

prices of the particular commodities to which he now refers shall be arrived at, he will have achieved his desire. But the amendment takes those commodities right outside this legislation; and no matter what machinery might be included in the Bill, the Price Fixing Commissioner would have no power whatever to deal with them.

Progress reported.

### ADJOURNMENT—SPECIAL.

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West) [5.54]: I move—

That the House at its rising adjourn till Tuesday next.

Question put and passed.

*House adjourned at 5.55 p.m.*

## Legislative Assembly.

*Wednesday, 4th September, 1940.*

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

### QUESTION—POLICE.

#### *Esplanade Speakers.*

Mr. McDONALD asked the Minister representing the Minister for Police: 1, Is it a fact that the Police forbade speakers from addressing a meeting on the Esplanade, Perth, on the afternoon of the 18th August? 2, If so, (a) Upon what facts; and, (b) Under what law, was this prohibition based?

The MINISTER FOR LANDS replied: 1, Yes. 2, (a) That a well-known communist endeavoured to speak from the platform used by the communists and bearing their insignia. (b) Under the National Security Regulations.

### QUESTIONS (2)—AGRICULTURE.

#### *Eviction of Farmers.*

Mr. SEWARD asked the Premier: 1, Has the Government considered the effect on the State's economy that will result from farmers being forced off their properties by mortgagees? 2, Does the Government consider such action by mortgagees in the best interests of the State? 3, Is it the intention of the Government to take steps to stop such practices? 4, If not, why not?

The PREMIER replied: 1, Yes. 2, No, but each case should be considered on its merit. 3 and 4, This is a matter of Government policy which will be dealt with in due course.

#### *Drought-stricken Stock.*

Mr. BERRY asked the Minister for Agriculture: 1, In relation to the discussion between the deputation of the Wheatgrowers' Union—brought to Parliament House by me on the 24th August—and the Premier, the Minister for Agriculture, the Leader of the Opposition, and the Leader of the National Party, has he formulated any plan for the immediate relief of the stock in those areas affected by the abnormal drought conditions? 2, Would it be cheaper for the Government to sell the sheep so affected at the best price and to replace them at a date when conditions are again favourable, rather than repurchase wheat in the bins at 4s. 3d. per bushel? 3, Is the south-western portion of the State capable of carrying part or the whole of the stock affected until conditions in the drought-stricken areas become normal?

The MINISTER FOR AGRICULTURE replied: 1, 2 and 3, All the points raised by the deputation and in these questions are receiving full consideration. Since the deputation, the Government has approached all firms and institutions concerned asking whether they are prepared to co-operate in a general policy to protect the stock population in the areas affected. They have also been asked whether their plans include the provision of the necessary fodder or grain. All the replies are not yet to hand, but one

institution states that it cannot reply to my letter until the fate of the Bill to amend the Rural Relief Fund Act is known.

## QUESTIONS (2)—MUNITIONS MANUFACTURE.

### *State's Allocation.*

Mr. NORTH asked the Minister for Industrial Development: Since it has been announced that one hundred million pounds are to be spent in the munitions industry, will he ascertain and inform the House—1, The proportion to be allotted to Western Australia? 2, The proportion to be spent in plant adaptable to the manufacture of peace products?

The MINISTER FOR LANDS (for the Minister for Industrial Development) replied: 1, and 2, Yes, inquiries will be made.

### *Use of State Implement Works.*

Mr. TONKIN asked the Minister for the North-West: Why is not greater use, for the purpose of munition making, being made of the existing facilities at the State Implement Works, North Fremantle? As the existing facilities could be considerably extended without great difficulty will he continue to keep this matter prominently before the Commonwealth Government?

The MINISTER FOR LANDS (for the Minister for the North-West) replied: 1, Increased use is likely to be made of these works. 2, Yes.

## QUESTION—EDUCATION.

### *Kent-street School.*

Mr. CROSS asked the Minister representing the Minister for Education: 1, Is he aware that many mothers are anxious about the continuity of the education of their children at the Kent-street Central School? 2, Will he state what the children are to do next year: (a) Are they to continue at the Kent-street Central School as eighth standard scholars, or (b) Are they to be sent to other schools, and is the Kent-street school to be filled with new seventh standard scholars again? 3, If so, is he aware that the children would be attending three schools in three years?

The MINISTER FOR LANDS replied: 1, Yes. 2, (a) Yes; (b) Answered by 2 (a). 3, Answered by 2 (a).

## LEAVE OF ABSENCE.

On motion by Mr. Doney, leave of absence for two weeks granted to Mr. Hill (Albany) on the ground of ill-health.

## BILLS (4)—THIRD READING.

- 1, Financial Emergency Tax Assessment Act Amendment.
- 2, Coal Mines Regulation Act Amendment.
- 3, Mine Workers' Relief (War Service).
- 4, Mine Workers' Relief (Payments Authorisation).

Read a third time and transmitted to the Council.

## MOTION—CHILD WELFARE ALLOWANCES.

### *Ruled Out of Order.*

**MRS. CARDELL-OLIVER** (Subiaco) [4.38]: I move—

That the Government generously increase without delay the amount now allowed for State wards to those persons and institutions who accept the care of State wards from the inadequate amount of 7s. to an amount commensurate with the actual cost of maintenance; further, that this motion be honoured by giving such increase and that the period of maintenance be extended until the child has reached its fifteenth year.

The DEPUTY SPEAKER: Will the member for Subiaco please resume her seat? I wish to point out to hon. members that the motion is contrary to the Constitution. It is not framed in a sufficiently abstract manner to permit its passage, because it would, if passed in its present form, be appropriating revenue. Before such a motion could be accepted by the Chamber, it would have to be preceded by a Message from the Lieut.-Governor. In the circumstances, therefore, I must rule the motion out of order.

## BILL—UNIVERSITY OF WESTERN AUSTRALIA ACT AMENDMENT.

### *Second Reading.*

**HON. C. G. LATHAM** (York) [4.39] in moving the second reading said: This is a small Bill and no doubt will cause disappointment to some members of the Chamber be-

cause of a recent controversy I had in the Press with some of the professors of the University. At the outset, I desire to say that the introduction of the Bill is not directly the outcome of that Press correspondence, but is the result of some investigations I made at the University. I deemed it advisable that some amendments should be made to the Act to bring it up to date and to give certain authority to those who find most of the money for carrying on the management of the University. The original Act, which has been amended very little, was introduced in 1910 and assented to early in 1911. Since then only one amendment of any consequence has been made, and that was to permit the University Senate to frame certain regulations.

The origin of the University Act in this State is worth reviewing. It was the outcome of a Poyal Commission appointed in 1909. The commission consisted of a number of very learned men—Hon. Dr. Hackett, M.L.C.; the then Lord Bishop of Perth, who was afterwards Archbishop of Perth; Mr. Cecil Andrews, M.A., who subsequently became Director of Education; Sir Walter James, K.C.; the Rev. Bro. Nunan, Hon. Henry Briggs, M.L.C.; Mr. Thomas Bath, M.L.A.; Mr. F. B. Allen, M.A., B.Sc.; Mr. W. E. Cooke, M.A.; Dr. Athelstan Saw and Dr. J. W. Smith, K.C. I suppose that a more learned body of men could not have been obtained to advise the Government of the day on the justification for establishing a university and the law under which it should operate. The deliberations of those gentlemen extended over a long period, but not many people were called to advise them. Amongst those called were Professor McCallum of the Sydney University and Professor Naylor of the Adelaide University. Most of the members either toured the world or obtained, by means of a questionnaire sent to the universities of the world, information upon which they could base their reports. The report of the commission was a very good one, but in framing the Bill I think the commission was influenced by the management of those universities in existence at the time—universities that were financed differently from the provision in the legislation ultimately passed in this State. The universities from which inquiries were made charged fees, but the commission provided

in its report that the University of Western Australia should be free, and the Bill subsequently introduced provided for a free university.

I do not propose to make a long speech on this subject, but there are one or two points to which consideration should be given. The Votes and Proceedings of 1910-11, Vol. 2, page 15, contain a reference to the necessity for making the university education as cheap as possible. The members of the commission had that in mind when framing their report. I do not propose to read the report, but if members could spare time to do so, they would find much to interest them, not only in the report of the commission but also in the reports of individual members. In the 1911 statute provision is made that the senate shall consist of 18 members, six to be nominated by the Government and 12 elected by Convocation. Having in mind that the Government would be required to find the money necessary to finance the university, the election of a senate of that kind seems to be very lopsided. I would like to recall that at the time a member of this House, Mr. Underwood, drew the attention of the Government to the fact that it would be finding the necessary finance and handing over control to an outside body. He pointed out—with perfect truth, to my mind—the difficulties that would arise through lack of control of the expenditure.

The Act of 1911 provided that not less than £13,500 a year should be made available from Consolidated Revenue to finance the University. In 1912 that sum was included in the Estimates. Since then it has grown to a considerable amount, and in the Estimates now before us provision is made for a sum of £34,700. That money is for the management of the University itself. By an Act passed in 1931, we have also committed the State to the provision of £6,215 for interest on one of the buildings—the science building, I think—and in 1938 £630 was provided for interest on the agricultural building. I do not know how the Premier got off with such a small amount on that occasion.

The Premier: That building cost only £13,000 or £14,000.

Hon. C. G. LATHAM: Thus we have committed ourselves to an annual expenditure of over £40,000 for the University.

Apart from that, under an Act passed in 1904, certain endowment lands were made available to the University. In a report I read the other day, I found that the estimated value of those endowments was about £120,000. Nearly the whole of that land is unoccupied and unused. My object in introducing the Bill is to see whether we cannot make more money available to the University without the need for the Government having to find it. The present law provides that the Government shall have the right to nominate six members of the Senate, and Convocation shall have the right to elect 12 members. According to Section 17 of the Act, Convocation shall consist of the following—

- (a) All members and past members of the Senate;
- (b) All graduates of the University of the degree of master or doctor;
- (c) All other graduates of the University of three years' standing;
- (d) All graduates of other Universities of three years' standing who have been admitted to degrees in the University, provided that the standing of such graduate shall be reckoned from the date of his graduation in such other university.
- (e) Such fellows, members, licentiates, and associates of colleges or institutions outside the State, duly authorised to grant degrees, diplomas, licenses, or certificates as shall under the statutes be admitted to be members of Convocation;
- (f) The representative for the time being of any commercial, industrial, scientific, or educational society, institution, or association within the State having not fewer than fifty bona fide members, and which makes an annual contribution to the university of not less than ten pounds, and has made such contribution for two years immediately preceding that for which the said representative claims to be appointed; provided that such representative shall be appointed by the members of such society, institution, or association, and shall hold office for one year, but shall be eligible for re-appointment;

I think that paragraph is a dead letter. I do not think any money is being subscribed from that source.

- (g) All individual persons who have made any gift or donation, whether by instalments or otherwise, to the University amounting in money or value in the aggregate to not less than one hundred pounds;
- (h) The duly appointed representative of the Guild of Undergraduates.

To-day the Guild numbers about 1,200 members, according to information supplied to me; and each of them has a vote, so that they have the appointment of 12 members of the Senate. I regret to say that I fear the members of Convocation have not accepted the reponsibility which, in my opinion, the Act calls upon them to accept; namely, to appoint at least a sufficient number of business men to control and manage the very great extent of assets held by the University. It is true that many of those assets derived from benefactors, and especially from Sir Winthrop Hackett, who was the chairman of the Royal Commission I mentioned. Certainly the value of his benefactions represented a great deal more money than he believed when he provided for them to be made.

The Premier: The residue of his estate.

Hon. C. G. LATHAM: Yes. The money value was a great deal more than he anticipated at the time. His benefactions represent a highly valuable asset in themselves. Besides that, there is another extensive asset in Gladden Building. In connection with a University such as ours, I contend we really need something in the nature of what my Bill proposes. Anyone who has closely followed elections to the Senate over years past realises that from time to time men have been nominated for seats in the Senate, but have been out-voted—not intentionally, I believe—in favour of men who took a view different from that which I regard as necessary for a University such as ours. Therefore I believe it is time we amended the Act so that the Government itself may appoint the majority of the Senate to secure that good management which ought to exist in such an institution.

The Premier: Especially seeing that the Government has the financial responsibility.

Hon. C. G. LATHAM: Yes. Another highly-important phase is that there should be direct contact between the public and the University. Such a contact, I am sorry to say, does not exist to-day. The public generally can do much for the University exactly as the University can do a great deal for the public. The University has the duty of educating the public; and the public, in return, ought in its benevolence to give consideration to assisting the institution in every way possible. It is not so long ago that a man who owns a considerable amount of property in Western Australia, and who

desires that some of that property should after his death be utilised for the benefit of the Western Australian people, discussed with me the question of which would be the most deserving institution to receive the contemplated benefaction. Thus my attention was drawn to education, and I mentioned the University to him. He replied that he would not think of providing any money whatever for the University. On my inquiring why he would not, he said, "The present management does not appreciate a good thing when having it." That may be the opinion of only one man, but the implied charge is a highly serious charge to lay against the University. My desire is to obviate the making of such statements in the future. Therefore I ask the House to give the Government the power it ought to have, in the form of preponderance of control in appointments to the University Senate. Just recently that body itself has thought it necessary to have some kind of investigation. The member for Toodyay (Mr. Thorn) asked the Premier to lay on the Table of the House two reports on the University recently made—one by Dr. R. S. Wallace, of the Sydney University; the other by Mr. McLaren, a chartered accountant in the city of Perth. The Bill merely seeks to carry out in some degree the recommendations of Professor Wallace. On page 8 of his report he states this—

My investigations, both inside and outside the University, have convinced me that the University would gain greatly if its governing body were more representative of the general interests of the community than it is, as now constituted. It would appear that many people, whose association with the University would bring with it support and confidence—

Those are things I have referred to—

—are unwilling, under the present system of election, to seek that association, and I have noted that, in establishing its Investments Committee, the Senate considered it advisable or necessary to seek outside assistance. For these and other reasons, I have come to the conclusion that the number of senators elected by Convocation might advantageously be reduced and provision made for inviting three or four people of standing in the community to become members. The Senate might thus be constituted on some such lines as these:—(1) Six persons (including two members of Parliament) to be nominated by the Governor. (2) Six persons (not being members of the teaching staff) to be elected by Convocation. (3) Two (or three) members of the teaching staff to be elected by the professorial board. (4) Four (or three) persons to be elected by the aforesaid members. As the University de-

pends on the Government for the greater part of its general income, the more intimately the Government of the day is associated with the University, the better it will be, and I have, therefore, suggested the inclusion of two members of Parliament. I should, however, regard as more important the principle of co-option.

In my Bill I do not propose to carry out altogether Professor Wallace's suggestion. I do not think that members of Parliament should specially be selected for seats in the University Senate, but I have no objection to members of Parliament being members of that body.

The Minister for Lands: There is nothing in your Bill to prevent that.

Hon. C. G. LATHAM: However, I do not think it would be wise for Parliament to provide that there should be two members of Parliament in the Senate. As regards "six persons not being members of the teaching staff," I propose to delete the power under the existing law by which the teaching staff has certain representation. The staff can elect three members. It is provided that not more than three members of the Senate may be chosen from the teaching staff. As the members of that staff are servants of the Senate, I contend that if it has one representative in the Senate that should suffice. For that reason my Bill provides that the Senate shall consist of 16 members. As I pointed out before, there should be 10 Government nominees, five members elected by Convocation, and the Chairman of the Professorial Board ex officio a member of the Senate. I contend, in effect, that it is the duty of the professors to look after the teaching or academic side of the institution, and not the management side at all. I would leave the board of professors to provide a curriculum and all other things necessary for the tuition side of the University. I do not propose to interfere with appointments to the teaching staff; nor have I provided for any co-option whatever of outside persons, since I contend that under this Bill the Government will have all necessary power to nominate the right class of men.

The Premier: To appoint, not nominate.

Hon. C. G. LATHAM: To appoint. A man of high standing in this State was nominated for the Senate, but unfortunately was not elected. That man has not offered his services a second time. For that reason I hope the House will agree to the Bill I have presented.

I do not propose to quote very much from the report furnished by Dr. Wallace. Although short, a perusal of its contents will be found worth while. I shall quote his references to endowment lands, the value of which has been stated to be from £120,000 upwards, despite which the land is being put to no use. I do not desire to be unfair or unjust, but I am afraid there is a large majority on the Senate that has no idea of utilising that land. While I do not suggest the present as a fitting time for a sale, I do claim that a little while back quite a considerable portion of the University's endowment land could have been sold for a very high price, and had the resultant money been properly invested, a considerable income would have now been available for the University and the Government would thus have been relieved of demands upon it for the requirements of the institution, and more money would have been available for education purposes. Dealing with the question of endowment lands, Dr. Wallace reported—

In seeking to find revenue for the general purposes of the University, one naturally turns to the endowments provided by the Government. While I do not feel myself competent to assess all the considerations which naturally arise, it seems to me to be well worthy of serious deliberation whether the total income to be derived through a course of years from the present sale of some of the endowment lands would not at least equal any appreciation in the value of these lands at the end of the period. This matter, however, is the business of experts and, in any event, must be in some measure guess-work. There can be no question, however, about the desirability of increasing the annual income of the University.

I have been informed that when a suggestion was made at a meeting of the University Senate that portion of the endowment lands should be utilised, one member said he would never agree to the sale of any portion of the land because, according to his views, it should be the property of the University for ever and a day.

The Premier: That was not the intention.

Hon. C. G. LATHAM: It was never the intention that the University should retain the endowment lands for all time.

The Premier: Of course not.

Hon. C. G. LATHAM: As a matter of fact, Parliament passed an amending Bill to enable the Senate to dispose of its land when the time was considered opportune, so long as the money was invested in an income-earning asset. That was a most reasonable

requirement. The University endowment land on both sides of Hampden-road has frontages of about a mile, with the advantage of existing transport and other facilities. Notwithstanding that fact, not one part of that land is put to any use. As I have already indicated, it would not be advisable to attempt to sell any of that land to-day, but it could have been sold some time back and the resultant money could have been invested advantageously.

The Premier: Then there is the endowment land at Leighton.

Hon. C. G. LATHAM: That is so. The total value of the endowment lands would probably be considerably more than £120,000.

The Premier: I received a letter from an individual who averred that they were worth £1,000,000

Hon. C. G. LATHAM: That would be very nice indeed. The University would merely require to sell a quarter of its endowment lands and the revenue from £250,000 would be most acceptable and would relieve the Treasury considerably. In the course of his report dealing with the assets of the University, Mr. A. J. McLaren said—

The absence of a general statement of assets and liabilities in the form of a balance sheet prevents one from gaining a comprehensive view of the University's financial affairs, but the schedules appended to the financial statements for 1939 disclose a great deal of endowment land, a large proportion of which, it is understood, is vacant.

The amount of capital represented in these lands is rather considerable, and its non-employment in an earning capacity deprives the University of a potential source of income. It is conceded that, under the present wording of the various Acts of Parliament relating to these lands, there is some doubt as to the application of any income so earned, but there can be no doubt that, whether the income be applied to the payment of expenses or whether it be applied to the purchase of further capital assets, it must ultimately be of benefit to the University.

I recommend that consideration be given to the adoption of a comprehensive policy in respect to endowment lands and that to this end the advice of some one or more leading estate agents be obtained.

No one who has submitted reports has hazarded a guess as to the true value of the endowment lands. However, what I have read should convince members that something ought to be done and the only way, to my mind, is to improve the personnel of the Senate so that more business men can become members of that body, men who will be able

to give a guide for the use of what Parliament has provided in the interests of the University.

The Premier: That was started years ago.

Hon. C. G. LATHAM: Yes, the Act was passed in 1904, and Sir Walter James, the then Premier, set aside a considerable amount of money for the University.

The Premier: Land, not money.

Hon. C. G. LATHAM: Yes, I should have said that Sir Walter James set aside a considerable area of land. I know, too, that recently Sir Walter was keen that the Government of to-day should set aside land for the purpose of further endowing the University. When I was Minister for Lands an area was set aside, but we were certainly not encouraged to act along those lines because it simply meant leaving land idle that could have been put to far better use. In fact, we were rather discouraged than encouraged to set aside further land for endowment purposes.

As to the Bill now before members, I do not really mind if it does not receive the approval of the House. Naturally I would like members to agree to the Bill, because I regard it as a step in the right direction. Because of the importance of this type of legislation, I believe the appointment of a select committee to consider the financial aspect and the control of the University, would be worth while. I desire to be quite fair to the Chancellor and the Acting Vice Chancellor of the University, because I believe many of the reforms suggested have already been instituted. I do not refer to the financial side, but to the suggestions made by Dr. Wallace and Mr. McLaren to which effect has been given, with the result that a considerable improvement has already taken place. That being so, I am convinced that the important financial problem—I do not refer to matters affecting the internal management of the University itself, staff appointments and so on, but to the assets from which the University draws its income—should receive consideration with a view to ascertaining whether we cannot do something to improve the position. While I submit the Bill for what it is worth, I have to admit that already various improvements have been carried out. If members agree to what I propose, the effect will be that in March of next year the Senate will be reconstituted with Government nominees having the balance of power. All that that would accomplish would be to reverse the position

that has obtained for 29 years, during which Convocation has had control. I suggest that for the next 20 years or so the Government should take control. Naturally we do not wish to control the University itself, but we should exercise sufficient control to ensure that the fullest value is obtained from the assets of the University, so that we may increase the income of the institution, which is so necessary.

The Premier: It is so.

Hon. C. G. LATHAM: I regret, Mr. Deputy Speaker, that you were not present at the University demonstration this morning when many of us had an opportunity to appreciate the wonderful work being done at that institution. I have attended many lectures and demonstrations, but none was so letter perfect as that provided this morning by Professor Ross. The work was carried out excellently and no detail could be questioned. It was certainly an education to me and to every member who saw the demonstration and heard the lecture. Those who had that opportunity must be fully convinced that Professor Ross is rendering excellent service to the community.

The Premier: It must have cost quite a lot of money to provide the demonstration.

Hon. C. G. LATHAM: Yes.

The Premier: That was the thought that struck me as Treasurer.

Hon. C. G. LATHAM: But it was quite justified.

The Premier: Yes, undoubtedly.

Hon. C. G. LATHAM: Work associated with experiments that lead to improvements in various directions requires expenditure by someone.

The Premier: Research work is costly.

Hon. C. G. LATHAM: Yes, it is always costly. Improvements have been effected at the University in recent years, but the fact remains that the Senate has not made the best use of its assets in order to build up its income. For that reason I submit the Bill to the House.

Before concluding my remarks, I desire to refer to one other matter. I shall not comment upon what happened between a certain professor and myself. For my part, that matter is settled. However, a remark was passed by a member in this Chamber to the effect that he did not know of any university professor who ever did very much of public benefit, apart from his own particular work.

The Premier: That is not so.

Hon. C. G. LATHAM: I think that was the effect of his remark. However, it has been taken up in a wrong sense and the suggestion was made by a professor who wrote an article in last Saturday's "West Australian" that the reference was to University graduates. The remark did not apply to them at all. We appreciate the fact that, while we are endowed with a certain amount of commonsense and ability, we must certainly be improved if we have the benefit of a University education. No one will gainsay the fact that a University education is of profit to the individual, and that applies to most of us, but that education will not provide us with what most of us possess, namely, brain power and commonsense and the ability to exercise them.

The Premier: Experience, too, is a good teacher.

Hon. C. G. LATHAM: The best University that I know of is the hard road of worldly experience.

Mr. Thorn: Too right!

Hon. C. G. LATHAM: As a result of that education, one secures a far wider and more liberal knowledge than can possibly be achieved by close study of textbooks. I am convinced that members of this Chamber are much better fitted to decide what is best in the interests of the public generally than are many University professors, and, after all, that is our duty. I certainly appreciate the work of University professors, and I do not seek to belittle it. Nevertheless, I feel that many of us possess a great deal more knowledge regarding public requirements than can possibly be secured by those having book knowledge only.

Mr. Abbott: But that provides the experience of other people over many generations.

Hon. C. G. LATHAM: The fact remains that it is printed in books.

Mr. Abbott: All knowledge is inherited.

Hon. C. G. LATHAM: The member for North Perth (Mr. Abbott) will agree that while he learnt a great deal at school—I do not know whether he attended the University, although he probably did—he acquired a vast store of knowledge after he went out in the world and rubbed shoulders with his fellow citizens. That is the school in which most of us in this House have gained benefit. It is the personal touch and the consequent ideas that are engendered in our minds that help us to determine what is

best to be done today. I hope the Bill will commend itself to members generally. I am not swayed by any ulterior motive whatever. I am anxious to foster the interests of the University. I hope I shall never decry the value of that institution. I desire every citizen to have an opportunity to secure a good education which will enable him to grapple with the problems of life more easily and effectively. That task will be much more difficult in the future than in the past. For that reason the University is worthy of support and of all help we can extend to it in every possible way. The only object I have in submitting the Bill is to improve the financial position of the University.

On motion by the Premier, debate adjourned.

## BILL—IMPRINTS.

### *Second Reading.*

MR. SAMPSON (Swan) [5.15] in moving the second reading said: As hon. members will perceive, the Bill is a small one. The principle embodied in it is simple, and the measure is no innovation as far as the legislation of the British Empire is concerned, though it is an innovation in this State. The legislation has been requested by the master printers of Perth; and, in fact, it has been wanted by them for a long time. The desire is that an imprint should be added to printed matter, a course which is already followed by many engaged in this work. As long ago as 1863 a measure involving the use of imprints was passed in South Australia, and in 1864 Victoria enacted similar legislation. Prior to that, the principle had been embodied in an Imperial Act. Printers in Western Australia, and the public, have suffered through the absence of imprints. Knowledge as to the person or persons responsible for matter contained in certain printed books and other publications has not been readily available, and it is desired that this should be rectified. We all recognise that a free Press, such as we have in Western Australia, is a great blessing.

I wish to refer briefly to the criticism levelled at the long Title, which certainly does appear to contain peculiar phraseology. It is, however, the same as that used in the Imperial legislation and in similar Acts in operation in the Eastern States.



I should also have mentioned that a measure of this kind was enacted in New South Wales as early as 1827, long before the legislation was introduced in South Australia and Victoria. The New South Wales measure was entitled "Newspaper and Printing Imprints Act." The custom of most printers in this State is to add their names and addresses to regular publications and, where appropriate, to other printed matter of any size. Sometimes, however, a publication set afloat without any imprint reflects very seriously on those in the trade and causes pain and suffering to other people. The master printers are most anxious that they should be protected from the issue of printed matter which does not bear an imprint, and they requested me to bring the matter before the House. The Bill makes special reference to publications with a political, seditious, subversive or blasphemous purpose. It does not cover a newspaper. Newspapers are already dealt with in the Newspaper Libel and Registration Act, 1884, under which it is compulsory for the imprint of the person responsible for the printing of the newspaper to be added. No such requirement exists in Western Australia with regard to general printing. The imprint it is desired should be added to printed matter includes the name and business address of the printer. The term "paper" includes pamphlet, circular, leaflet, handbill, sticker, periodical, poster and, subject to certain limitations, any other paper, book or document whatsoever. The Bill is subject to the Commonwealth of Australia Constitution Act and to the Commonwealth National Security (General) Regulations made under the National Security Act, 1939, so as not to exceed the legislative power of the State to the intent that where any provision in this Act would but for this section be in excess of that power, it shall nevertheless be a valid enactment to the extent to which it is not in excess of that power. If the Bill is passed failure to use an imprint will render the offender liable to a fine or imprisonment, or both. A maximum penalty is provided, but of course there is no limit to the minimum. A further important provision is that a copy of any printed paper or book must be retained by the printer for a period of at least six months, and on that copy must be written the name and place of abode of the client for whom the work was done.

The Minister for Lands: What about imported printing?

Mr. SAMPSON: Imported printing is dealt with in a different way. Some of it is covered by regulation No. 71 of the National Security Regulations.

Mr. Holman: There should not be any imported printing.

Mr. SAMPSON: The member for Forrest (Mr. Holman) is perfectly right, but there are instances where such importations are unavoidable. The Bill provides for a number of exceptions; that is, printed works to which imprints need not be added. For instance, there is no need for private stationery, visiting cards and similar printed matter to carry imprints. The Bill contains certain machinery clauses, but hon. members will realise that the measure is a simple one and is in the interests of the public.

A question has been raised as to whether regulations made under the National Security Act, 1940, provide for the name of a printer to appear on certain papers. Statutory Rule No. 71 is the only set of regulations with any bearing on the question of imprints, but those regulations deal only with defence matters and matters affecting the prosecution of the war. Consequently there is ample justification for the Bill. The desire is to prevent the issue of anonymous publications of an improper kind.

The Minister for Mines: Most of those are roneoed.

Mr. SAMPSON: If the Minister will refer to the Bill he will find that it contains a definition of "print" under which it is stated that "'print' in addition to its ordinary meaning includes making or producing a copy or copies—"

The DEPUTY SPEAKER: Order! The member for Swan may not touch on the clauses of the Bill during the second reading stage.

Mr. SAMPSON: I am endeavouring to answer a question.

The DEPUTY SPEAKER: The hon. member should address his remarks to the Chair. Interjections are highly disorderly.

Mr. SAMPSON: For the information of hon. members generally may I say that, in addition to its ordinary meaning, "print" in this Bill includes the making or producing of a copy or copies by any method of making, duplicating, or multiplying copies, and words derived from the word "print"

have corresponding meanings. There are many methods of producing printed copies and they are covered by the definition of the word "print."

The Minister for Lands: I think another portion of the Bill exempts some of those methods.

Mr. SAMPSON: Another portion of the Bill exempts them, except those having political, seditious, subversive, defamatory, immoral or blasphemous purposes, and of course those are the purposes about which we are so greatly concerned. If the exemptions which hon. members may discover in the Bill, but which I am not permitted specifically to draw attention to—

Mr. Doney: Why not?

Mr. SAMPSON:—were not stipulated, it would be impossible for a letter to be typed or copies of a balance sheet to be made. In order that the Bill should not prove impracticable in any way, it is provided that any paper produced by means of copies or impressions by the typewriter, roneo, duplicator, or any other multigraph process whatsoever, which is for a purpose other than a political, seditious, subversive, defamatory, immoral or blasphemous purpose, may be issued without an imprint.

Mr. Holman: Why not exempt the typewriter? The Roneo is doing practically the same work as the printer is doing to-day.

Mr. SAMPSON: The Roneo machine and other mechanical means whereby large quantities of printed matter can be produced are as liable to be used for subversive or defamatory purposes as is ordinary printing. A little while ago I dare say you, Mr. Deputy Speaker, received in your letter box a copy of a bill printed in imitation typewriting. I understand thousands of copies of that bill were issued, and I have one in my hand at the moment. The paper contains neither the names of the persons responsible for its compilation nor anything concerning its actual issue or production.

The Minister for Lands: It is not printed, is it?

Mr. SAMPSON: It would be classified as print under this Bill.

Mr. Cross: And is all rubbish, too?

Mr. SAMPSON: It is not easy to read and I have not all of it. If this Bill is passed, such matter would have to carry an imprint. That is very important. I have

a copy of the regulations made under the National Security Act. These are quite clear in respect to their limitations. This Bill should have been brought down many years ago. Fortunately in this State we have a Press that takes a very wise view of these matters. I would quote from a sub-leader that appeared in the "West Australian," in November, 1934, as follows:—

There is ample justification for the action contemplated by the Master Printers' Association of requesting the Government to pass an Imprints Act. Naturally the organisation represents the recent publication of a handbill headed "Black Friday" as a reflection upon all its members. But another and equally important reason why every printed document should bear the name and address of the printer is to permit of the author being traced and the due measure of responsibility for the publication visited upon him. Otherwise the most unwarranted and scurrilous statements might be broadcast under the cloak of anonymity without much risk of the perpetrator being brought to book. The handbill complained of made serious charges against a prominent police officer, and it is bare justice that when a charge is levelled against anyone, the accuser should bear the onus of proving his allegations and the accused should have an opportunity to rebut them.

I have other matter that might be of interest, but do not think members will require to discuss at great length a Bill the need for which is generally acknowledged.

Mr. Watts: Do not be too sure of that.

Mr. SAMPSON: It is perhaps wise not to be sure of anything. Adequate legislation as a protection against indiscriminate publications and the circulation of handbills, papers and other printed matter is provided for in England, South Australia and other Australian States, where there is in force an Imprints Act. The Hon. J. M. Drew has served in the Legislature of this State for many years. He is a man whose opinion is highly valued. Mr. Drew was a printer and a newspaper proprietor long before he became a legislator. He is well respected and his judgment cannot be impugned. He said "In my opinion legislation on the lines indicated is very necessary." He was referring, I think, to the South Australian legislation, and, as I have said, this measure is based largely upon that. Mr. Drew went on to say "Such legislation would be closely allied to the Newspaper Libel and Registration Act." I do not think I need say more. Mr. Drew has declared that legislation on the lines indicated is very necessary. We know that that

is so. I believe that members generally will approve of this Bill. In South Australia in 1863 it was stated that the principle laid down in the measure then introduced was not a new one as regards British legislation, but was enjoyed by the Legislatures of countries possessing a free Press. We are a little late, but we can pass this measure if it meets with the approval of the House. It is certainly a necessary piece of legislation. It will be welcomed by printers generally, and only those who are anxious to issue matter that is subversive, defamatory, immoral, or otherwise improper, would find any justification for opposing such an addition to the statute book. This is not in any way new, and I take no credit for it. The only credit I would take is that I have the privilege of bringing it before this Chamber. I hope the measure will have a safe and speedy passage. I move—

That the Bill now be read a second time.

On motion by Mr. Holman, debate adjourned.

### BILL—MONEY LENDERS ACT AMENDMENT.

#### *Second Reading.*

MR. CROSS (Canning) [5.37] in moving the second reading said: Although the Money Lenders Act was reprinted and consolidated in 1937, the position with respect to money lending in this State is still far from satisfactory. We are a long way behind the times. I understand that in the past various select committees have inquired into this question and motions have been debated in this Chamber, but nothing of a concrete nature has been done to curb the activities of certain of the money-lending class, who might well be referred to as unjust and unscrupulous. By the parent Act it was made unlawful to charge compound interest, but it provides that interest on interest may be charged. Even though penalties are provided for breaches of the Act, very frequently the people who are affected by its provisions, namely, the victims, are loth to seek redress at the hands of the law because they wish to avoid publicity. I know a man in my electorate who is in the hands of a money lender, and have endeavoured to persuade him to approach the court for protection. In the first place he borrowed £20, and arranged to repay this,

with interest, at the rate of 12s. 6d. per week. He had not been going on for long when he missed a payment and subsequently missed a second payment. The money was borrowed under certain conditions, and apparently the money lender threatened to foreclose on this individual. The man came to town in the hope of saving his furniture. The money lender said to him, "The only thing you can do is to arrange another loan with which to repay the old one." The man in question received no more money, although he took advantage of the second loan, but he found he had to repay £23. He made several payments until just prior to the last general election and then found that although he had missed only a few payments, he had got into debt to the extent of £40. In my view he has no chance of getting out of the net of the Jew who has caught him in this way.

Mr. Wilson: Is the money lender a Jew?

Mr. CROSS: Yes, but all money lenders are not Jews. I know of many instances of this kind. When looking through my desk today I came across the case of a man who called on me 12 months ago to the week. That man resides in North Perth. He missed three payments to the money lender, from whom he had borrowed £30. He was paying off the loan at the rate of £1 per week. The company whose name appears on the docket said he would have to pay an extra amount in order that he might be allowed to resume his repayments. The people concerned sent him a bill, "To expenses for commencing action to seize goods under bill of sale and withholding action on promise to pay by you at your request; solicitor's fee one guinea." They did not consult any solicitor, and the man who had borrowed the money received no letter from any solicitor. Then these people charged 18s. for servicing by a bailiff, but no bailiff had put in an appearance. Then they charged 6s. 8d. interest for overdue instalments. That may be all right. I questioned the man at the time. He was very definite that although he had borrowed only £30, the company had deducted £6 for interest and two guineas for inspection fee. All he actually received was £22 2s., and these costs were tacked on. Later on this man was compelled to do what many others have done, enter into another loan, and he is still in the net. If any hon. member desires to know the name of this particular money lender

he will find it on the document in my possession which may be perused. I could quote a number of cases of that type.

Although the parent Act prescribes the method by which people who seek redress in respect of over-charges or unfair charges, the truth is that at the present time there is no fixed rate of interest and any unfortunate person who finds himself obliged to go to a money lender does not always bother about terms until the time comes to pay. In the course of my inquiries I have found that financiers will not lend money unless the parties concerned—I really should call them the victims—have pretty good security. In spite of the advertisements appearing in the newspapers which set out that money is obtainable on any kind of promise to pay, these people do not lend unless the security is good. They like to obtain a grip over any goods and chattels possessed by their clients. They know that those clients will pay almost any price in order to save the bare essentials of life. I remind hon. members that to-day money can still be obtained on bills of sale over furniture, and if the borrower breaks one promise to pay, the lender under the bill of sale can seize all the furniture. That, however, is another story and it is my intention to try, through another Bill that I shall bring forward, to get certain exemptions. Members will realise the position that exists at the present time. A man goes to a money lender and borrows money and in most cases the charges and interest are deducted from the sum the borrower desires to raise before that sum is actually handed over to him. Then he proceeds to pay interest on the full amount. If payments extend over two or three years, compound interest enters into it and we find in many cases that the total interest amounts to as much as 150 and 200 per cent. per annum. I have checked up various cases and I have had no difficulty in proving that that is correct. The victims of these practices neither seek nor like publicity. In many instances they have been forced to borrow by reason of the presence of a skeleton in the cupboard. The Bill I am submitting is only a slight step in the direction of what I consider should be done. I have given a good deal of thought to this question. Members may consider the provisions in the Bill somewhat lenient. In the first place my desire is to change the status of a money lender. At the present time a money lender is a person who charges

not less than 12½ per cent. interest. He may charge as much more as he likes, the sky is his limit. The parent Act defines moneylender thus—

... shall include every person (whether an individual, a firm, a society, or a corporate body) whose business is that of money lending, or who advertises or announces himself or holds himself out in any way, as carrying on that business, or who lends money at a rate of interest exceeding twelve and one half pounds per centum per annum.

Then the section goes on to exempt pawn-brokers and other institutions which lend money. I propose in the Bill to reduce the amount of interest which a registered money-lender shall charge from 12½ to 10 per cent. Thus, if that amendment is carried, it will take in a fairly large body of people and concerns at present not registered and over which there is no jurisdiction or control.

Mr. Patrick: That will bring in the cash order companies.

Mr. CROSS: Probably it will. There is nothing about cash orders in the Money Lenders Act because that form of raising money apparently was not thought of when the Act was passed. In my experience, while some people may get a certain benefit from the system, cash orders are producing a bundle of trouble for the poorer people. Those people will obtain a cash order when they are unable to pay trades people. The cash order is easily obtained and when the time comes to pay many find it difficult to do so. As a matter of fact, the cash orders are driving a certain amount of business into the hands of the money lenders. A person obtains a cash order and on finding that he has some trouble in meeting it, he proceeds straight away to a money lender and raises a loan for the purpose of paying off the cash order. That is what cash orders are doing. This, however is by the way. The Bill will rope in many more who lend money than are included in the Act at the present time. Power is given to make regulations to fix the maximum rate of interest and pending the framing and gazetting of the regulations the Bill prescribes that the rate of interest shall be not more than 20 per cent. I have discussed the question of interest with several members and they consider that that figure is too high. Members, however, may reduce it if they so desire, but in comparison with the extraordinarily high charges levied by money lenders to-day and

the method by which they compute their interest, I consider that in asking the House to agree to fix the maximum rate at 20 per cent. I am submitting a modest request. I want members to bear in mind that this legislation is designed, principally to protect the borrowers of small amounts of money, say from £5 to £50.

Another provision in the Bill will have the effect of prohibiting the charging of compound interest. As I stated earlier, the parent Act does prohibit the charging of compound interest, but it permits interest upon interest to be charged. In my opinion that is merely giving the money-lenders a get-away. In other words, they are able to charge compound interest. Section 10 of the parent Act prohibits the charging of compound interest, but permits interest on interest to be charged. The Bill will prohibit that altogether. Realising the unfair method by which interest is computed by money lenders, at the present time, I have set out the method whereby interest shall be calculated. In my opinion it is a fair proposition that if I borrow £10 and I pay off that £2 say this month, I should no longer have to pay interest on the total amount of £10, but only on what remains to be paid off the principal. So it is provided that a borrower must be credited with the payments he makes and then the interest calculated monthly. This will prohibit the charging of interest by the money lender on the full amount during the whole period of the loan. At the present time a person who borrows makes monthly payments and in spite of that he is penalised in various ways. That is how a borrower gets completely into the clutches of the money lender.

Mr. Sampson: Is the borrower expected to pay interest on the sum that he has already paid off?

Mr. CROSS: Yes, he pays interest on the full amount until it is completely liquidated.

Mr. Mann: We should stop that practice.

Hon. C. G. Latham: You want interest on a day to day balance.

Mr. CROSS: On a monthly basis. The amount can easily be computed. If £10 is borrowed, the individual knows exactly how much he will have to pay back. If he is not aware of the amount, he can work it out quite easily. That is different from what obtains in this State. I can quote an instance

that occurred in my own electorate not many months ago. About two or three years back a man borrowed £10, and he was to repay the loan at 10s. a week. He could not continue the payments at that rate, and the money lender, who considered he was being generous, reduced the weekly payments to 5s. Again the borrower could not pay, and he had to resort to further loans. Then the man secured a job and from his earnings paid back a little extra, but he found that he was further enmeshed in the net than when he commenced. Loans had to be raised three or four times, and he finally found that after three years he had paid back £27 10s., and the money lender held that the individual still owed him £27. At that stage the borrower died, and the first thing the money lender did was to threaten to exercise his rights under a bill of sale over the furniture. I had to approach the Minister for Employment to secure assistance for the widow and children. I have all the documents associated with this case at my home. I asked the widow, in consideration of the assistance I had rendered her, to allow me to quote her case when I presented my Bill to the Chamber. In the end the money lender agreed to write off the old debt, but claimed that the later loans were fresh money. I had a number of interviews with the money lender who called me a Nazi, and I described him among other things as an unscrupulous Jew.

Mr. Abbott: What were the "other things."

Mr. Sampson: Give us the full story!

Mr. CROSS: Finally the man told me to send the widow in to see him, and when she went to him he said to her, "We will call the balance £17, and you can pay me back 7s 6d. a week. Every time you miss a payment I will fine you 2s. 6d., and I will charge you 2s. 6d. for sending you a letter." However, I was able to get an advance from the Child Welfare Department to enable the widow to pay the debt off, and she is still doing so.

Mr. Styants: Anyway, 2s. 6d. was cheaper than solicitor's costs at 6s. 8d. a time.

Mr. CROSS: I got the Minister for Employment to check the figures, and these proved that by the time she has finished paying off the debt she will have paid five times the amount borrowed, with payments spread over 3½ years.

The Minister for Mines: You do not say that the Child Welfare Department is paying the debt?

Mr. CROSS: That is what it amounts to. I am certain that if the widow had taken the matter to court, the balance of the debt would have been set aside because she would have been able to show that she had paid back more than she had received and a fair rate of interest in addition. If members agree to the Bill I am presenting, such happenings will be prevented and will ensure that interest is calculated on a monthly basis. It is extremely difficult to follow up many of these cases because the unfortunate people themselves think that the Jews are very kind to them and they do not like to squeal. The Bill makes provision for heavy penalties and for breaches of its provisions a fine of £100 may be inflicted or the offender may be sentenced to six months imprisonment, or he may suffer both fine and imprisonment.

The Bill is not entirely original. I endeavoured to ascertain what had been done to afford relief along these lines in other States. I found that in 1933 action was taken in Queensland along lines similar to those outlined in the Bill. In fact, the amendments I have incorporated in the Bill follow the provisions of the Queensland legislation. Even so, the Queensland Act is more drastic than the Bill I have drafted. The Queensland Act requires money lenders to be registered and that covers everyone who charges more than 8 per cent. on money lent. The legislation imposes many restrictions upon the business, including heavy penalties for excessive charges in connection with loans. The Queensland legislation stipulates a definite rate of interest, that must not be exceeded. The definition of "money lender" in the Queensland Act sets out that it—

includes every person whose business is that of money-lending or who advertises or announces himself or holds himself out in any way as carrying on that business, or who lends money at a rate of interest exceeding £8 per centum per annum.

The definition provides exemptions for various societies. Dealing with the calculation of interest the Queensland Act contains the following—

For the purposes of this Act, the money-lender shall calculate and charge the interest on the loan to the borrower on the monthly balance of the loan after crediting the borrower with any instalment or instalments made by him during the month, from which instalment or instalments so made during the month the interest payable for such month, and as calculated monthly, has been deducted.

That is fair, and the Bill contains a somewhat similar proposal. Another provision

sets out the maximum rate of interest and provides power for the making of regulations. I need not read the section in the Queensland Act relating to the prescribed maximum rate of interest, but I would like to draw attention to the fact that it covers hire purchase agreements as well. A note attached to the Act—I am quoting from the reprint of the Public Acts of Queensland, 1828-1936—sets out that the money lenders regulations of 1933 (Regulation 10) fix the maximum rate of interest which may be charged by money lenders at 20 per cent. per annum. There should be a maximum rate of interest; at the present time, as I have already said, the sky is their limit. The Queensland Act contains another provision, somewhat to the following effect: that the court shall be empowered to order that any rate of interest higher than eight per cent. is unjust and unfair. The Queensland Act was passed seven years ago and its effect was to put out of business a large number of money lenders. In my opinion, it would be good for this State if we also could put a large number of money lenders out of business.

Hon. C. G. Latham: What about a State pawnshop?

The Minister for Lands: Would the Leader of the Opposition like to manage it?

Mr. CROSS: Money lenders have always been a necessary evil; but they should be prevented from charging unfair rates of interest. The only method of accomplishing that end is to pass legislation fixing a maximum rate. I understand that in Queensland the question of further reducing the maximum rate of interest is now being considered. I hope members will support the Bill; it will be a step in the right direction. I move—

That the Bill be now read a second time.

On motion by the Minister for Justice, debate adjourned.

*House adjourned at 6.9 p.m.*