

# Legislative Council

Thursday, 8th November, 1951.

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

## QUESTIONS.

### SUPERPHOSPHATE.

*As to Estimated Shortage.*

Hon. A. L. LOTON asked the Minister for Agriculture:

(1) Are the figures quoted by Senator H. S. Seward under the heading "Letters to the Editor" in "The West Australian" dated the 7th November, 1951, correct as to—

- (a) the amount of sulphur received from America by Australia during the first two quarters of the current year;
- (b) the amount that it is anticipated will be available for the next two quarters of the current year?

(2) If the above figures are substantially correct, is it to be assumed that Western Australia will be 200,000 tons short of meeting its requirements on the basis of present consumption?

The MINISTER replied:

(1) Any figures quoted by Senator H. S. Seward in regard to sulphur supplies can be regarded as correct.

(2) A considerable amount of the shortage of sulphur will be made up by the use of pyrites.

It is not possible at this stage to estimate the shortage of requirements of superphosphate, as it is anticipated that the increased price will affect the consumption.

### NATIVE ADMINISTRATION.

*As to Citizenship Rights and Exemption Certificates.*

Hon. H. C. STRICKLAND asked the Minister for the North-West:

Will he supply the following figures concerning natives in respect of—

- (1) Natives (Citizenship Rights) Act, 1944-1950—
  - (a) the number of applications since the Act came into operation;
  - (b) number successful;
  - (c) number opposed by Native Affairs Department, successfully and unsuccessfully;
  - (d) number sponsored by the department, successfully and unsuccessfully;
  - (e) how many certificates have been cancelled;
  - (f) how many were cancelled on complaint from the department;
  - (g) how many full-blood aborigines have citizen rights?
- (2) Native Administration Act, 1905-1947—
  - (a) how many exemption certificates have been granted under Section 72 since its inception;
  - (b) since 1944;
  - (c) the number revoked in each period;
  - (d) how many exemption certificates are in force at the present time?

The MINISTER replied:

- (1) Natives (Citizenship Rights) Act, 1944-1950—
  - (a) 674.
  - (b) 496.
  - (c) Successfully, 73; unsuccessfully, 35.
  - (d) Successfully, 449; unsuccessfully, 53.
  - (e) 9.
  - (f) 3.
  - (g) 6.
- (2) Native Administration Act, 1905-1947—
  - (a) 652.
  - (b) 218.
  - (c) Since inception, 269 (135 revoked, 134 withdrawn after citizenship rights issued). Since 1944, 189 (55 revoked, 134 withdrawn after citizenship rights issued).
  - (d) 355.

[The Deputy President took the Chair.]

**BILLS (3)—THIRD READING.**

- 1, Rights in Water and Irrigation Act Amendment.
  - 2, Fremantle Harbour Trust Act Amendment.
  - 3, Gas Undertakings Act Amendment.
- Passed.*

**BILL—BUILDING OPERATIONS AND BUILDING MATERIALS CONTROL ACT AMENDMENT AND CONTINUANCE.***Second Reading.*

Debate resumed from the previous day.

**HON. H. HEARN** (Metropolitan) [4.37]: I rise to oppose the second reading of the Bill. In the debate which took place in 1948 on a Bill to continue the parent Act, as reported at page 1249 of "Hansard," Mr. Gray used these words when speaking in support of the measure—

I support the Bill because this is essentially successful Labour legislation.

I think that must of necessity define the attitude of members of this House who are of the same political convictions as Mr. Gray. But I must confess that I have been very puzzled during the course of the debate as it has developed in this House, particularly with respect to the attitude of members who allegedly believe in Liberal and Country League principles. We have listened to statements to the effect that if anything happened to this particular Bill, the big bad bogey of private enterprise would walk in and scoop the pool.

What are the facts? We have had the privilege of a private enterprise Government for the last four and a half years. As I mentioned when speaking during the Address-in-reply debate about building controls operating in socialist England, in that country a balanced building programme has proceeded hand-in-hand with housing. The authorities there not only built houses, but factories and offices as well. During the course of the debate on the Bill before the House we have listened to the assertion that private enterprise—the favoured and spoilt darling of the present Government—would walk in and scoop the pool.

As a member of that despised class—the section of the community associated with private enterprise—it has been my privilege to be engaged during the last two or three years in effecting extensions and improvements to some of the factories in which I happen to be interested. Oh, yes! We can get permits easily! The conditions of those permits, however, are quite a different matter, and they have not been mentioned in this House. We can get a permit providing we use all imported material. So we find that this private enterprise Government has so favoured private enterprise that it has penal-

ised it at least to the extent of 100 per cent. on the cost of anything that private enterprise has built.

**Hon. G. Fraser:** Now you have the money, you can afford it.

**Hon. H. HEARN:** That may be so, but one of these days Mr. Fraser will be coming to private enterprise to ask it to take up the slack when the Government has not the money. When that particular time of stress arrives, I hope we will be at least given credit for what we tried to do under adverse conditions. I object to the fact that private enterprise should in this House be accused of being the big bad wolf—

**Hon. E. H. Gray:** Some members of private enterprise.

**Hon. H. HEARN:**—when the reverse is the case. We have been patient. There is no steady programme indicating how the housing problem is to be met, together with what is necessary for the natural development of factories and offices to keep the people employed when this Indian summer has come to an end. The interjections in this House have puzzled me. I know this is a gathering of very intelligent members, and we expect to get some decent contributions to the debates both from speeches and from interjections. But I confess I was puzzled when I heard one interjector say that if the working man bought one bag of cement on the blackmarket that was a creditable act, and that the only time a criminal offence was committed was when private enterprise bought six bags! Is that a sample of our puzzled thinking?

I believe some of us have gone astray. Mr. Fraser, my great friend, when he mentioned speculative builders in that lovely voice of his, made me feel that the name was a misnomer because, after using the word speculative, he went on to tell us what a certainty it was. I believe that today a man who is capable of building for private enterprise is really on a good thing, and I am sure Mr. Fraser will agree that he is at least entitled to the reward for his labours. Of course, the hon. member realises that the statement he made concerning road board and council licenses and the ultimate selling price was not quite correct, but we will let that pass.

**Hon. G. Fraser:** It was correct.

**Hon. H. HEARN:** What I want to say is that the speculative builders of today were the bastion of private enterprise prior to 1939. The time is fast approaching when, if we are going to avoid all the evils of those depression days, private enterprise must be left unfettered in order that it can take up the challenge in these difficult times. Today the matter is a simple one; the Commonwealth Government has plenty of money. I hope the Minister for Housing is not going to be disappointed, but

let us assume that ultimately the funds belonging to the Commonwealth and State Government contract. Who is then going to take up the slack? Despised private enterprise, of course—the people who are almost called criminals! Mr. Craig made a very wonderful speech on morality the other night—

Hon. L. Craig: Thank you very much.

Hon. H. HEARN: —and I do hope that no one will believe that I would condone any immoral practices. But I think Mr. Craig got off the beaten track.

Hon. L. Craig: Do you disagree with the morality of it?

Hon. H. HEARN: I said it was a wonderful speech. I believe there is something to be said for a standard of morality, but I believe we should commence with that standard of morality when we make the laws. Here we are, nearly a decade from the war, and we have a Bill before us that is going to increase penalties and send people to gaol and then we are told that we must raise the standard of morality! I believe Mr. Craig has not given the question enough thought. I am very concerned about the development of the State Housing Commission. During the present Government's tenure of office, we have seen a very rapid growth in the State Housing Commission and its personnel.

The Minister for Agriculture: A growth in the building of houses.

Hon. H. HEARN: Whatever the Housing Commission has done, I say that I believe the time has arrived when we should see just where this rapid development of the State Housing Commission is going to lead us. When will the juggernaut cease to roll?

Hon. G. Fraser: When private enterprise starts building houses.

Hon. H. HEARN: I agree, when private enterprise is given a chance to start building houses, and I have no doubt that on this very rock the Government could quite easily lay its foundations. If I were of the same persuasion as Mr. Fraser, I would believe everything he has had to say. But I cannot. I am here supporting private enterprise, and I would like to think that the Government was supporting private enterprise.

Hon. G. Fraser: Private enterprise had ten years before the war, and never built a single house.

Hon. H. HEARN: I still say that my boy friend, Mr. Fraser, should be very grateful to the present Government for all it has done for the people of Fremantle, and for people of the State, in that connection. I believe our Government stands for certain principles, but up to date I cannot see that its particu-

lar job—which I believe is to clear the way so that private enterprise can function—has been accomplished.

Hon. L. A. Logan: Necessity knows no rules.

Hon. H. HEARN: As a matter of fact, we subscribe to a doctrine that the job of the Government is to create conditions in which private enterprise will flourish. Clause 4 is going to continue not only the operations of wartime controls, but it is going to intensify them to the stage where some of the really respectable members of the community can be visited by the "prison gate committee" staff in the Fremantle gaol. That is a very sorry state of affairs. I know full well that the Bill will be passed in this House by weight of numbers, but that does not deter me from voicing my opposition to the measure.

I believe that, at this stage, we should consider very carefully the amendments of which notice has been given because, in the coming year there should be a clarion call to the Government to determine whither goeth the State Housing Commission. Unless we get busy and decide what we are going to do long before legislation is brought down next year, we shall again be faced with a continuing measure, and so it will go on. When I think that the Housing Commission, on the word of the Minister, is purely an emergency undertaking, and when I realise that it already has accumulated enough land to last for the next 15 years—well, it is like the parliamentary buildings, a temporary arrangement with a permanent objective. Consequently, I shall vote against the second reading by way of entering a protest, and trust that, during the coming year, we shall investigate the ramifications of the Housing Commission and be prepared to do something towards accomplishing what we promised our electors, namely, to relieve them of these controls.

HON. R. M. FORREST (North) [4.52]: I do not intend to record a silent vote on the Bill, seeing that I shall oppose the second reading. As has been stated so many times, six years have elapsed since the war ended, and one would have thought that by now there would have been some prospect of getting controls lifted. Recently I was at Carnarvon and saw some of the Commonwealth rental homes being constructed there. The cost, I understand, was in the vicinity of £2,700 per house.

Hon. G. Fraser: Built by private enterprise.

Hon. R. M. FORREST: If that is the capital value of those homes, somebody must be getting a very big rake-off, because most of them could be built anywhere else in the State for £1,500 at most.

Mention was made by Mr. Hearn of material for building factories and he told us that he had had to purchase imported material costing much more than the local material. I believe that that applies to private individuals in the North. I have done quite an amount of building in the North recently and most of the material used has been imported, purchased at very high cost. Only the day before yesterday, I went to the Housing Commission to arrange for some material, and managed to persuade the officials that the work I proposed to do was very necessary and was just as important as the building of houses in the metropolitan area. I was successful in securing a release for local materials in the shape of iron and cement. I have paid as much as £212 per ton for barbed wire.

Hon. L. Craig: That is on the free market.

Hon. R. M. FORREST: We in the North are becoming rather fed-up with having to buy all imported material. I claim that the people in the North are just as much entitled to receive supplies of local material as are people living down south.

The Minister for Agriculture: You would have got cheaper local wire if you had not opposed our proposed control of wire netting and fencing material.

Hon. R. M. FORREST: I am afraid it is all commandeered.

The Minister for Agriculture: You people in the North would have been looked after had you done as I suggest.

Hon. R. M. FORREST: I do not think so.

The Minister for Agriculture: I am sure of it.

Hon. R. M. FORREST: That is a matter of opinion. We were told, when the rationing of softgoods was lifted, that the hotelkeepers would get all the sheeting and towels and that the poor unfortunate little man would get none. I think there are more of such lines in the shops today than ever before. We were told that if petrol rationing were abolished, the small man would get none and the big man would get the lot. Yet I should say that there is more petrol in Australia today, and certainly there are more motorcars on the road, than ever before. However, I do not intend to speak further on the Bill, but shall vote against the second reading.

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

#### **BILL—PARLIAMENTARY SUPER-ANNUATION ACT AMENDMENT.**

Received from the Assembly and read a first time.

#### **BILL—TRUSTEES ACT AMENDMENT.**

*Second Reading.*

Debate resumed from the 11th October.

**HON. H. HEARN** (Metropolitan) [4.58]: Section 5 of the Act details the investments in which a trustee is authorised to invest trust funds. The section reads—

A trustee may invest any trust funds in his hands, whether at the time in a state of investment or not, in manner following, that is to say:—

- (a) In any of the parliamentary stocks, or public funds, or Government securities of the United Kingdom, or of the Commonwealth, or of any of the Australasian colonies;
- (b) on mortgage of real estate in Western Australia;
- (c) in debentures, or other securities charged on the funds or property of any municipality in Western Australia;
- (d) on fixed deposits in any incorporated or joint stock bank carrying on business in Western Australia;
- (e) in any security, or manner authorised by any Act heretofore in force and not hereby repealed;
- (f) in the debenture or preference stock of any company now or hereafter carrying on business in Western Australia, and certified by notice in the "Gazette", signed by the Colonial Treasurer, as a company in the stock of which trustees may invest;
- (g) in any of the stocks, funds, or securities for the time being authorised for the investment of cash under the control or subject to the order of the Court, and may also from time to time vary any such investment.

With the very limited scope for mortgages and with Commonwealth bonds showing such a low interest return, and a possible depreciation of the capital value of the bonds, trustees are finding it more and more difficult to find a suitable investment for their funds. Life insurance companies are in the same position; but in recent years most of them have altered their articles so as to permit them to invest in selected shares in companies.

This was brought home to me in a special way recently when I had something to do with a public flotation. I found that the insurance companies were taking up not only preference shares, but ordinary shares, and that revealed to me the fact that they must find it difficult to protect the funds of their shareholders and pay a reasonable return upon money invested. Speaking at the last annual general meeting of the West Australian Trustee Company, the chairman, Mr. A. L. B. Lefroy, in his address said—

A trustee should have power to invest in securities other than those set out in the Trustees Act in order to provide a reasonable income for the life tenant without prejudicing the capital of the estate. It is evident that the time has arrived for the legislature to give earnest consideration to the widening of the investments authorised by the Trustees Act which came into force in 1900.

That was 51 years ago. Paragraph (d) of Section 5 of the principal Act provides that a trustee may place money on fixed deposit with any joint stock or incorporated bank carrying on business in Western Australia.

I submit that this paragraph should be enlarged to permit trustees also to place money on fixed deposits with building societies carrying on business in this State and registered under the Building Societies Act, 1920. Under that Act a building society can invest its money by advances for home building only on the security of first mortgage. It may invest its surplus funds in Commonwealth bonds. Therefore a building society can invest its money only in first mortgages and in Commonwealth bonds, both of which are trustee securities. Under the Building Societies Act of 1920, the fixed deposits accepted by a building society must not exceed two-thirds of the advances which it has made on first mortgage.

Thus, since a building society preserves a safe margin when it lends on security on first mortgage on real estate, and inasmuch as it can only accept fixed deposits up to the amount of two-thirds of the aggregate sum which it has advanced on the security of first mortgage, money placed on fixed deposit with a building society affords even a better margin of security than an ordinary loan on mortgage, which is at present authorised as a trustee security. Building societies accept deposits for fixed periods of from three months to two years. Rates of fixed deposits of banks and building societies are governed by the Commonwealth Bank under the banking provisions of the economic organisation regulations.

There are about half-a-dozen building societies in the State of Western Australia, and the principal one is the Perth Building Society, which has been established for 89 years. It is the oldest financial institution in the State, and its assets now exceed £1,000,000. Its investing shareholders and depositors number some 10,000. Building societies are thrift and savings institutions, and the present position is that unless their depositors and shareholders happen to make express provision in their wills for the continuance of their deposits or shares in building societies, their trustees and executors have no alternative—where such deposits and shares form part of an estate which is to be held in trust—but to realise these deposits and shares in the event of the death of the shareholder or depositor.

Hon. E. M. Davies: Is that correct?

Hon. H. HEARN: Yes. This is a serious disability to thousands of citizens in Western Australia who regard building societies as the safest, the most convenient and the most remunerative repository for their savings. Therefore I feel that paragraph (d) of Section 5 should be amended to permit of the placing of fixed deposits with building societies. And, in just the same way as paragraph (g) of that section provides that trustees may invest in shares in any company certified for that purpose by the Treasurer, I feel that, in the interests of many thousands of citizens in Western Australia, the Act should contain a similar provision authorising the investment by trustees in any shares in any building society certified for that purpose by the Treasurer.

Hon. E. M. Heenan: The Bill does not propose that.

Hon. H. HEARN: No, I am adding that. Subject to the amendments I have put on the notice paper, I support the second reading.

On motion by the Minister for Transport, debate adjourned.

#### **BILL—CO-OPTED MEDICAL AND DENTAL SERVICES FOR THE NORTHERN PORTION OF THE STATE.**

##### *Second Reading.*

**THE MINISTER FOR THE NORTH-WEST** (Hon. G. B. Wood—Central) [5.7]: in moving the second reading said: The purpose of this small Bill is to provide statutory authority for doctors and dentists employed by the Commonwealth Government to give treatment, under special circumstances, to persons resident in the northern area of Western Australia. The Bill provides that these doctors and dentists shall include those employed by the Commonwealth in a civilian capacity and also those attached to the Navy, Army and Air Force.

There have been occasions in the northern part of the State when medical assistance, which has been required urgently, has not been available, and the necessary treatment has been given by doctors who have been flown in from the Northern Territory. The Commonwealth Government has intimated that it is prepared to continue to give this assistance whenever it is required urgently. However, so far as this State is concerned, that practice is illegal, as the practitioners in question are not registered with the Medical Board of this State.

Hon. Sir Charles Latham: They could be.

**THE MINISTER FOR THE NORTH-WEST**: Yes, but it would be rather awkward to register doctors who live in the Northern Territory. So that the position of these practitioners can be regularised, and to exempt them from any possibility

of legal proceedings, the Commonwealth Government has asked that the necessary steps be taken to free them from the necessity of registration with the board.

A similar situation exists with regard to dentists. The itinerant dental clinic, which is maintained in the Northern Territory by the Commonwealth Government, at times finds it necessary, in the course of a tour, to use roads which bring it across the border into Western Australia. Although the dental officers attached to the clinic are quite prepared to render treatment to Western Australian residents living along the route, they are debarred from so doing as under the Dentists Act of this State they should first be registered with the Dental Board.

The Bill therefore seeks to authorise the provision of emergency services which may in the future be provided by Commonwealth doctors, and the casual dental treatment which may be given by the Commonwealth travelling dental clinic. Any such treatment is limited by the Bill to the area north of the 22nd parallel, or, in other words, that portion of the State north of a line drawn in an easterly direction from North-West Cape—an area where the services of private practitioners are not readily available.

Authority is given in the Bill for the co-opting of these medical and dental practitioners and exempts them from the necessity of registration under the appropriate State legislation. It is proposed that the names of these co-opted practitioners and the places and periods of their service shall be published in the "Government Gazette." There may be instances where a newly appointed officer of the Commonwealth is called upon to render assistance before he has been formally co-opted by the State authorities. In such a case the Bill provides that the Minister may certify that the practitioner shall be deemed to have been co-opted.

The services of these doctors and dentists have been, and will continue to be, of great value to the residents of the sparsely settled northern areas of the State where medical and dental attention is not at all times readily available. I think the Bill is a step in the right direction. To me, it does not make sense that doctors and dentists, who are so near to our people in the North, and so able to render assistance when required, should, by regulation under an Act of Parliament, be debarred from so doing. I have every confidence that the measure will be accepted by the House. I move—

That the Bill be now read a second time.

**HON. J. G. HISLOP** (Metropolitan) [5.12]: I cannot say much against the Bill, but some of the wording seems to be a little cumbersome. The measure contains one paragraph which might be

questioned, and that is the one which provides that the names of the officers to be co-opted shall be published in the "Government Gazette." This requires a further clause which says that in the case of emergency, where a man has not been co-opted, but renders service, then the service shall be made legal. Would it not be preferable to bring in a measure legalising any Act performed in the North-West of Australia by a medical officer of the Commonwealth Government?

**Hon. Sir Charles Latham:** A medical officer or dentist.

**Hon. J. G. HISLOP:** Yes. I agree with what the Bill seeks to do, but I think it would be perfectly simple to introduce a measure stating that any medical or dental officer employed by the Commonwealth shall have the right to render services to the people of the North-West, when such are necessary, in the absence of a Western Australian medical practitioner.

Another matter which presents a little difficulty in the circumstances is that of fees, and I trust the Minister will explain the position when he replies. I wonder how the fees are going to be arranged, and how the people will pay for these services, because they will be rendered by a medical officer employed by the Commonwealth Government. Clause 6 provides that the Governor may make regulations prescribing fees, and so on. How is payment to be made? Will the individual, to whom the service is rendered, pay the Commonwealth Government, and then will the Commonwealth Government recoup the State; or what will happen? This seems to me a roundabout method. Whilst I might approve entirely of what is desired, I think something simpler could be evolved.

**The Minister for the North-West:** Would you suggest a method?

**Hon. J. G. HISLOP:** I think it would be perfectly simple to allow a Commonwealth officer to treat these people in the absence of a general practitioner—that is, in an emergency—and forget about fees.

**The Minister for the North-West:** That is a good idea.

**Hon. J. G. HISLOP:** After all, the Commonwealth officer is being paid by the Commonwealth Government, and I cannot imagine that Government asking for anything in the case of an emergency.

**Hon. R. M. Forrest:** Is this only for an emergency?

**Hon. J. G. HISLOP:** I assume it can be otherwise. Clause 3 reads—

With the approval of and subject to such terms and conditions as may be agreed with the appropriate Minister of State for the Commonwealth, the Minister for the Crown to whom the administration of this Act is for the time being committed may co-opt

the services of practitioners to practise medicine or dentistry in the whole or such part of the northern area as shall be agreed.

There is no mention of the word "emergency" in that clause, but I should say it actually means an emergency because these Commonwealth officers will have a job to do and they are paid for it.

The Minister for the North-West: When one calls in a doctor or a dentist, it is generally a case of emergency.

Hon. J. G. HISLOP: If the Commonwealth officer is employed full time, we could avail ourselves of his services in an emergency. I should say that it would not be wrong, if these men were called upon to treat the sick in the outback in an emergency, for us to overlook the question of fees.

The Minister for the North-West: He might not be prepared to be called in again if he received no payment.

Hon. J. G. HISLOP: There is no statement that the man should receive any fee and I see nothing against a man receiving his ordinary pay for doing his ordinary work.

Hon. Sir Charles Latham: They may be defence officers.

Hon. J. G. HISLOP: I can see quite a lot of good in the Bill, but I have reason to say that a simpler method could be devised. If the Minister wishes, I could go into the matter more thoroughly to ascertain if some simpler method could be evolved. As the Bill is at present, it seems somewhat cumbersome, because Commonwealth officers are changed from time to time and the medical officers called upon will no doubt be working under the Naval Defence Act, the Defence Act or the Air Force Act.

HON. SIR CHARLES LATHAM (Central) [5.18]: I agree with the views expressed by Dr. Hislop. I do not see why we could not have introduced a Bill along the same lines as, say, the Dentists Act or the Medical Act and state that any of the officers working in the North should be excluded from the operations of this legislation and so permit them to make charges as is customary in the circumstances. We may have to overcome some small difficulties relating to the legislation which the Parliamentary Draftsman thinks is necessary because the officers who come under the four Commonwealth Acts mentioned in the Bill may be prohibited from giving their services, and as Commonwealth legislation over-rides State measures, we would be up against it if that were the position.

Hon. J. G. Hislop: The Commonwealth has asked us to introduce the Bill.

Hon. Sir CHARLES LATHAM: If it has, that would overcome the difficulty.

The Minister for the North-West: The Commonwealth authorities desire this Bill.

Hon. Sir CHARLES LATHAM: They were generous enough to say, "Those people over on the other side need this," were they?

The Minister for the North-West: Yes.

Hon. Sir CHARLES LATHAM: In the circumstances, that is very generous. What is the object of it? It is unusual for the Commonwealth to do something of that nature.

The Minister for the North-West: Do not you think there is any good in the Commonwealth?

Hon. Sir CHARLES LATHAM: Oh yes. I regard quite a lot of their actions as being good. I think the present Commonwealth Minister for Health is an excellent Minister. This is an ideal opportunity for getting the Commonwealth law amended and the State law too, in order to do effectively what the Minister desires, and I do not want to stop him.

The Minister for the North-West: I hope not.

Hon. Sir CHARLES LATHAM: But let us make the legislation as simple as possible—

The Minister for the North-West: I am with you there.

Hon. Sir CHARLES LATHAM: —and do what we wanted to some time ago. We should try to secure the services of these practitioners at a reasonable figure because in the old days it cost a terrific amount to get doctors to go to some of these stations in the outback. I remember one instance, when I was Minister for Health, of a station manager who had to call in a doctor three times to his wife during the one year and it cost him £60. That was why the flying doctor service was commenced in Western Australia.

The Minister for the North-West: Do you think that we should get the services of doctors free or have them paid by the Commonwealth? I do not.

Hon. Sir CHARLES LATHAM: I do not suggest that they should be free.

The Minister for the North-West: But Dr. Hislop did.

Hon. Sir CHARLES LATHAM: I think the doctors render a good deal of service already for moneys paid to them by the Crown.

The Minister for the North-West: They are allowed to charge fees, but are guaranteed so much from the Crown.

Hon. Sir CHARLES LATHAM: They do not charge the same fee as they did previously, do they?

The DEPUTY PRESIDENT: I would like the hon. member to address the Chair.

Hon. Sir CHARLES LATHAM: I am attempting to, Sir. I thought that members representing the North might be able to give us some information as to the fees charged, and I refer particularly to the high fees for travelling which are charged under the provisions of the Act. If that applies to the North, then the cost of calling upon a doctor to visit a station would be terrific, unless we could come to some arrangement with the Commonwealth.

Hon. R. M. Forrest: This was proposed with the consent of the Wyndham residents.

Hon. Sir CHARLES LATHAM: I hope whatever is done will be at a reasonable figure for those who require these services.

On motion by the Minister for the North-West, debate adjourned.

#### **BILL—WAR SERVICE LAND SETTLEMENT AGREEMENT.**

##### *Second Reading.*

Debate resumed from the previous day.

HON. G. FRASER (West) [5.22]: I obtained the adjournment of the debate in order that I might have a close look at the Bill. I am pleased that I did because it is one of the most astounding pieces of legislation that I have ever had occasion to examine.

The Minister for Agriculture: Have a further look at it and you might be able to understand it better.

Hon. G. FRASER: Let me put the Minister at ease; I am going to support it, but there are one or two things in it that I think call for some comment. First of all, it includes in the short Title reference to the year "1951". In the next clause operations of the Bill are made retrospective to include legislation introduced in 1945. I want to emphasise that point in order that I may in future remind members that they did agree to retrospective legislation. The Bill proposes to make the legislation retrospective to 1945 and, after having done that, it repeals two previous Acts which were introduced in 1945.

The Minister for Agriculture: It only goes back to validate something.

Hon. G. FRASER: It goes back and then it starts off again. I want to congratulate the Minister on the Bill for the reason that one does not need to peruse half a dozen Acts to ascertain what each clause means. One reads the Bill as it runs and there is no necessity to refer back to any previous legislation. That makes the job easier for any member when he is trying to find out what a Bill does really mean. Such features appeal to me as being outstanding and I therefore thought that my remarks were worth recording.

I see no objection to the Bill because it sets out the proposals very clearly. It gives the Government certain powers retrospectively as from 1945, so instead of the cumbersome method of looking up the 1945 legislation, members have all the information before them in the Bill. There are certain features in it which may strike a new note. It proposes that this legislation shall conform to other Acts, but if they do not provide for certain things, then this measure is supreme.

The Bill appears to be a masterpiece of drafting. I have examined all the proposals in it and I cannot take any objection to them. It gives the State power to enter into agreements with the Commonwealth and also authority to use money received from the Commonwealth. If the Land Act states that a certain thing cannot be done, this Bill proposes to grant power so that it can be done, and so on through the Bill. The measure is a simple one which we can understand quite readily and I hope similar features will be embodied in the drafting of Bills introduced in the future.

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

#### **BILL—LOTTERIES (CONTROL ACT) AMENDMENT.**

##### *Second Reading.*

**THE MINISTER FOR AGRICULTURE** (Hon. G. B. Wood—Central) [5.27] in moving the second reading said: For some time it has been apparent that the marked expansion in the activities of the Lotteries Commission, due to the substantial increase in public support during recent years, has brought about the necessity for several amendments to the principal Act. As members know, that Act, which was passed in 1932, gave authority to the Commission to conduct lotteries for the purpose of raising money for charitable purposes, also to regulate and control raffles, art unions, sweepstakes and other similar efforts which at that time were being promoted throughout the State on an ever-increasing scale.

The activities of the Lotteries Commission during its existence of more than 18 years have met with little criticism, and over this period hospitals and charitable organisations throughout the State have benefited to the extent of more than £2,500,000. I do not feel that it is necessary to enlarge upon the financial activities of the Commission, as these were disclosed last year when Parliament approved of the continuation of the operations of the Commission until the 31st December, 1955. The first amendment provides that funds may be raised by the Commission for the relief of former airmen, in addition to former soldiers, sailors and nurses, as is provided at present in the parent Act.



The next proposal is to delete the provision that assistance by the Commission can be given only to any incorporated body which distributes relief to sick, infirm and indigent people, or to any body dispensing voluntary aid, medical or nursing advice to expectant mothers, nursing mothers or children under 16 years of age, if these organisations operate on a substantially State-wide basis. This provision has prevented the Commission, for instance, from providing accommodation for pensioners in country centres, or assisting local nursing and other charitable schemes. The amendment will make it possible for such worthy objects to be eligible for assistance from the Commission.

The succeeding amendment is rather important. It seeks approval for the disposal of property at 107-111 Murray-st., which was purchased in 1946 for the purpose of accommodating the Commission's expanding staff, who are housed in very cramped and unsuitable circumstances. It was also intended that these new premises would provide permanent facilities for the drawing of lotteries, instead of using the Town Hall, which is not always available at the most suitable times.

It has since been ascertained that very considerable and costly reconstruction would be necessary to these premises and as, in view of the present building situation, this could not be done for some considerable time, the Commission has decided that it would be a much more satisfactory proposition to sell this property and to acquire more substantial premises. Accordingly the building opposite, situated at 108 Murray-st., which is occupied by the pensions section of the Repatriation Department, has been purchased and will be occupied when other accommodation is secured by the tenant. As the Commission has no desire to retain the other premises as an investment, and as it possesses no statutory authority to dispose of real property, the Bill provides that these premises may be sold.

From the inception of the Commission in 1932 until 1943, parliamentary approval for the continuance of the operations of the Act was sought each year. For this reason the Act provided also that the members of the Commission, who are appointed by the Minister, should hold office for one year, and then be eligible for reappointment. In 1944 the continuation provision was extended to three years, and last year was increased to five years. To conform to this new policy the Bill proposes that future appointments to the Commission will be for such period not exceeding three years as shall be approved by the Minister.

Another important amendment is that seeking to increase the fees payable to members of the Commission as from the 1st January next. The proposal is to increase the annual payment to the chair-

man from £800 to £900, and to the three other members from a maximum of £200 each to £266 13s. 4d. each. The reason for the proposed increase is obvious. It is only equitable that these fees should be increased in view of the diminishing value of the £, and the general all round increases in salary and wages rates.

The rates were increased to their present figure on the 1st January, 1949. They were originally fixed in 1932 at 2½ per cent. of the gross subscriptions, with a maximum of £1,000 per year, this covering all members of the Commission. In 1934 this was altered to an annual rate of £500 for the chairman, and £166 13s. 4d. for the other members, the next increase being that of 1943. I think members will agree that, in view of the diminishing value of the £ and of the increased activities of the Commission, a rise in fees is warranted. The chairman's work is practically full time and the other members render valuable assistance.

Hon. L. A. Logan: How much of their time is occupied by their work on the Commission?

The MINISTER FOR AGRICULTURE: I will deal with that later. I understand that the chairman's is practically a full-time job, but I am not sure about the time spent on the work by the other Commissioners. I will get that information for the hon. member because it is quite a reasonable inquiry.

Hon. J. G. Hislop: The chairman has other positions as well.

The MINISTER FOR AGRICULTURE: I know that is so, but he spends a lot of time on the work of the Lotteries Commission.

Hon. Sir Charles Latham: The chairman, of course, is a member of the Disabilities Commission.

The MINISTER FOR AGRICULTURE: I am aware of that, but nevertheless he spends considerable time on the work of the Commission.

Hon. Sir Charles Latham: He has to go East very often.

The MINISTER FOR AGRICULTURE: I know that. Of course, it is for the House to agree to this, if it so desires.

Hon. Sir Charles Latham: I do not object to it, but I was pointing out that he has other emoluments.

The MINISTER FOR AGRICULTURE: An omission from the Act that the Bill seeks to rectify is the failure to provide for the filling of a position rendered vacant by the death or resignation of a member.

The Bill proposes that it shall not be obligatory in future for the Commission to submit all applications to hold lotteries, raffles, art unions, etc., to the Commissioner of Police for investigation and for a report on the organisers. This requirement is not

necessary as permits are issued by the Commission only to properly constituted bodies who are required, after the drawing of a lottery, to furnish a proper financial statement, together with a list of the names and addresses of the prize winners.

Recognised charitable, religious and sporting bodies apply periodically for permits, and once the Commission is satisfied as to the bona fides of an organisation, there is no need for it to refer all future applications to the Police Department for investigation. The amendment will give the Commission the authority to ask for a police report should this be considered advisable.

The Act provides that unexpended profits from lotteries shall be paid into a special bank account for subsequent distribution to charitable purposes. This account has been built up during, and since, the last war, by moneys held for certain specified commitments. The Commission has for several reasons, the chief of which is shortage of supplies, been unable to disburse these moneys. With the approval of the Auditor General a proportion of these funds has been invested in Commonwealth inscribed stock. The purpose of the amendment is to validate such investments and to provide that interest or profit on the sale of stock shall be applied to charitable purposes.

The provision requiring the preparation and submission to the Minister of separate accounts for each lottery was inserted in the Act when it was first introduced, and when the maximum number of lotteries allowed each year was 15. It was possible then to finalise accounts for each lottery, and indeed to allocate the whole of the profits of one lottery before the next one was drawn. However, an alteration in the structure of the State lottery during the war resulted in consultations being drawn every few days. In order to comply strictly with the Act, this meant, among other things, that firms were required to furnish statements with regard to advertising, etc., as frequently as twice a week, with the result that completion of accounts was often delayed awaiting the receipt of these statements.

This unsatisfactory state of affairs, together with the difficulty of accurately apportioning salaries, rent, and other fixed expenses, prompted the Commission to discontinue the preparation of income and expenditure accounts after each lottery, and, instead, to present a consolidated statement covering a number of lotteries. This practice, which had the tacit approval of the Auditor General, considerably facilitated completion of the Commission's accounts, and the Bill proposes to validate and continue this practice.

Apart from one or two minor or consequential amendments the only other provision of note in the Bill is to exempt the Commission from any penal consequences in relation to the payment of

prizes. At present, all prizes, other than the smaller ones, paid over the counter, are remitted by bank draft upon receipt of the endorsed prize tickets. There is always the possibility that payment could be made to a minor or to a person not legally entitled to the prize. All possible care is taken to ensure that major prizes are paid to the lawful winners but the provision of adequate safeguards in connection with the payment of the smaller prizes would add very considerably to the work of the Commission, and, in addition, would occasion much delay and inconvenience in the payment of minor prizes, the great majority of which are of the £2 or £1 variety. I move—

That the Bill be now read a second time.

On motion by Hon. J. G. Hislop, debate adjourned.

### BILL—TOTALISATOR DUTY ACT AMENDMENT.

*Second Reading.*

**THE MINISTER FOR AGRICULTURE**  
(Hon. G. B. Wood—Central) [5.41] in moving the second reading said: This is a very small Bill, but it is of importance to country people. The aim of the measure is to assist in the improvement of the financial position of racing and trotting clubs situated outside a radius of 25 miles from the G.P.O. At present the principal Act provides that 7½ per cent. of the gross takings of each totalisator shall be paid as duty to the Commissioner of Stamps, who, of course, is a State Government official.

The clubs are permitted to retain 6 per cent. of the gross takings as commission. From this amount they have to pay the operating costs, etc. of the totalisator, including patent fees and licence fees to Totalisators Ltd. The Bill proposes that clubs outside the metropolitan area may retain 10 per cent. of the gross takings: on the totalisator, instead of 6 per cent. as at present, and that the Commissioner of Stamps shall receive 3½ per cent. instead of 7½ per cent. This will give country clubs in this State a somewhat similar concession to that which is enjoyed by those in the other States.

For some time past the Government has been urged from many quarters to arrange a measure of financial relief to country clubs. In the years prior to the war it assisted these clubs by refunding entertainment tax paid by them. This concession, of course, ceased when all forms of taxation were taken over by the Commonwealth Government and as a result representations for some other form of help commenced.

Investigations proved that if country clubs were to continue providing entertainment for rural dwellers, it would be necessary to grant them some relief from taxa-

tion, and for this reason the concession embodied in the Bill is proposed. I might add that since the beginning of this year the Government has arranged for the Treasury to refund to the clubs an amount equivalent to the proposal in the Bill. Funds to provide these refunds are included in the Estimates now before another place.

Many expressions of appreciation in respect to these refunds have been received from country and Goldfields clubs, who have stated that it has been of value in their efforts to continue operations. In conclusion, I would like to point out that the Bill does not impose any further deduction from totalisator investments. It merely reduces the duty charged by the Government on the gross takings by 4 per cent. and increases the clubs' commission by a like amount.

Hon. G. Fraser: This is giving something to the country people, showing preference over the metropolitan area.

The MINISTER FOR AGRICULTURE: I do not think there will be any objection raised to that.

Hon. R. M. Forrest: It is about time it was done.

The MINISTER FOR AGRICULTURE: Quite so.

Hon. E. M. Heenan: This step is greatly appreciated on the Goldfields.

Hon. N. E. Baxter: And in the country districts.

The MINISTER FOR AGRICULTURE: I know that the measure of assistance indicated in the Bill will be greatly appreciated by the country racing clubs which are having a hard struggle to exist, and I have every confidence in recommending the measure to the House. I move—

That the Bill be now read a second time.

HON. N. E. BAXTER (Central) [5.45]: It is very pleasing to me to note the Bill coming before the House in its present form. For many years I was a member of a country racing club, and I can assure members that those organisations have had a hard struggle to exist because of the heavy taxation imposed on them. A payment of 7½ per cent. on the totalisator turnover has been a very heavy burden upon them. In addition to the reduction of taxation, the Minister has informed us that the amount received by the clubs from totalisator proceeds is to be increased by 4 per cent. That will be a big boost for the clubs.

This is really a small Bill, but it means a lot to country people and will give considerable encouragement to our country race club secretaries and committees to carry on, especially when they know they will not have to pay out huge sums of money in taxation and that they will receive an extra dividend from the totalisator.

HON. E. M. HEENAN (North-East) [5.46]: I also am very glad the Government has brought down this Bill. It was introduced as a result of requests made by country race clubs. For many years I have been a member of the committee of the Kalgoorlie Racing Club which has passed, and is still passing through a most difficult period financially. The Kalgoorlie course is one of the few amenities we have on the Goldfields. Apart from its use as a racecourse, it frequently serves as a picnic ground. Also, the annual sports meetings are held there, and the club invariably permits the organisations concerned to use the property free of cost. It is absolutely essential that the course and the lovely lawns provided thereon shall be maintained.

Quite apart from racing, this measure will enable the Kalgoorlie club to function better, to look after its grounds and to continue providing a much-appreciated amenity for Goldfields people. It is unnecessary for me to point out how costs have increased. I know that the Kalgoorlie and Boulder clubs have great hopes of deriving some real benefits from this measure and are appreciative of the fact that it has been introduced. I hope it will receive the full support of members.

HON. L. A. LOGAN (Midland) [5.48]: I also appreciate the fact that the Government has seen fit to make this small remission to country racing clubs. The progress which the small country towns have made in regard to racing in the last four years has been phenomenal. Up till then, quite a lot of clubs were in the doldrums and often met not more than once a year. Today something like four meetings a year are being held and that progress has required the provision of greater stake money.

It has been stated that this remission of tax will enable the clubs to increase their stake money, and that is essential because otherwise racing could not be carried on. Because of increased costs, a considerable amount of money is involved in keeping and training a horse and bringing it up to racing condition. Without increased stake money being available, there would be no horses and therefore no races.

In the last four years, costs have risen considerably and gate money has had to be increased. Mr. Baxter said he was associated with a racing club. I am associated with many of them, and they have all been on my back repeatedly, asking for some remission in taxation. That has not been effected up to date, but this revision in regard to totalisator disbursements will assist in that respect and the clubs are very grateful.

The Minister for Agriculture: It might save you your subscriptions!

# Legislative Assembly

Thursday, 8th November, 1951.

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

## QUESTIONS.

### STATE BRICK WORKS.

*As to Report by Dr. Hueber.*

Hon. J. T. TONKIN asked the Minister for Housing:

(1) Did Dr. H. V. Hueber, Senior Research Officer of the C.S.I.R.O., and Dr. J. S. Hosking, Officer in charge of Masonry Research, visit this State during 1947 or 1948?

(2) Did they inspect the State Brick Works?

(3) Did either or both of them report to Mr. Gomme concerning their inspection of the State Brick Works?

Hon. L. A. LOGAN: That is a good idea. I will suggest that they cut down my subscriptions. I support the second reading.

HON. H. C. STRICKLAND (North) [5.50]: I support the measure. In the far North, most racing clubs meet only once a year, and it is more or less a picnic gathering. It seems a pity that the clubs should be taxed on their proceeds when the occasion is more of a get-together for country people. Financially, none of the clubs has a surplus. As a matter of fact, they have a job to keep their racecourses in good condition. I am sure they will all be very grateful for this reduction, which will mean a little more income for them. I support the measure.

HON. G. FRASER (West) [5.51]: It might have been thought from my interjection that I was opposing this measure, but my purpose was to draw the attention of country members to the fact that when they have a legitimate cause they receive all the co-operation and support that is possible from metropolitan members.

Hon. Sir Charles Latham: Vociferous cheers!

Hon. G. FRASER: I emphasise that on occasion we do assist our country cousins.

Question put and passed.

Bill read a second time.

### *In Committee.*

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

*House adjourned at 5.54 p.m.*