Legislative Council,

Thursday, 11th September, 1941.

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

QUESTION—PASTORAL INDUSTRY.

Fremantle Wool Store.

Hon. A. THOMSON asked the Chief Secretary: 1, What is the area occupied by the wool store being erected in the grounds of the Old Women's Home at Fremantle? 2, Has the Government sold the land? If so, at what price? 3, Has the Government leased this land to the Central Wool Committee? If so—(a) What is the annual rental being charged; (b) what is the term of the lease; (c) will the Fremantle Municipal Council be able to levy rates on the Central Wool Committee?

The CHIEF SECRETARY replied: 1, 4¼ acres (approximately). 2, No. 3, Yes—(a) £250; (b) for the period of the war and up to 10 years thereafter; (c) no.

BILLS (3)—THIRD READING.

1, Metropolitan Water Supply, Sewerage and Drainage Act Amendment.

2, Baptist Union of Western Australia Lands.

3, Native Administration Act Amendment.

Passed.

BILL—RESERVES (No. 1).

Second Reading.

Debate resumed from the previous day.

HON L. B. BOLTON (Metropolitan) [4.38]: As one of the representatives of the Metropolitan Province wherein this land is situated, I have inspected the plan, as suggested by Mr. Holmes, and it has also been inspected by several other members of the Chamber. We are all of the opinion that there is nothing wrong with it. I think members will agree with me that it is a very wise precaution to transfer this land to the Returned Soldiers' League which has conducted Anzac House in such an exemplary manner. In view of the fact that troops will be returning from abroad after the present conflict, there is no doubt that additional accommodation will be required for them. I have pleasure in supporting the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment and the report adopted.

BILL—MENTAL TREATMENT (WAR SERVICE PATIENTS).

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.42] in moving the second reading said: Members generally will regret the necessity for the introduction of a Bill of this description, the object of which is to facilitate the treatment of those members of the fighting forces who become afflicted with mental disorders arising from war service. During the 1914-18 war the need for legislation of this description was recognised and in 1917 the Mental Treatment Act was passed. The special conditions set out in that measure apply only to those men whose state of health requires attention as the result of the earlier war. The Bill now before members is similar in its effect to the 1917 Act, but instead of operating only during the present war will have application immediately the Commonwealth becomes involved in hostilities. That means to say that should another war be waged in the future, there will be no need for the introduction of special legislation to provide for men who will suffer during that conflagration as the necessary enactment will already be on the statute book. In Clause 3 the terms "time of war," "war," and "war service" are interpreted as having

the same meanings as those included in the Commonwealth Defence Act and its amendments.

The Bill provides that any war service patient may be received for required medical treatment into a hospital for the insane, reception house or licensed house without any order or certificate signed by a justice of the peace, or into any established hospital or reception house constituted by the Governor under the Mental Treatment Act without the necessary order from a justice of the peace and a certificate signed by two medical practitioners. Any request for the admission of a war service patient who is still a member of the Forces, must be made by the principal medical officer in this State, attached to the branch in which the patient is serving. Where, however, the patient has received a discharge from the Forces, the request must be made by the senior medical officer of the Commonwealth Repatriation Department in this State. A further provision is that where a patient has been discharged from one of the Forces and refuses to enter any prescribed mental hospital, he will be regarded as an ordinary citizen and will come under the provisions of the Lunacy Act.

It is also proposed by the Bill that certain regulations shall be made in respect to—

(a) The period for which a war service patient may be received for medical treatment, or be boarded or lodged or taken charge or care of.

(b) The institutions, homes or houses into or in which a war service patient may be received, or taken charge or care of.

(c) The statements and notices to be furnished with respect to a war service patient so received or taken charge or care of.

(d) The treatment of war service patients so received or taken charge or care of, and their visitation, inspection, removal to other care, and discharge.

Finally, the Bill sets out the penalty to be imposed on, and the proceedings to be taken against, any person who may receive, board or lodge any war service patients contrary to the regulations, or who have contravened the regulations in any respect. The measure is very simple and its provisions are in accord with those included in the 1917 Act. I feel sure that the House will endorse the proposals. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment and the report adopted.

BILLS (2)—FIRST READING.

1, Distress for Rent Abolition Act Amendment (Hon. E. M. Heenan in charge).

2, City of Perth Scheme for Superannuation (Amendments Authorisation) (Hon. L. B. Bolton in charge).

Received from the Assembly.

BILL—PROFITEERING PREVENTION ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. L. CRAIG (South-West) [4.55]: The Leader of the House has explained the need for this Bill, and on principle I have not much objection to it; but I wish to point out what these restrictions on business are doing. No one, I am sure, would wish that any trader should make undue profits by reason of the war; but many people in business are put to considerable trouble and expense in making returns, filing invoices and statements, and so on, in order that a few people shall not make undue profits. I was opposed to the introduction of the parent Act because I thought that it was unnecessary and that the Federal measure covered all the necessities of Australia. And apparently that is so. I am told that the State Act is almost inoperative today, and therefore doing very little good, and that the Federal Act deals with all commodities that need to be covered. That view is rather borne out when we find that no other State—at least so far as my knowledge goes—has introduced legislation of this description. This proves that every other State has found such an Act unnecessary.

Western Australia is in a peculiar position. We always seems to run a bit ahead of the other States in social legislation. It may be said that we lead in that respect, and perhaps we do, but it has a serious effect on industry. The provisions of the Workers' Compensation Act have re-acted detrimentally on industry in Western Australia, because the cost here is so much

greater than in any other State. Moreover the cost of administering a measure of the kind now before us for amendment does add to the expense of trade. A feeling seems to be growing up that if anyone in business makes more than his neighbour, there must be something wrong with his business and that it is not entirely honest. A hue and cry is raised if a man makes an extra 1 per cent. in business, but not a word is said about the profiteering of labour. It is just as easy to profiteer through labour as through goods. Some people have goods to sell; others have services or labour to sell. Labour being scarce throughout Australia today, some workers, realising the power they hold in being employed in essential industries, are using that power to force higher rates of pay than are warranted.

Hon. G. B. Wood: The shearers are doing it very extensively.

Hon. L. CRAIG: We find that state of things amongst shearers. The recognised rate for shearing was 34s. 6d., but farmers have been compelled to pay up to 45s. and, in one case I have heard of, up to 54s. No one raises a protest against that state of affairs, which on a percentage basis amounts to profiteering of the grossest kind. In other States we find thousands of girls out of work through striking, though they have an award. The Industrial Arbitration Court lays down, "A war is on and your wages are so and so much," but because of the power the girls wield through organisations and so on they say, "We are not satisfied, and we are going to demand and receive higher wages." The same thing happened in the engineers' and other unions. By reason of their power and of the war they demanded higher wages than those to which they are entitled. That is just as much a form of profiteering as is the charging of undue profits on the sale of goods, and much easier to effect.

No one wants to help people to make undue profits. The regulation of prices is a difficult problem. Some goods have been on hand for a considerable time, and were perhaps bought at pre-war prices. Other goods have come in at higher prices, and other goods at still higher prices, which have been rising all the time. We find on hand the same classes of goods but all at varying prices. Under the Act those goods must be sold at the averaged cost plus the allowed profit. This necessitates a great deal of clerical work on the part of those who have the goods to sell. Some small traders who are very jealous of their reputations have become scared that they may be hauled over the coals for charging some small profit of which they have no knowledge. I am not opposing the second reading of the Bill, but I suggest that some definite time should be fixed during which the Price Fixing Commissioner may take action against some offender.

Under the Act, unless the Commissioner takes action against an offender within six months of the offence being committed, he is powerless to act. I do not agree that that is fair. A man who has committed an offence for which he ought to be prosecuted should not be allowed to go free merely because the offence was committed, say, seven months ago. For the sake of the business community, however, it is desirable that a time limit, during which prosecutions can be launched, should be fixed. In the case of the Taxation Department, unless there is definite fraud, the officials cannot go back more than three years. I do not suggest a term of three years in this instance, but I feel that a period of 18 months would be sufficient to cover the situation. The Commissioner may want to investigate a case in which he thinks undue profits have been made. Throughout the whole period the vendor of goods has to keep files and everything co-ordinated so that the Commissioner may have full knowledge as to the cost prices of possibly a big range of goods. The prices of those goods may vary from £1 to £3. It is a very costly business to co-ordinate all these things so that the Commissioner may be able to secure all the information he requires. There should, however, be some limit to the time allowed to the Commissioner. It is not for me to say what that time should be but I feel that more than 18 months should not have to elapse before a prosecution takes place. I trust the House will pass the second reading of the Bill, and thus agree to the principle contained in it—I am not enthusiastic about it myself—and in Committee will decide to fix the period in which action can be taken by the Price Fixing Commissioner.

HON. G. FRASER (West) [5.3]: I support the second reading. Mr. Craig's remarks were not directed so much against the measure itself; I suggest they were made

probably 12 months too late. He spoke about the inconvenience that was caused to different business people through having to keep records and other information for the benefit of the Price Fixing Commissioner. All that should have been said 12 months ago. This Bill merely seeks to alter the period during which prosecutions can be launched.

Hon. L. Craig: If the period were fixed at 18 months, it would mean that business people would have to keep their records in order for the whole of that time.

Hon. G. FRASER: All we are asked to do now is to decide whether we shall leave the Act as it is or extend the time during which a prosecution can be launched. That is the only point at issue. The Act itself has been in operation for 12 months. The discovery must have been made during that period that some persons, who would ordinarily have been prosecuted, could not be taken to court because of the fact that such prosecutions could not be launched within the stated time of six months.

Hon. L. Craig: There is a grave danger of penalising people by fixing the period at an unsuitable length.

Hon. G. FRASER: I fail to see that anyone will be penalised by the time being extended.

Hon. H. V. Piesse: You do not understand all the ramifications associated with a business firm.

Hon. G. FRASER: I do not see that any inconvenience can be caused by extending the time during which a prosecution may be launched.

Hon. H. V. Piesse: You do not know how the business of these firms is conducted.

Hon. G. FRASER: Returns are already submitted to the Commissioner. Cases must have been discovered after the time during which a prosecution could be launched. It should not be necessary to limit the time during which action can be taken by the Commissioner in those cases where it has been found impossible to bring the offenders to justice within six months. I am not so much concerned about the period that is set down, but point out that even in the first year of the operation of the Act the six-months period has been found too short. Some extension of that period should, therefore, be made. I have no doubt that even if the Bill is left as it is, with an unlimited period, cases will still occur in which it is not possible to take the necessary proceedings.

Hon. L. Craig: The Act may be extended

Hon. G. FRASER: That may be so. I do not think that people will be prosecuted for minor breaches of the Act. The department would not be likely to go back over long periods merely for minor offences. It is also possible that major offences may be entirely covered up for the whole period at present allowed in the Act. The mere fact that this amending Bill has been brought down indicates that, in the opinion of the Government, the necessity has arisen for extending the period during which prosecutions can be launched. I support the second reading.

HON. W. J. MANN (South-West) [5.6]: The main point at issue is whether we are satisfied that we should permit an indefinite term to be recognised in cases involving the policing of the Act, or whether the period should be limited. At first I was inclined to accept the Bill as it stands. After looking into the matter, however, and trying to visualise what might happen under certain conditions, I am inclined to agree that it would be advisable to fix the period at, say, 18 months. There are a few smart Alecs who think they are clever when they devise some means of doing something that is wrong and thus evade the law. The profiteer who sets out with malice aforethought to break the law is a person for whom I have no sympathy. That is one reason why we should extend the period from six months to, say, 12 or 18 months. There may be instances where several months would be likely to elapse before the profiteering that had been indulged in became manifest. If we stick to the present idea of a six-months period, we may place people outside the control of the Price Fixing Commissioner, should he desire to conduct an inquiry and finally to launch a prosecution. If in Committee an amendment is moved to extend the period along the lines I have indicated, I will support it. Meanwhile I declare myself in favour of the second reading.

HON. J. A. DIMMITT (Metropolitan-Suburban) [5.10]: I am inclined to agree that a time limit should be set down in this case rather than the unlimited period specified in the Bill. A point raised by Mr. Craig

struck me as interesting. He compared the Commonwealth legislation with that which has been enacted by the Legislature of this State. With the passing of time and in the light of the administrative experience gained by their officials, the Commonwealth Government has so amended the national security regulations that today they may cover goods of all types, both declared and undeclared. The position is covered to an extent that was not anticipated at the time the local legislation was framed. The statement made by Mr. Craig is correct, namely, that the State Profiteering Prevention Act has practically ceased to function. There is no room for the dual control of prices. It can safely be said that if a person keeps within the Commonwealth regulations, he is not likely to commit an offence under the State law. I intend to vote for the Bill, although I believe that even if a prosecution were launched under the State Act it could not be proceeded with, and would have to be transferred to some jurisdiction under the Commonwealth national security regulations.

On motion by Hon. A. Thomson, debate adjourned.

BILL—INSPECTION OF MACHINERY ACT AMENDMENT.

Second Reading.

HON C. F. BAXTER (East) [5.12] in moving the second reading said: A Bill somewhat similar to this came before the House last session and was passed. Unfortunately it was defeated in another place. Of the three amendments to the Act contained in the measure I am now dealing with, the last is slightly different from that which was introduced last session. When discussing the Bill in another place, the Minister for Mines extended himself to heap ridicule on me. Unfortunately he was so carried away as to make statements not only not in keeping with the provisions of the parent Act, but statements that misled another place because of his ignorance of the Act, which is entrusted to him for control and administration If members will follow my remarks closely, they will realise the validity of my proposed amendments.

The Bill contains three amendments to the Act. The first is to Section 4. If agreed to, that will bring the Act into conformity with the intention of Parliament when the original measure was passed in 1921. Subsection 7 of Section 4 exempts the machinery of agriculturists, pastoralists and pearlers that is driven by an oil or petrol engine not exceeding six horse power. When the Act was passed this proved to be a full exemption. During the intervening period, however, the power used by agriculturists had extended to tractors that exceeded six horse power. Whilst the tractor, irrespective of power, is exempt in the case of general farm work when used as a tractor, if it is used for driving stationary machinery, which in most instances needs power of less than six horse power, it immediately becomes liable for registration and inspection. Surely it is reasonable to extend the exemption to such plant. If the Act as it stands was rigidly applied it would mean that either the farmers would be compelled to register and to incur the expense of registration and inspection of their plant, or they would be obliged to purchase a stationary engine of less than six horse power. The stationary engine on the farm has gone in the majority of cases—about 85 per cent. probably. They do not want the expense of a stationary engine on the place.

Hon. H. V. Piesse: That is questionable.

Hon. C. F. BAXTER: The tractor is in general use on farms today. Wherever they have a tractor, it is used for belt work.

Hon. H. V. Piesse: Not always.

Hon. C. F. BAXTER: No, not always, but it is in most cases. Why does the Minister take such a strong stand and contend that a machine driven by a tractor is a danger, but that if driven by an oil engine under six horse-power, it is not a danger? It is a remarkable stand to adopt. His objection is that extreme danger exists to employees. The tractor is not dangerous to employees when doing harvesting work and other operations under which it is exempt, but when it is attached to a machine which has hitherto been driven by a small stationary engine, it becomes a danger. Why? It has been contended that 75 per cent. of the machinery in the agricultural industry is exempt from inspection under the Act and Orders-in-Council, of which there are two. But what of the remaining 25 per cent.? Many engines have been brought under the jurisdiction of the Act by owners, and the others are spasmodically inspected. If the present Act were administered rigidly it would require a regular army of inspectors

at a huge cost, and would naturally entail a serious loss to the State because the cost of the registrations would not meet the added burden.

The department is worthy of congratulation because it has not applied strictly to agriculturists the powers vested in it under the Act. The authority, however, is there and may be used at any time. There are exemptions. The Government has granted the exemptions for which I am now asking, in favour of two special sections of the community, comprising a preponderance of Labour supporters.

The Order-in-Council, promulgated in September, 1922, exempts machinery driven by—

> Electrical motors used exclusively by agriculturists, pastoralists, orchardists, and dairymen, and used for irrigating or dairying purposes only, in pursuit of the owner's calling, upon which no labour other than that of the owner is employed, and which are not used for driving circular saws, corn-crushers, refrigerating plants, ammonia compressors, or other dangerous machinery.

Parliament adopts the attitude that the tractor is a danger when used on farms, and only exempts engines of less than six horse-power. There is no exemption regarding the horse power of electric motors used for that particular work. It is quite apparent that the Minister, when he strongly opposed the Bill last session, was entirely ignorant of the existence of one of the exemptions. If not, his transgressions were even worse. This Order-in-Council applies to electric motors of any horse power. No limit whatever is imposed. A large majority of users of this power are situated in the Spearwood district, which is part of the South Fremantle electorate, and in the Mt. Hawthorn electorate. It will readily be seen that this is a privileged class, which, no matter what loose talk is indulged in, is exempt, and we cannot get the exemptions extended to others outside that area—with the exception of a portion with which I will deal later. Agriculturists are not to be trusted with anything above six horse power. Whilst the section I have referred to has been favoured to drive certain machinery, another section is even more favoured. I will read the effective part of an Order-in-Council of 1936—

> His Excellency the Lieut.-Governor, by and with the advice and consent of the Executive Council, hereby declares that as from and including the 1st day of November, 1936, the machinery hereinafter specified shall be deemed to have ceased to be machinery subject to the said Act, and also that the machinery aforesaid shall until this Order-in-Council is revoked, continue hereafter to cease to be machinery subject to the said Act, that is to say:—With the exception of refrigerating machinery exceeding five-ton capacity, all machinery driven other than by steam which is used on banana or pineapple plantations situate on the banks or within a distance of two miles from the banks of the Gascoyne River.

That is a total exemption, not partial. The Gascoyne district is another favoured district, and is represented by another Minister. Even up to a five-ton refrigerator is allowed. The danger seems to be down south. Are the settlers in that district, in the opinion of the Minister, a special class and above the average that they can be allowed to use any horse power, no matter how high? There is imposed there no restriction on the horse power required to drive chaff-cutters, circular saws, etc., whilst all other agriculturists are denied the privilege. I do not oppose the exemptions granted in either case, but I am seeking, through my amendment, to put all agriculturists in the same position as that stated by the Minister.

In dealing with the Bill the Minister said—

> If this proclamation goes by the board, which will happen if the Bill is passed, not only will farmers be able to employ as many people as they like and use as much horse power as they like, but that power may be used for the driving of a circular saw, amongst other implements. That is not an implement a "new chum" should be asked to use.

It is all right for a new chum to use them on the Gascoyne, but not anywhere else! What could be more inconsistent? It is highly dangerous for a circular saw to be used in any part of the State—except in the Gascoyne district. Why this special concern for the new chums the Minister has found outside the Gascoyne area, but who are not there? His overanxious opposition to the Bill suggests that he did not look for the merits of it. During the past few sessions Bills to amend the Inspection of Machinery Act have been brought forward for parliamentary approval, but each Government Bill, though it may have contained some small amendments of value, was intended to amplify the powers conferred by the principal Act

in the direction of harassing owners of machinery and pressure boilers to enhance positions and inflict a further burden on industry.

When dealing with those Bills I was concerned about the application of the Act to agriculturists, and could not reconcile it with the registration and inspection of machinery. I investigated the position two years ago, and again last session, and have referred to different authorities since. The Second Schedule does not control machinery, and it is not subject to the Act. It states—

Machinery Subject to Act.

All machinery except such as is specially exempted by this Act, worked by steam, water, electricity, gas, oil, compressed air or by any other power (other than machinery driven by hand, treadle, wind, or animal power) and used in any manufacturing or industrial process.

The question arises: Can agriculturists, pastoralists, etc., be classed under this schedule? I am of opinion that they cannot. If not, there is no need for the amendment. The words "manufacturing or industrial process" surely do not include farming. The word "manufacturing" most certainly cannot. and how can "industrial process" be applied to land production? I ask the Minister to get a ruling on this matter. It is a very important one, and was referred to the "Sunday Times" last year. Its legal representative gave the following opinion—

(a) An agriculturist may be defined as one who practises the act of agriculture and may be either a theoretical or practical agriculturist. Agriculture may be defined as the practice of cultivating the land and includes the preparing of the land, the planting and harvesting of the crops, the disposition of such crops, and the rearing and carrying of stock. (b) An agriculturist is producing the raw materials for the secondary industries and is not engaged by virtue of any of the undertakings in (a) or any industrial or manufacturing process. For instance, a viticulturist is a grape-grower, but if he makes wine from his own grapes he is also a wine maker as well as a viticulturist. Further, an agriculturist can become an industrialist but not by virtue of being an agriculturist.

I go further still and refer to Webster's Dictionary, which, ever since being in the public life of this State, I have understood to be the recognised authority to quote. It gives the following definition of "industrial"—

1. Having to do with industry; as:—
   (a) Relates to industry or labour as an economic factor, or to the branch or the branches of industry; or the nature of, or constituting, an industry or industries; as industrial work or employments.
   (b) Characterised by highly developed industries, as an industrial nation.
   (c) Engaged in industries, especially in the manual labour of industries; as, the industrial classes.
   (d) Derived from industry, or human toil, rather than from natural advantage on the one hand, or mere pecuniary profit on the other; as industrial wealth; an industrial (that is, a cultivated) crop.
   (e) Pertaining to or aiding those engaged in industries; as, industrial wages, medicine, schools, training.
2. Produced by an organised industry; applied to products.
3. Belonging to industrial life insurance.

The qualification following the word "rather" in paragraph (d) certainly excludes the agriculturist. It may be that my amendment is not really necessary because agricultural machinery does not come under the Act at the present time. Still there are many discrepancies in the Act and it is necessary that we should have a definite ruling on the point.

In explaining my second amendment, there should not be much need to enter into details. The proposal is to amend Subsection 1 of Section 53 by inserting after the word "hoist" in line 3 the words "or of any winding-engine," and by deleting from lines 1 and 2 of Subsection (3) (a) the words "or any internal combustion engine." The object of the amendment is to put in order something that should have been attended to long ago. When the Act was promulgated in 1922, electric motors and winding-engines were in existence, and I cannot understand why they were not included. There is nothing in the Inspection of Machinery Act by which the inspection of such motors and winders may be enforced. It is not a very vital matter because I understand that employers, employees and the department agree upon this point.

The third amendment is not only important but necessary. I regret having to speak very strongly on this amendment, but I am compelled to do so owing to the objections raised by the Minister to the Bill last session. The amendment proposes to strike out of the Second schedule the words "used for manufacturing or industrial process." The Minister dealt with this amendment last session in ridiculous words

that showed plainly that he did not know the Act he administers. Inspections have been made and are still being made under the Act, but there is no authority for making them. That is the point. The amendment, if passed, would not affect the present practice, but the registrations and inspections being made are illegal. Members will now apreciate why I did not speak too openly on the amendment when the matter was under consideration last session. The Minister, in dealing with this proposal, made the following statement:—

> This Bill, however, proposes to add the words "and all passenger and goods lifts for whatsoever purpose used." This means that every lift, whether run by the old fashioned rope—there are some of these—or whether operated by a handle by boy or girl, must be controlled.

That is the statement of the Minister on the Act he is administering. This is the Second Schedule that I am seeking to amend—

> Machinery Subject to Act.
>
> All machinery, except such as is specially exempted by this Act, worked by steam, water, electricity, gas, oil, compressed air or by any other power (other than machinery driven by hand, treadle, wind, or animal power) and used in any manufacturing or industrial process.

The schedule plainly states the exemptions. Why, therefore, should the Minister say that every lift, whether operated by a handle by boy or girl, must be controlled? Why was not he conversant with the Act he administers? No Minister should make such a misleading statement, especially in regard to a schedule that governs the whole position. I repeat that the schedule sets out in the clearest possible terms what machinery is subject to the Act. My amendment will give the department legal control, which does not exist at present, over power-driven lifts and nothing else. The schedule clearly exempts machinery driven by hand, etc. Section 2 of the Act, "Interpretation," includes a lift in the definition of "machinery," but the Second Schedule governs the position by stating exactly what machinery is subject to the Act. As passenger and goods lifts apparently do not fall in the category of machinery used in a manufacturing or industrial process, there is no power under the Act to require registration and inspection. The Act applies only to machinery used in any manufacturing or industrial process; such machinery is the only sort that the department is authorised to register and inspect. This inspection work has been going on illegally since 1922 and therefore the passing of the amendment will not necessitate an increase in the number of inspectors. An amendment of the Act ought to be made to protect the position. As the Act stands, it is open to lift-owners to claim all the fees they have paid for registration over the intervening years, because there has been no authority to impose such charges.

I appeal to the commonsense of the Government to place all agriculturists, pastoralists, etc., on the same footing by agreeing to this much-needed amendment to exempt the use of tractor power for stationary work. The lack of authority to register and inspect passenger lifts must be remedied. I do not disagree with what the Government has done all these years because I am satisfied that registration and inspection should be insisted on, but these things should be done under proper authority.

The Honorary Minister: What are you complaining of?

Hon. C. F. BAXTER: I am complaining that the concession extended to two districts, including that of a Minister, is not granted to others. The people at Spearwood should have the same rights as have those in the Gascoyne district, and should have the right to use machinery for cutting wood, crushing corn, etc., where necessary. Reverting to the lack of power to register passenger lifts, this loophole in the Act might easily be discovered by those concerned and that could lead to considerable trouble. The sooner such registration is provided for, the better. I hope this House will pass the Bill as it did last year and that another place will approve of it. I trust that the Minister will not display so much bitterness on this occasion, though that probably was inspired by the loss of his own Bill in this House. Above all, I wish he would recognise that these amendments are absolutely necessary because the Act must be put right.

The Chief Secretary: How would the third amendment affect the position?

Hon. C. F. BAXTER: It would provide authority for the registration and inspection of passenger and goods lifts, authority that does not exist today. I move—

> That the Bill be now read a second time.

On motion by the Chief Secretary, debate adjourned.

BILL—ABATTOIRS ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. H. V. PIESSE (South-East) [5.42]: I do not intend to say much on this Bill beyond commending the Government for having brought it down. It will make provision for a long-felt want and be of great service not only to the producers but also to the consumers. The producers in Western Australia and indeed throughout Australia ask for no more than a fair deal. If the producers can get closer to the consumers on a basis of reasonably profitable market prices, everyone will be more satisfied. The branding of lamb and other meat, as proposed by the Bill, will prove advantageous to all concerned. I take it that the fees to be charged for private abattoirs will be paid into the general revenue, but I wish the Government would give careful consideration to the need for improving the Midland Junction yards, which are part and parcel of the system of selling and slaughtering stock. The fees charged for stock passing through the Midland Junction yards represent a large charge to the industry, but there have been reports on many occasions that the yards are not kept in the condition that we have a right to expect. The Bill is important from the point of view of all the interests concerned and I support the second reading.

HON. L. CRAIG (South-West [5.44]: I am not enamoured of the Bill, though I do not intend to oppose the second reading. I am afraid that it will prove just another innocuous measure. The Bill proposes to empower the Minister to charge fees for stock slaughtered at other than the Government Abattoirs. Stock is being slaughtered at other places now, but apparently the Government desires to exercise greater control over them, and to this end the Bill proposes that a license be issued and fees charged for private slaughterhouses. Clause 2 of the Bill provides for the branding of carcases to denote their quality. That provision, like the Brands Act and the Droving Act, will prove useless. This House devoted much time to the two Acts I mentioned, yet today no notice is taken of either. The provisions relating to the branding of sheepskins are so difficult of observance that nobody now complies with them. The Droving Act, except in the North-West, is also not observed. The same thing will happen to this provision. If it were confined to the branding of lambs it would be all right; but an inspector would find it a hopeless task to attempt to brand all qualities of meat. The quality of meat does not depend upon the age or sex of the animal, but mainly upon the quality of feed upon which it has grazed. Of two animals equally fat, one may have been grazed on hard pasture and the other on soft pasture containing considerable proteins. The quality of the two meats would not be comparable. One would be choice, succulent meat; the other hard and not so succulent.

Hon. H. V. Piesse: Sheep fed on peas provide as good mutton as can be obtained.

Hon. L. CRAIG: Yes. That is what I was saying. There are proteins in that feed. Why is England famed for its beef? Not because of its different breeds of cattle, but because its pastures are so lush. We export four or five qualities of lamb now. How is the inspector to brand the Downs, especially when he comes to inferior carcases of the same breed? That remark applies also to cattle bred in the Kimberleys and elsewhere. Young animals suckled by their mothers have a different quality from those not so reared.

I can visualise Clause 2 of the Bill being observed for a little time; marks will be put on carcases until the housewife becomes thoroughly confused, and then the whole matter will be dropped. I have an objection to passing legislation which will not be enforced and I cannot help feeling that this provision will not be enforced. When all is said and done, competition, plus the judgment of the purchaser, constitutes the best method of buying meat. A woman accustomed to buying meat does not make many mistakes. She walks into a butcher's shop, and although she may know little about meat, the look of the flesh will immediately indicate closely what its quality is. Sir Hal Colebatch is a good judge of meat. I believe he buys his own supplies. I am sure he could walk into a shop and, if offered certain meat, he would say, "I do not like that. I want this," without knowing anything about the breed or the brand or caring whether it had a green streak or a yellow streak. I am sure that will apply in the future. All these colour marks will cause confusion.

Hon. J. J. Holmes: And expense.

Hon. L. CRAIG: Yes. I fancy seeing green, pink, blue and yellow lambs spread all over a butcher's shop, making it look like Christmas time. The unfortunate woman who comes to buy will see nothing but streaks. Although I shall not oppose the second reading, I have, as I have said, a strong objection to our passing legislation that will prove to be ineffective. It has been said that Huttons put a streak down their bacon. That, however, is not a streak to denote quality but to indicate that it is Hutton's ham, and for that reason it may have a value.

Hon. J. M. Macfarlane: Its quality is marked.

Hon. L. CRAIG: Huttons have a reputation for quality.

Hon. J. A. Dimmitt: So have members of Parliament.

Hon. L. CRAIG: I question whether members of Parliament have a reputation for quality; most of them have a reputation for verbosity. Without more ado, I support the second reading.

HON. G. B. WOOD (East) [5.52]: I support the second reading. The first part of the Bill is desirable, because it provides that the places where pigs are killed must be licensed for such purpose by the Minister. In my opinion, the Bill is an honest attempt by the department to try to ensure that the public will know the quality of the meat they are purchasing. When the Price Fixing Commissioner fixed the price of meat, we found out that although the price was fixed for a certain quality, it applied to all the various qualities. I agree with the view of the previous speaker that it will be almost impossible to mark the several grades of meats. I well remember that no so many years ago when I was staying at a hotel, the village butcher, the publican and I were talking after dinner and I complimented the publican on the excellent quality of his lamb. I said, "I liked that piece of lamb; I have not had such good meat for a long time." Both he and the butcher laughed, and I then said, "I'll be the mug! What are you laughing at?" I was then told, "That was not lamb; it was old ewe." I tell the story because it shows that one cannot tell the flesh of a well-fed ewe from that of a lamb.

Question put and passed.

Bill read a second time.

In Committee.

Hon. V. Hamersley in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 6:

Hon. L. CRAIG: A point I missed in my second reading speech was the social unrest that this provision is likely to cause. I can imagine Mrs. Smith inviting Mr. and Mrs. Brown to dinner. Chops are on the table. On their return home, Mrs. Brown tells her husband, "The chops we had at Smith's tonight had a yellow streak on them. That denotes third quality. I thought people of their social standing would have blue quality chops."

Hon. G. B. Wood: The provision will not do any harm.

Hon. L. CRAIG: It will, because it will involve expense. I move an amendment—

That proposed new paragraph (c2) be struck out.

There is nothing at present to prevent a butcher from branding meat if he so desires, but it should not be made compulsory, as that would add to the cost.

Hon. A. THOMSON: Before the amendment is debated, I would like the Chief Secretary to give an explanation of proposed new paragraph (c2).

The CHIEF SECRETARY: Had the hon. member listened to what I said when introducing the Bill, he would realise that this provision merely has the effect of legalising what is the present practice.

Hon. A. THOMSON: I thank the Minister. I am sorry I was not in the House when he made the explanation.

Hon. J. J. HOLMES: If the Committee wants to make itself ridiculous in the eyes of the public it will agree to the clause. I presume that an inspector will have to go around slaughter houses in the country where it is proposed to allow slaughtering to be carried out, and he will have to put marks on the carcases. How is any portion of a carcase to be identified when the meat is cut up and put in a butcher's shop as a pound of steak or chops? I presume that another set of inspectors will have to put a brand on each piece of carcase that is cut up. It is the most ridiculous proposal ever introduced

in this House. Unfortunately we have had to deal this afternoon with legislation concerning mental affliction. I do not intend, by supporting this clause, to be placed in the category of those suffering that way.

Hon. H. V. PIESSE: In view of the wording of proposed new paragraph (c), I desire to ask the Minister a question. In my home town there is an abattoir at which every animal intended for consumption has to be killed, but in towns like Wagin, Narrogin and other places where there are no abattoirs, a farmer may kill an animal on his own property, have it inspected, and then it can be sold. Will that system still hold good?

The CHIEF SECRETARY: This measure applies only to abattoir districts. It legalises a practice that has been in operation for some years. Dealing now with references made by Mr. Craig and Mr. Holmes grading and branding of carcases, I am rather surprised that members of this Committee who are producers should attempt to ridicule what is a genuine desire on the part of the people concerned to protect not only the producer but the consumer as well. When Mr. Craig was speaking I had an idea that he must have been somewhere else before he came to this House, in view of the fact that he appeared to be seeing all the colours of the rainbow. Knowing the hon. member as I do, I could hardly understand that. The position is that this measure is to apply only to carcases that are slaughtered at Government abattoirs. When they are slaughtered, the inspector is to grade the carcases.

Hon. L. Craig: I know that.

The CHIEF SECRETARY: The idea is that lamb carcases shall be branded as lamb.

Hon. L. Craig: The Bill does not say so.

The CHIEF SECRETARY: Sucker lamb will be branded as sucker lamb and hogget as hogget. It is not a question of determining the quality of the lamb.

Hon. L. Craig: It says so here.

The CHIEF SECRETARY: It is a question of marking that carcase as being lamb. Very often meat is sold as lamb which is far from it.

Hon. A. Thomson: It was once!

The CHIEF SECRETARY: This subject has received a good deal of consideration from the department, the Controller of Abattoirs and the Price Fixing Commissioner, and this appears to them to be one method whereby a certain amount of protection can be given to consumers and producers. I do not think for one moment that they would claim that it will be 100 per cent. effective, because there will be other meat for sale in the metropolitan area which has been slaughtered elsewhere and passed by the Public Health Department as fit for human consumption. That will not be affected by this branding regulation.

Hon. J. J. Holmes: How is the age of a carcase arrived at?

The CHIEF SECRETARY: I think that can be left to the inspector. I do not think Mr. Holmes will suggest that inspectors employed at the abattoirs do not know lamb or hogget when they see it. The intention is that carcases shall be branded at the time of slaughter. It is not a question of waiting 24 hours and then going around and marking what they are.

Hon. C. F. Baxter: No inspector could tell the difference between hogget and 8-tooth mutton.

The CHIEF SECRETARY: The hon. member knows that the inspectors charged with this duty are men of integrity and wide experience.

Hon. C. F. Baxter: I have cut up more meat than any of your inspectors.

The CHIEF SECRETARY: I will not contradict the hon. member; but that is a strong argument why he should give this amendment his support. He knows how easy it is to deceive in matters of this kind.

Hon. C. F. Baxter: There is no doubt about that!

The CHIEF SECRETARY: Members should be prepared to give us an opportunity to prove whether this method will do all we claim.

Hon. A. Thomson: It is worth a trial.

The CHIEF SECRETARY: If it will not do what we claim, I would like those members with such a wide knowledge of the subject to suggest what sort of amendment is necessary.

Hon. C. F. Baxter: I am not opposing it.

The CHIEF SECRETARY: Very well; but there are other producers in this Chamber who are. I suggest that in all

reasonableness, seeing there is a problem to be solved, this solution brought forward by people who are supposed to know what they are talking about, should be given a chance. I have an idea, from information supplied to me, that the mere fact that carcases are branded will have the effect of preventing some of the abuses and exploitation that have taken place in the last few years.

Hon. Sir HAL COLEBATCH: Any legislation affecting the food of the people should not be passed without proper consideration and an understanding of what it means. I have very vivid recollections of the egg-candling regulations we passed last session and of the harm they have done to the small producers and to consumers. I suggest to the Minister that no harm can possibly follow if progress is reported.

The Chief Secretary: I have no objection to that but I do object to being ridiculed.

Hon. G. B. WOOD: I suggest that progress be reported because I am not altogether satisfied with the wording of this clause.

Progress reported.

House adjourned at 6.15 p.m.

Legislative Assembly.

Thursday, 11th September, 1941.

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

QUESTION—NATIONAL SECURITY ACT.

War Workers' Housing Trust.

Hon. W. D. JOHNSON asked the Premier: 1, Has he read the notification in the "West Australian" of the 3rd September, announcing the appointment of a War Workers' Housing Trust under the National Security Regulations, 1939-1940? 2, Is he aware that statutory rules, 1941, Nos. 169-207, under the regulations, authorise the appointment of the Trust, and also provide for the necessary finance to be available for expenditure on the erection of homes in all States where a shortage of houses exists? 3, In view of the increasing employment of married workers at the Midland Junction Workshops and the munition annexes associated therewith, and the consequent shortage of houses in the district, will he make immediate representations to the Federal Minister in control urging that he give consideration to this State's Workers' Homes Board being utilised under the regulations to undertake and supervise the erection of homes for munition workers at Midland Junction and elsewhere?

The PREMIER replied: 1, Yes. 2, Yes. 3, Yes.