

Mr. GRAHAM: Can the Attorney General give me an assurance that because it is linked up it is not claiming to go a little beyond what I am certain the great majority of the members believe is the intention of the Bill before the House?

The Attorney General: I can give that assurance.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

House adjourned at 10.33 p.m.

It appears that he wants to have control taken from himself and given to departmental officers which, in turn, means that power to deal with the Minister will be taken from members of Parliament. If departmental officers make a mistake, they can possibly get away with it, but if the Minister does so, we have power to deal with him. It seems to me that he is departing from a principle when he seeks to transfer power into the hands of departmental officers.

Another amendment takes from the measure reference to the Agricultural Department and substitutes the Agriculture Protection Board. I consider that the board is part and parcel of the department, and I do not see any reason for making the alteration. If the Minister is able to answer my criticism satisfactorily, I shall be happy to support the second reading of the Bill.

Legislative Council

Wednesday, 19th September, 1951.

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

BILLS (2)—THIRD READING.

1. Feeding Stuffs Act Amendment.
 2. Potato Growing Industry Trust Fund Act Amendment.
- Transmitted to the Assembly.

BILL—NOXIOUS WEEDS ACT AMENDMENT.

Second Reading.

Debate resumed from the 12th September.

HON. L. A. LOGAN (Midland) [4.35]: I obtained the adjournment of the debate in order to study the amendments in this Bill. Having done so, I cannot follow exactly what the Minister requires.

THE MINISTER FOR AGRICULTURE

(Hon. G. B. Wood—Central—in reply) [4.38]: In its wisdom, Parliament set up the Agriculture Protection Board, to which it rightly gave very wide powers. On that board are a number of departmental experts and three very highly placed members of the agricultural community. It contains two representatives of road boards and one representative of farmers. The members of the board receive advice from the emu and grasshopper advisory committee. Practically all the members of that body are farmers. For the hon. member to say that the Agriculture Protection Board is part and parcel of the Agricultural Department makes me think that he does not quite understand the powers that Parliament gave to that board.

The whole object of the measure was to take the administration of the Noxious Weeds Act and the Vermin Act from one officer of the department and the Minister and transfer it to the board. Surely that board should be able to delegate power to one of its officers to do certain things! I do not agree that the Agriculture Protection Board is still part and parcel of the department. It was never intended to be so. The Minister has a certain control, but not very much; and I do not believe that any Minister worthy of the name would want to interfere with the board. Surely that board, with the combined knowledge of its members, should have an open go, if I might put it that way, rather than have one or two officers of the Agricultural Department doing the job. I have every faith in the Agriculture Protection Board's ability to do a good job and that is the only answer I can give Mr. Logan.

Question put and passed.

Bill read a second time.

In Committee.

Hon. A. L. Loton in the Chair; the Minister for Agriculture in charge of the Bill.

Clauses 1 to 11—agreed to.

Clause 12—Section 46 amended:

Hon. Sir CHARLES LATHAM: I was interested in Mr. Logan's remarks and the reply of the Minister. We are dealing with legislation which seeks to delegate to an outside body power that should be exercised by the Minister. I was surprised to hear the Minister say he could rely on this board, when he does not know what its membership might be in the future.

The Minister for Agriculture: You could easily have a bad Minister.

Hon. Sir CHARLES LATHAM: The Minister is responsible to Parliament but the board is not. I do not think that under this legislation the board has even to report to Parliament.

The Minister for Agriculture: It reports to the Minister.

Hon. Sir CHARLES LATHAM: But the Minister is handing his authority over to an outside board.

The Minister for Agriculture: Not altogether. Mr. Logan brought up the question of departmental officers doing certain things.

Hon. Sir CHARLES LATHAM: I believe that if the Minister were not in his present position he would echo what I am saying—that we have no right to hand over this authority to an outside body. The Minister is answerable to Parliament but the board is not. I will vote against the clause.

The MINISTER FOR AGRICULTURE: It is a bit far-fetched to say that this board is an outside body when it is composed of senior departmental officers together with three high-level representatives of the farming community and road boards. I hope Sir Charles will not persist in his opposition to the clause. The representation on this board was decided by Parliament and I cannot reconcile that with the idea that it is an outside body.

Hon. L. A. LOGAN: The Minister's answer to me confirmed my opinion that he is seeking to give away to a board power that should remain with the Minister. The Minister said that the board would be outside the jurisdiction of the Department of Agriculture. The board is to be given complete authority without coming under the Minister. It is not the usual practice for a Minister to hand over his powers to someone else.

The MINISTER FOR AGRICULTURE: I did not mean that the board would be entirely outside the control of the depart-

ment, as the Chief Weeds Officer is a member of the Agriculture Protection Board, as is also the Chief Vermin Officer, and so there is a big link-up with the noxious weeds section of the department and the vermin section of the department also. The chairman of the board is the Chief Vermin Officer, who is still an officer of the Department of Agriculture. If the Committee thinks the Minister is more competent to do the things in question than such a board would be, it will vote against the clause, but that is not my view.

Hon. G. Fraser: What has happened so far with regard to declarations and so on coming under this provision?

The MINISTER FOR AGRICULTURE: When there is new legislation such as this, anomalies are often found, and it has been discovered that this board should have delegated to it the power to which I have referred rather than that power should remain with the Minister. I still say the board is more competent than is any Minister to deal with the matters in question, particularly when high officers of the department are members of the board.

Hon. G. Fraser: Then I assume that up till now any declarations made have been made under the name of the Minister.

The MINISTER FOR AGRICULTURE: That would be so, and I do not think it is advisable, where there is a board to do it.

Hon. G. FRASER: Together with Sir Charles Latham, I feel that the powers which the Minister already has should not be delegated to someone over whom we have no control. Not that we have much control over a Minister, but at least we have opportunities of dealing with a Minister in some shape or form. We will have none at all with this board. It is not a wise step to take powers from the Minister and grant them to the board. In fact, the declarations will still be made by the board, but it will be the Minister who will gazette them. It would be better to leave the powers in the hands of the Minister.

Hon. H. L. ROCHE: I am in agreement with Mr. Fraser. As the Minister has said, it is not merely a matter of substituting the Minister for the board when it comes to a question of responsibility for the work that is done. In many cases a Minister would not be competent to do the work performed by a board, but when the Minister is responsible to Parliament, then it has better control and the whole setup is more in keeping with what it should be. I do not like the idea of handing these powers over to the board when there is no ministerial control over the board itself. Such a delegation of authority is avoiding responsibilities which should really belong to the Minister.

Hon. Sir CHARLES LATHAM: Before the Minister replies the Committee should know exactly what Section 46 of the Act contains. It reads—

Division 4—Accounts.

- (1) The Minister shall cause to be kept true and regular accounts of all sums received and paid by him under this Act and the purposes for which the sums shall have been received and paid.
- (2) The Minister shall cause the accounts to be balanced on the thirtieth day of June in every year.

Therefore, unless Parliament authorises the expenditure of money, none can be spent. By this clause we are going to say that the board shall do this work. Surely Parliament has the right to say that the Minister shall see that that work is done and not the board. I think the Minister has passed over this rather lightly without the grave consideration that should be given to it. There are ten Ministers controlling the Government in this State, which is quite a number when compared with Governments in other States and the amount of work they have to do. Whilst I know that the Minister for Agriculture is probably one of the hardest worked in the Cabinet, I still think it is not too much responsibility for him to ensure that true and regular accounts of all sums received and paid by him are kept. He has simply to say to the board, "These accounts must be kept," and I am sure the Minister has to have authority for the expenditure of all moneys. We will have more confidence in the legislation if the Minister retains his powers.

THE MINISTER FOR AGRICULTURE: I still think it is a great responsibility to throw on to the Minister something which this board performs. The whole idea of the Agriculture Protection Board was to take away the power of the Minister to do certain things. The Royal Commission decided on that. I do not want any member to think I am shirking my responsibilities, but it is pretty hard for the Minister to be entirely responsible for what the Agriculture Protection Board does. The members could quite reasonably say, "I will not sit on the board if the Minister is to retain control."

Hon. Sir Charles Latham: I would not, if the Minister did not have control of the finances.

THE MINISTER FOR AGRICULTURE: The board wants full control because it cannot get enough money. However, I will ask that progress be reported in order to make further inquiries into the matter.

Progress reported.

BILL—AGRICULTURE PROTECTION BOARD ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. C. H. HENNING (South-West [4.56]): I listened with interest to the remarks of the Minister when introducing the Bill and whilst I approve of much of what he said, there is one particular part with which I entirely disagree. We should be prepared to accept his assurance and that of the scientists that myxomatosis has no effect other than on rabbits. Therefore it is our duty to see that this disease is spread as much as possible in order to combat and alleviate the dreadful scourge which has been caused by rabbits in this State.

I agree that the public must be protected, and the trapping of rabbits, particularly for human consumption, should be prohibited. The rabbit, when it is infected and, particularly when it reaches the dopey stage, is undoubtedly an extremely sorry looking bunny, and nobody would care to make a meal of him. We have three methods of dealing with rabbits. One is trapping, another is poisoning and the other is fumigation. None of them can be described as being exactly a humane method of killing.

However, the rabbit constitutes such a scourge to our agricultural industry that it is highly desirable and indeed, definitely necessary that we should forget about humane treatment because our primary production, if we can rid ourselves of the rabbit or even partially exterminate him, will be boosted tremendously. Mr. Logan dealt with the machine installed by the Institute of Veterinary Science in South Australia. I understand that machine is capable of turning out 60 ampoules of freeze-dried myxomatosis daily and each ampoule contains enough virus for six or eight infections.

I sincerely hope that we will try to do something along those lines or import virus from other parts of Australia and that eventually it will be made available to the farmer so that it can be distributed wherever there is the possibility of infection being spread. From the maps I have noted that the general spread of the disease has naturally followed water-courses where mosquitoes are most prevalent. In various parts of Australia and also in other parts of the world, mosquitoes are invariably found in those places where there is water. I would like the Minister to consider the best possible means of effecting water conservation and infecting it with mosquitoes where they are not prevalent, but where rabbits are.

If that could be done there is every possibility that we could chase the vermin into the dry areas and at the same time, taking into consideration the improvement in the virus available, we may be fortunate

enough one of these days completely to exterminate rabbits in Australia. The main spread of the disease in the Eastern States, judging from what I have read, has been caused not only by the opening up of distribution centres and auxiliary branches by the department, but also by the fact that farmers have travelled from great distances to secure infected rabbits to take back to their own properties.

Hon. A. L. Loton: They poached them.

Hon. C. H. HENNING: I was disappointed to hear the Minister say that he did not want the infected rabbits taken away. One would be prepared to agree with him in his references to the prevention of trapping and fumigating, but it is surely in the best interests of the spread of the disease that people should be able to go along and get infected animals.

The Minister for Agriculture: I said it was only during the experiments.

Hon. C. H. HENNING: How long will the experiment last?

The Minister for Agriculture: The shortest time possible. The officers want the disease to be spread at large.

Hon. C. H. HENNING: No man would desire to catch rabbits until they were pretty well infected. I think anyone should be able to get diseased rabbits once they have been infected for a day or two. It is all a matter of getting the rabbits at the earliest opportunity.

The Minister for Agriculture: You did not listen to what I said.

Hon. C. H. HENNING: Once the virus is injected into the animal surely the experimental stage is already passed. Surely the rabbits should be procured by farmers at the earliest possible moment.

The Minister for Agriculture: Who said it would not be like that? All I stated was that the officers want control exercised while the experiments are in progress. After that the rabbits can be secured.

Hon. C. H. HENNING: The final clause of the Bill provides for amendments to paragraph (d) of Section 8 which sets out that—

Subject to the Minister and to the provisions of this Act, the powers and duties of the Protection Board shall include the following:—

- (d) Controlling and prohibiting the trapping of rabbits on any holding by any person other than the owner or occupier of the holding, except where such person has the consent of the owner or occupier so to do.

Clause 4 of the Bill contains amendments to that paragraph by adding after the word "trapping" the words "or catching by any other means" and striking out the

balance of that paragraph from the word "on". That means that the provision will be there for all time.

The Minister for Agriculture: The officers will want to use that power because they want to kill the rabbits.

Hon. C. H. HENNING: That is all very well, but that is the power the Minister is taking.

The Minister for Agriculture: The departmental officers are not commercial rabbit trappers.

Hon. C. H. HENNING: If the officers do not want to act on that, why put such extensive powers in the Act? During the Committee stage I shall move an amendment to deal with that phase, but otherwise I support the Bill.

HON. H. L. ROCHE (South) [5.41: I intend to support the second reading of the Bill embodying the amendments that the Minister desires in the parent Act. An exception is the provision to which Mr. Henning has referred as not being in accord with it. Whether what he suggested was or was not intended, it would seem from statements made in the Press and from the departmental attitude, that the officers are very concerned with limiting the effects of myxomatosis infection, certainly in the early stages. I do not know why that should be.

I imagine Western Australia is lagging somewhat behind the rest of the Commonwealth in this matter and that it is in the best interests of the people that this disease should be as widespread throughout Western Australia as quickly as possible. I think the Minister mentioned in his second reading speech that trapping was considered likely to limit the spread of the disease. So far as I have been able to ascertain from the reports of the C.S.I.R.O. and from the Melbourne conference that was held in July to discuss these matters, there has not been any suggestion of limitation through trapping taking place.

It is known that the mosquito spreads the disease. Although so long ago as February of this year the officers of the C.S.I.R.O. were of the opinion that the mosquito was virtually the only means of spreading it, by July of this year the scientific gentlemen concerned and those who attended the Melbourne conference to which I have made reference, seem to have come to the conclusion that the mosquito represented one aspect only. The sandfly, the bushfly, lice and the stickfast flea are considered likely transmitters of the disease.

The Director of Veterinary Research in New South Wales has suggested that possibly bushflies are, through mechanical transmission of the disease from rabbit to rabbit, probably playing a more important part in the spread of myxomatosis

than is the mosquito. There is much information yet to be gathered regarding the transmission of the disease and so that we can make the best use possible of the present most promising development in connection with rabbit extermination in Australia, we should see to it that the disease is spread as widely as possible at the earliest possible moment.

Under the Bill we will endeavour to prevent people from trapping or catching rabbits by any other means, yet at the same time the Minister says the farmers should take the rabbits to the control centres to be infected and then return them to their properties. The two propositions seem to me to be quite contradictory. Unless the farmer catches the rabbit by trapping or any other means, how can he take it to the control centre for infection? It does not seem to me that this particular phase of the matter has been given the consideration it warrants.

The Minister for Agriculture: The Agriculture Protection Board is doing this, and you have three representatives on that body.

Hon. H. L. ROCHE: That is the body to be given the authority.

The Minister for Agriculture: And you have three representatives on it.

Hon. H. L. ROCHE: When the original legislation was before the House last session, an almost similar provision was included with the object of preventing the trapping of rabbits. I still consider that with the advent of myxomatosis, the catching of rabbits for human consumption or for commercial use generally should be restricted, but to prevent people from catching rabbits in infected areas and to prohibit them from taking them elsewhere to spread the disease, seems a negation of commonsense.

The Minister for Agriculture: Who said that? I did not!

Hon. H. L. ROCHE: Then what does the Minister intend? It is all very well for the Minister to say that the trapping of rabbits must be controlled while experiments are in progress. Whether or not any such provision is embodied in the Bill with a limitation for the purpose indicated, the Minister can still stop people from trespassing on properties of which the Government has control. The owner of any property can also deal with trespassers.

The Minister for Agriculture: Do they want to do that?

Hon. H. L. ROCHE: Then why does the Minister want this power?

The Minister for Agriculture: I told you—while the experiments are in progress.

Hon. H. L. ROCHE: I still cannot understand why. I have pointed out that trespassers can be dealt with, and the penalties

for trespassing would be just as heavy as those mentioned in the Bill. The Government cannot have it both ways. If the rabbit is to be regarded as of commercial use to the State we cannot go on with the spread of this disease. But our objective is the elimination of the rabbit altogether, for it has cost Australia far more than the pest has earned for the country. It has been proved by the Federal health authorities as well as by the C.S.I.R.O. that myxomatosis affects rabbits only. That has been known in America for years.

Some 20 years ago in South Australia experiments regarding the disease were carried out on a limited scale and were pronounced a failure. Only in the last 18 months, as the result of representations through the Australian Wool Board, the chairman of which, Mr. Boyd, approached the Commonwealth Government—I think the Minister concerned at the time was Mr. Casey—on the matter, the Commonwealth Government decided that another attempt should be made. This was done, and the subsequent spread of the disease has been remarkable. It has spread from the Murray River to Queensland.

Hon. L. Craig: Due largely to the summer rains and the good season.

Hon. H. L. ROCHE: Quite possibly, but it is known that many persons transported infected rabbits from the Murray to their own properties. I have not, however, heard any explanation of how the disease spread to the Northern Territory. It seems that we have not had the last word on this subject. The more experiments that take place, the more we will learn about the transmission of the disease from one rabbit to another.

Certainly, definite evidence is available that inoculation or injection is not the sole means, and it is rather doubtful whether injection in primary cases is the most efficacious way of spreading the disease. Quite possibly in one form or another the disease will be found to be spread more effectively and more quickly by the adoption of other means. The limitation of the spread, in view of the comparatively few centres at which the disease is to be initiated contrasted with the total area of the State, is a matter for great concern, and I hope that an amendment I have heard discussed among members prior to that mentioned by Mr. Henning, will commend itself to members.

The Minister has not a very large staff—I think he mentioned that shortage of staff might be a limiting factor. The department is still learning in respect to this subject, and I think that if we are to make worth-while progress this year the disease must be made as wide-spread as possible in the shortest possible time through the farmers themselves. We may then, if the Minister will approve of the amendment, get somewhere near the

desirable objective of the elimination of the rabbit. We should at least make marked progress this summer, because if we do not get the disease well established then, it will be regarded as being unsuccessful in Western Australia, just as we heard, years ago, that it would not spread in South Australia. Whilst I support the Bill, I hope the Minister will give serious thought to an amendment.

The Minister for Agriculture: Would you state what the amendment is, and give me some notice of it?

Hon. H. L. ROCHE: It is not my amendment, but notice of it will be given. The amendment is in connection with the trapping or catching of rabbits by any other means. I hope the Minister will give favourable consideration to the amendment when it does appear on the notice paper.

On motion by Hon. A. L. Loton, debate adjourned.

BILL—PARLIAMENT HOUSE SITE PERMANENT RESERVE (A1162).

Received from the Assembly and read a first time.

BILL—POULTRY INDUSTRY (TRUST FUND) ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. L. A. LOGAN (Midland) [5.19]: I have made a few inquiries about the Bill, and on this occasion I shall support the Minister without any argument.

Hon. G. Fraser: This is very gracious of you.

Hon. L. A. LOGAN: The trust fund has been in operation for only two years, but it has been found that the rate of collection is so slow that it takes a considerable time to build up a fund sufficient to cover an outbreak of laryngotracheitis or any other disease that might attack poultry. In 1950, the amount contributed was £867, and in 1951 it was £1,031.

Hon. G. Fraser: Was that for the year?

Hon. L. A. LOGAN: Yes. That gives a total, roughly, of £2,000 for the two years. If we are to get something like £1,000 a year, the fund will be very slow in building up.

Hon. G. Fraser: Is that after the expenses have been deducted?

Hon. L. A. LOGAN: No, that does not allow for any expenditure.

Hon. Sir Charles Latham: What is the expenditure?

Hon. L. A. LOGAN: I have not got it, but it is only a small amount, I think, of about £135.

The Minister for Agriculture: I have the figures, and will give them later.

Hon. L. A. LOGAN: Actually 2d. on every 30 dozen eggs will not raise the amount of the contributions very much. The idea is to have a self-insurance scheme for the poultry growers to ensure against any disease that might occur in the industry. I support the Bill.

THE MINISTER FOR AGRICULTURE (Hon. G. B. Wood—Central—in reply) [5.21]: I am happy at the way the Bill has been received. As Mr. Logan so rightly said, for the first year the collections amounted to £867, and in the second year, £1,031, making a total of £1,898. The expenditure consists of about £160, including £130 paid to the association, which is very small compared with what other associations have paid from their trust funds.

Hon. G. Fraser: What is the payment to the association for?

The MINISTER FOR AGRICULTURE: It is provided for in the Act.

Hon. G. Fraser: Why does the association get it?

The MINISTER FOR AGRICULTURE: To assist with the secretary. I might say, knowing what is paid out of trust funds for other associations, that the poultry industry has been very modest in asking for only £130. The other £31 includes two honorariums to the secretary of about £14 a year. The members of the board—the trust fund committee is appointed by the poultry farmers—have received only £3 or £4 out of the fund in the two years. We have three or four other trust funds, and not one of them is run as economically as this one. Mr. Fraser last night asked what my views were about increasing the 2d. to 3d. Personally, I feel that 3d. would not hurt the industry, but in view of the fact that the industry is taxing itself, it would hardly be fair to push the amount up beyond the 100 per cent. that it seeks. Therefore I must oppose any amendment in that direction, and I hope there will be no amendment.

Hon. G. Fraser: I did not suggest there would be one.

The MINISTER FOR AGRICULTURE: I do not think an amount of 3d. would hurt anybody. The 2d. is to be raised on £6 worth of eggs on present prices. I hope the House will leave the amount at 2d., as it appears in the Bill, which I commend to members.

Question put and passed.

Bill read a second time.

In Committee.

Hon. H. S. W. Parker in the Chair; the Minister for Agriculture in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Section 17 amended:

Hon. J. M. A. CUNNINGHAM: I am not clear as to what effect this will have on the price of eggs in my district. At pre-

sent eggs from local producers are permitted to be sold in Kalgoorlie. I have here an article from last Saturday's "Kalgoorlie Miner" reading as follows:—

It is understood that an inspector of the Egg Marketing Board recently called on local shopkeepers and advised them that if unbranded eggs are found on their premises the vendors will be charged with having unbranded eggs for sale. Up to the present it has been the practice of householders to dispose of their surplus fresh eggs to their grocer or adjacent shopkeeper, which meant that the public was able to secure really fresh eggs. It would appear that goldfields residents are to be forced to buy only stamped eggs of doubtful vintage. Registered local poultry farmers are unable to supply the whole of the local demand, with the result that chilled eggs will be sent from Perth, and these are of very doubtful character after they have been in the summer heat for a few days.

I have seen unbranded eggs sold in Kalgoorlie, and the only sure way to get really fresh eggs there is to buy local ones. Must these eggs be branded, and by whom? Every householder who has a dozen or two fowls contributes considerably to the fresh egg supply there. I would prefer to buy unbranded than branded eggs in Kalgoorlie. What effect will this have on the price of eggs in Kalgoorlie?

THE MINISTER FOR AGRICULTURE: I think the hon. member is getting mixed up with the Marketing of Eggs Act which is quite different. I do not know how an extra 1d. in £6 worth of eggs can affect the price. It would be impossible to load it into the cost. I took this matter up with the Egg Board, but it had never considered it.

Hon. G. FRASER: At no time last night did I intimate that I had any idea of moving an amendment. I only wanted to know whether the contribution mentioned in the Bill would be sufficient to raise enough money to provide a genuine compensation fund. The producers probably think that 1d. will be sufficient, but we know now that an amount of only £1,800, approximately, has been raised in the last two years. If a serious epidemic were to break out within the next two or three years there would not be much money in the fund to meet the demands of those involved.

Hon. L. A. Logan: Probably not more than enough for two growers.

Hon. G. FRASER: That is so. I suggested that a larger amount might be provided so that the growers could consider it during the coming summer, and come forward with something more in

keeping with the idea of a compensation fund that would be of benefit to the industry. This will be all right if we go for another ten years without an outbreak of disease. But if anything happens in the early stages of the fund, it will be useless. So here's hoping for the best.

THE MINISTER FOR AGRICULTURE: I am thoroughly in accord with the sentiments expressed by the hon. member. I believe it could be 3d. without hurting anybody, and I was very much inclined to accept an amendment to that effect. But on thinking it over, I asked myself whether it would be fair to the industry because they had asked for 2d. But if next year they ask for 3d., I shall be right with them.

Hon. H. Hearn: Does the industry know how slowly the money is coming in?

THE MINISTER FOR AGRICULTURE: It does, and that is the reason for the Bill.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—MARKETING OF EGGS ACT AMENDMENT.

Second Reading.

THE MINISTER FOR AGRICULTURE (Hon. G. B. Wood—Central) [5.33] in moving the second reading said: This is a very small Bill, and I seek the indulgence of members by asking them to pass this measure as quickly as possible. For some unknown reason this is one of the few Acts of its kind on the statute book that does not provide for people to deputise for members of the board who may be absent through sickness or for other reasons. To my mind, it is most desirable that the balance of a board should be maintained, especially one which fixes the price of its product.

In its wisdom, Parliament said there should be certain people on the board representing both consumers and producers. As the board fixes the price of eggs, it is desirable that the full representation of consumers and producers should be maintained. There have been occasions when members of the board have been sick or absent for some special reason, and the board has become unbalanced. My reason for asking members to pass the Bill as quickly as possible is that in a week or two a member of the board will be going away on leave and thus the board will become unbalanced.

Hon. Sir Charles Latham: Have you not appointed somebody in lieu of the members who were away?

THE MINISTER FOR AGRICULTURE: No; that is the trouble. There is no power for the Minister to do that. The amend-

ment will bring this Act into line with the powers contained in the Marketing of Barley Act. I will give members a list of Acts which contain this provision. They are as follows:—

Agriculture Protection Board Act.
Marketing of Barley Act.
Dairy Products Act.
Wheat Marketing Act.
Potato Growing Industry Trust Fund Act.
Poultry Industry Trust Fund Act.
Milk Act.
Metropolitan Markets Act.
Fruit Growing Industry (Trust Fund) Act.
Wheat Industry Stabilisation Act.

There is also the emu and grasshopper advisory committee. All those Acts make provision for this aspect. I do not know why it was left out of the Marketing of Eggs Act, because the board fixes the price of its own commodity. So I ask members to give this Bill a speedy passage for the reasons I have mentioned. I move—

That the Bill be now read a second time.

HON. L. A. LOGAN (Midland) [5.35]: As I knew that this Bill was coming up for consideration I decided to make some inquiries, and the reason for its introduction is as the Minister stated. One of the representatives on the board is going away shortly for three or four months' holiday and the producers desire that his place on the board be filled. That is the only reason for the Bill. I have been in touch with those concerned and they are quite satisfied with the provisions contained in it. I therefore commend it to the House.

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—PETROLEUM ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. H. C. STRICKLAND (North) [5.39]: This Bill contains several amendments which all more or less lead to the easing and better explanation of the principal Act and its amendments. After looking through the Act, its amendments and this Bill, I can support it entirely. The search for oil in Australia should be encouraged in every possible way, especially by making the Act and the covenants relating to leases a little more easy to understand. The passing of the Bill will also provide companies, such as the two large

companies now prospecting at North-West Cape, with an assurance that if they are successful they will ultimately reap some benefit and the fruits of their search.

There was one clause which the Minister explained very thoroughly. I thought at the time that it might have been opening the way for a company to sail away with its products to distant lands, and we might have only the honour of having the bore producing the oil and not obtaining very much benefit from it. But on looking through the principal Act and its amendments, I find that Section 63 was amended in 1949 to ensure that Australia would get its requirements of any oil or petroleum products found in this country. Sub-section (1) of Section 63, paragraph (e), covers that very fully and it reads—

A covenant by the lessee that so long as any petroleum or any product thereof obtained from any land held by him under the petroleum lease, can be consumed in Australia, he shall, if so required by the Minister, ensure that the petroleum and product thereof shall be disposed of only for consumption in Australia.

That overcomes any suspicions or misunderstandings that might have occurred in my mind. The same thing might have happened with oil as has happened with iron at the Yampi Sound leases. The iron from those leases is of no benefit to the State; at least, it has not been so up to date.

Hon. L. Craig: But no State legislation would be valid against a Commonwealth Act in the export of goods. The Commonwealth controls exports entirely. Unless the Commonwealth is willing to do something about it, a State Act would not prevent a man exporting goods.

Hon. H. C. STRICKLAND: I realise that, but we all want to do as much as we possibly can for Western Australia and to keep our own products for the benefit of the State. The section relating to refining of oil, if it requires refining, has been substantially eased. The company has explained, quite naturally, that the proper place for the refinery is close to the market or on the site, whichever proves the more beneficial and economical. In this case, there is no doubt that the market would prove the more beneficial place for a refinery. However, I am pleased to see that big companies are prepared to spend many millions on the search for oil in our northern areas, and I am glad to know that both the company and the Government are reaching a workable agreement by way of amending the legislation to suit the nation, the State and the company. I have much pleasure in supporting the Bill.

HON. R. M. FORREST (North) [5.45]: I, too, have much pleasure in supporting this Bill. We in Western Australia should consider ourselves very fortunate in hav-

ing a company like the Ampol concern spending £1,500,000 in prospecting Learmonth, which is the new name for Exmouth Gulf on the North-West coast. There is also a movement on foot, I understand, to further explore and develop the country near Derby. If oil is found in Western Australia it will not only benefit this State but the whole of Australia, and this £1,500,000, which the company proposes to spend in prospecting the Exmouth Gulf area, will, if there are prospects of finding oil there, turn over many millions of pounds.

On motion by Hon. Sir Charles Latham, debate adjourned.

BILL—RURAL AND INDUSTRIES BANK ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. SIR CHARLES LATHAM (Central) [5.46]: I moved the adjournment of the debate in order to have a look at this Bill because I did not think the Minister had described very fully the effect of Clauses 4 and 5. I notice from the Bill that the Rural and Industries Bank is to accept personal risks in respect of people who have no security at all to offer.

Hon. H. Hearn: It has already taken on a few.

Hon. Sir CHARLES LATHAM: I dare say it has, but that has been the system adopted by the Associated Banks for some time. Whether it has been successful or not, I know not. At the present time anyone would be safe in advancing money to most people in permanent employment, but, by the same token, it could be a very risky move. I do not suppose very large sums of money will be let out, but if the money that is advanced is not repaid, it will mean that the people borrowing money on security will have their rate of interest raised to counter the consequent deficiency. Clause 4 seeks to repeal paragraph (a) of Subsection (1) of Section 51 of the Act which provides—

(1) Subject to this Act the persons to whom the Commissioners may make loans under this division shall be persons—

(a) Who are or about to become depositors regularly depositing money on current account with the bank as their banker.

By deleting this paragraph, is it intended that the bank may make an advance to a person who is not a customer or who has no intention of becoming a customer?

The Minister for Agriculture: Do not you think it would encourage them to become customers?

Hon. Sir CHARLES LATHAM: I do not think they would need great encouragement. I do not know much about banking, but I know that if a person has a

current account with a bank and he is a borrower, he has an offset to his liability and does not pay any interest on the money lying to his credit. The same type of legislation was introduced in the Federal House for the Commonwealth Bank. I happened to be in the Senate at the time and I wanted the Government to allow as an offset the amount of money that might be standing to the credit of the borrower at the time he was procuring the money. The Government refused to allow it then but did so subsequently, but this Bill is deliberately saying "You need not have any money in the bank; we will lend you the money and you need not be a customer, except a borrowing customer."

The Minister for Agriculture: It is in force in New South Wales.

Hon. Sir CHARLES LATHAM: Do not let us get bad habits from the Eastern States. It is for the bankers to determine this and I think we should have left it there. I think the Minister might have given us some more information about Clause 5, which seeks to repeal Section 67 of the principal Act. This concerns a property that is Crown land; that is, land that has not been completely paid off or conditional purchase land which in the process of time reverts to the Crown because it has been abandoned by the settler. Section 67 provides—

The following provisions shall apply where land or lease of land in respect of which any loan has been made by the Bank under this Part of this Act or which is subject to any encumbrance, mortgage, charge or lien vested in or held by the Bank under this Act is forfeited under the provisions of the Land Act, 1933-1939, or under the provisions of the Mining Act, 1904-1939 (as the case may be), that is to say:—

- (1) Upon forfeiture the land or lease of land shall vest in the Bank for a period of two years from the date of forfeiture taking effect or for such further period as the Minister for Lands or the Minister for Mines, as the case may be, may allow.

I think that was a very safe provision to put into legislation of that sort, because either the Minister for Lands in the case of agriculture and pastoral leases or the the Minister for Mines who might be leasing land for mining purposes, might enable the bank that had made advances to the person holding the land, to get its money back.

We are taking that authority away and saying that at the end of the period, when the land is forfeited, it immediately reverts to the Minister for Lands or the Minister for Mines. Unless the Minister can advise me differently, I understand

this to mean that the security which the bank might have is being taken away, and it might not be able to get its money back again. In the early days of land settlement and during the depression period, when people abandoned their farms in the South-West, the Agricultural Bank had some claim to that land; which it could resell and get something back on account of the advances that had already been made. In this instance it looks as if the bank is to be the sole loser of any advances it might make because the Minister for Lands or the Minister for Mines becomes the sole owner of the land. The Minister was not clear on that point.

The Minister for Agriculture: I will be clear in a minute.

Hon. Sir CHARLES LATHAM: I wanted to raise the point so that the Minister might explain what security the bank will have. After all, the people's money is deposited in the bank and while there have not been any bank smashes, some of them have come very near to it. The Primary Producers Bank shareholders lost some money; but under the setup of the Associated Banks it would be impossible for a bank smash to take place. I do not know whether the Rural and Industries Bank is a member of the Associated Banks organisation or not. Probably it is not. I hope the Minister will explain if whether or not there will be any security at all for the bank after the land is forfeited. That is what vitally interests me and causes me to ask for some explanation.

HON. H. HEARN (Metropolitan) [5.55]: I believe I am right in saying that when the Rural and Industries Bank was established in Western Australia the general manager of the Rural Bank in New South Wales came over here to investigate and give advice for its formation. I happen to be very friendly with the general manager of the Rural Bank in Sydney, and I can say that the personal loan business in which it has engaged for a long period has been very successful. Whether we in Western Australia are choosing the right moment to embark on this class of business is, to my mind, another question altogether, but I do feel that this bank of ours should not be hamstrung. I believe it has very sound management with good commissioners, and the House should remember that the funds of the Rural and Industries Bank are guaranteed by the State Government, so if many mistakes are made, it could cost this Government or any Government in the future a lot of money.

THE MINISTER FOR AGRICULTURE
(Hon. G. B. Wood—Central—in reply)
[5.57]: In reply to Sir Charles Latham I must profess that I do not know very much about the question he has raised; it is

not in my jurisdiction, but I propose to read certain letters which may satisfy him that things are all right.

Hon. Sir Charles Latham: I do not think they are wrong, but I want some explanation.

The MINISTER FOR AGRICULTURE: I can do no more than read these letters. This one is from the Assistant Registrar of Titles to the Commissioner of Titles and deals with Section 67 as follows:—

Now that the Rural and Industries Bank Act has been in force for over 2½ years it is submitted that the provisions of Section 67 appear to be without useful purpose and are the cause of much added work to this office.

Although a matter of 660 leases have in the period been affected by the provisions of this section, in no instance have the powers of the bank been exercised pursuant to Subsection (3) of the section, and no action has been taken in this respect by the Minister for Lands.

From information derived from reliable sources it would appear that the bank has very small intention of ever exercising such powers.

The situation as I see it is that if the bank has not exercised and is not likely to exercise the powers vested in it by the section, then there is no need for the continuance of the procedure under it and the section should be repealed.

From our office point of view the operation of the section has caused considerable useless and extra work quite out of proportion to its importance.

The procedure under Section 8 of the Transfer of Land Act Amendment Act, 1909, calls for the use of five simple notice forms and the work entailed can be easily effected part-time by a junior.

With the addition of an additional six notices required under Section 67 of the Rural and Industries Bank Act, the work becomes of such a nature as requiring the immediate supervision of a very senior officer.

It is pointed out that at present the number of forfeitures is not large but should the number increase to the proportions of normality, then the work entailed would amount to the full time of a junior at least with the serious interference in the ordinary work of an assistant registrar.

The records of this office will support my contention. I would like also to read a letter from the chairman of the Commissioners of the bank, Mr. Bosisto, to the Minister for Lands. It is as follows:—

I attach hereto file of the Under Secretary for Law re the above, from which it will be noted that the Commissioner for Titles and the Assistant Under Secretary for Lands both express the view that Section 67 of the Bank Act is cumbersome and troublesome to both departments, and that its repeal would be of considerable assistance to each department.

I have discussed the matter with the Under Secretary for Lands, who concurs with the view expressed in the minutes herein.

The Commissioners have examined the position and agree that the section is more cumbersome than helpful and raise no objection to its repeal.

If you concur, will you kindly authorise the Under Secretary for Law to proceed with the drawing up of the short amendment of the Bank Act repealing the section.

I hope that that correspondence will satisfy the hon. member.

Hon. Sir Charles Latham: Will you defer the Committee stage? I should like to peruse those statements.

THE MINISTER FOR AGRICULTURE: I am afraid I shall be unable to get any further information. The Commissioner of Titles and the chairman of the Bank Commissioners agree that the section should be repealed and surely that should be enough for anyone! However, I have no objection to holding up the Committee stage.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Minister for Agriculture in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Section 67 repealed:

Hon. Sir CHARLES LATHAM: Subsection (2) of Section 67 provides that the Minister shall notify the Commissioners whether he intends to discharge the bank's claim and, if the Minister intends to do so, the land shall be divested from the Commissioners and become subject to the provisions of the Land Act or the Mining Act as the case may be. Under Subsection (3), where the Minister notifies the Commissioners that he does not intend to discharge the bank's claim or requests the Commissioners to sell the land, the Commissioners may sell it; and the purchaser shall hold it subject to any conditions binding on the former holder, and shall have six months from the time of sale before complying with any unfulfilled improvement conditions. That is all very well if the land is saleable.

Hon. H. L. Roche: Does that come under the agency part of the Act?

Hon. Sir CHARLES LATHAM: No, under the general part. The Minister and I can remember the time when land forfeited and abandoned was left lying idle for a long time, and the depreciation of the improvements was so great that when a sale eventually occurred, there was very little value left. If the Government is prepared to accept any responsibility to the Rural Bank for a deficiency, well and good.

The Minister for Agriculture: I do not think that will occur. Surely we must accept the views of the Bank Commissioners!

Hon. Sir CHARLES LATHAM: Let us examine the origin of this: First the Commissioner of Titles asserts that a lot of work is entailed by this section. Well, there is a lot of work entailed for all of us in some direction or other, and it is not our function to relieve the Commissioner of Titles of any work that is essential for protecting the assets of the State.

The Minister for Agriculture: I am not concerned with the Commissioner of Titles. I am more concerned with the opinion of the Bank Commissioners.

Hon. Sir CHARLES LATHAM: But the Commissioner of Titles took the initial step by saying that he had to put on a senior member of the staff to watch these transfers. There must be a fair number; otherwise he would not have noticed it. If there are a lot now, what will happen when the rural industries are less prosperous? The work then will surely increase! I deem it my duty to point out that careful investigation should be made because we know of the wasting that occurs in the assets of a bank. I believe that Section 67, was inserted for a definite purpose, and I am hoping that no mistake is being made by repealing it. If the Minister is satisfied, he can proceed with the Bill, but he might give me an opportunity of considering the matter further.

The Minister for Agriculture: You have had 24 hours.

Hon. Sir CHARLES LATHAM: But the Minister did not give me the information until I asked for it today.

The Minister for Agriculture: You are not satisfied with the information given you?

Hon. Sir CHARLES LATHAM: I should like an opportunity to peruse it.

THE MINISTER FOR AGRICULTURE: To meet the wishes of the hon. member, I have no objection to further consideration being postponed till next week.

Progress reported.

House adjourned at 6.10 p.m.