orchardists operating on a commercial basis. I agree with Mr. Tuckey that the matter is urgent, though perhaps not so urgent as to be necessary to discuss it to-day. I regret that the Bill was not passed last year. I know of orchards where trapping had been successfully carried on for a number of years, but probably owing to laxity in ad-

ministration of the Act, neighbours were not called upon to do their part and those orchards became badly infested last year. Such legislation should be strictly enforced where fruit is being grown for commercial purposes, but there should be a special way of dealing with the metropolitan area, where people grow only a little fruit for home use.

Hon. E. H. Gray: Grapes vines would not be exempt.

Hon. J. M. MACFARLANE: That is so. I have a couple of vines on my block and presumably they will have to be destroyed, even though they are grown chiefly for the very fine shade they give in summer. Something should be done to meet cases of that kind.

Question put and passed.

Bill read a second time.

BILLS (2)—FIRST READING.

1. Fremantle (Skinner Street) Disused Cemetery Amendment.
2. Trustees' Powers Amendment.
Received from the Assembly.

BILL—FACTORIES AND SHOPS ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. H. TUCKEY (South-West) [5.39]: I have given this Bill careful consideration and it appears to me to be far too drastic. Evidently it is going to be the policy of the Government to tax and harass people and curtail their freedom until, in some instances, they are driven out of the country. Why, when we are just emerging from the worst depression the world has even experienced, should we impose unnecessary restrictions on a certain section of industrial people? Surely they are to be commended for striking out for themselves! I submit that the small factories would have to employ labour before they could cause serious opposition to the larger factories, and when they reached the stage of employing labour they would then automatically come under the provisions of the Act. I would remind members that the metropolitan area is not the only place where small factories exist. If the Bill be passed, it

will cause considerable hardship in the small country towns. It is absurd that a person in the country who does a little manufacturing should be confronted with red-tape control from Perth. Many of those small factories are necessary on account of the high cost of transporting goods from Perth. I certainly do not believe in unfair competition, and if necessary, I would support a proposal to reduce the number of persons who might be employed in a so-called backyard factory from four to three. That, I think, would meet the case. Regarding health matters, I consider that the Health Act provides the necessary machinery to deal with all requirements of that kind. Having given the question full consideration, I am, speaking generally, opposed to the whole Bill and will vote against the second reading.

HON. V. HAMERSLEY (East) [5.42]: With the previous speaker, I feel that this is a dangerous measure to the districts I represent. It seems to be another measure for encouraging monopoly and curtailing individual liberty. Quite a number of energetic people like to start in business on their own account and, as they progress, they require help and take on first one and then another assistant. If they are to be brought under control in the same way as large establishments are, their energy will be sapped and they will be prevented from operating. The small factories are not in a position to instal the best of machinery and thus cannot offer any very serious opposition to the larger factories. The effect of the Bill would be to prevent the small factories in outlying districts from doing necessary work. One instance occurs to my mind. Nearly all country hotels manufacture soft drinks, such as soda water and lemonade, in their backyards. This has been rendered necessary through the difficulty of getting supplies, and it is utterly impossible for some of them to carry on their trade unless a certain amount of work of this kind is done on the premises. This Bill will immediately bring them under the control of the factory inspector. Perhaps they can afford to pay the employees the wages involved, and it may be necessary that they should conform to all the regulations associated with factory control, but I feel that if they are brought under the Act this will represent merely another tax upon their resources, and another difficulty for them to contend with.

We know that inspectors do ask for rather impossible things. They may visit certain premises at a particular time, and demand that certain drainage and other works shall be carried out. Six or twelve months later other inspectors may call round and condemn all the work that was done at the instigation of their colleagues, and require that something quite different shall be done. When people have become used to certain conditions it is a good thing to leave them alone. When we amend our Acts of Parliament in this way we tend very greatly to harass those who have established themselves, and have taken into their employment two or three persons. The employers are suddenly confronted with the fact that their premises have been declared factories, and that they are compelled to work under conditions that are very different from those to which they have been accustomed. Such people cannot possibly face the additional expense involved. These constant amendments to our Acts are embarrassing for many individuals, who themselves, if they were left alone, would probably in time become large employers of labour. Those who are well established are entitled to every credit for their enterprise, but we should not prevent smaller people from emulating their good example. The Act as it is is satisfactory. It provides that if four persons are employed in the one establishment it shall be declared a factory. To reduce the number to less than four would be a mistake. If the Bill remains as it is even the owner may be declared a factory. I am opposed to that portion of it, and cannot believe it is necessary at present to amend the Act at all.

On motion by Hon. H. J. Yelland, debate adjourned.

House adjourned at 5.50 p.m.

Legislative Assembly.

Thursday, 5th September, 1935.

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

QUESTION—COMMONWEALTH SAVINGS BANK.

Assistance by State Officers.

Mr. MANN asked the Premier: 1. What amount is received by the Government as commission for work done for the Commonwealth Savings Bank at York, Beverley, Bruce Rock, and Wagin? 2. What amount is paid by the Government as allowances to the Clerks of Courts performing the work for which the commission referred to is received?

The PREMIER replied: 1. Twelve months ended 31st May, 1935:—Beverley £182 6s. 1d., Bruce Rock £167 0s. 3d., Wagin £220 5s. 5d., York £241 3s. 2. £25 per annum.

BILLS (2)—THIRD READING.

1. Fremantle (Skinner Street) Disused Cemetery Amendment.
 2. Trustees' Powers Amendment.
- Transmitted to the Council.

BILLS (2)—REPORTS OF COMMITTEE.

1. Brands Act Amendment.
 2. Droving Act Amendment.
- Adopted.

BILL—JUDGES' RETIREMENT.

In Committee.

Mr. Sleeman in the Chair: the Minister for Justice in charge of the Bill.

Clause 1—agreed to.

Clause 2—Interpretation:

Hon. N. KEENAN: Why is it necessary to include acting judges and commissioners