drivers cannot carry those goods from the Esplanade but must take them from the vehicle while parked opposite to where they have to be delivered.

There is no question but that this will be an important problem in the development of our city, because even though the war has just ended and people have not been able to buy new motor vehicles during the past five or six years, and many of the old vehicles are ready to be run off the road, when people are able to buy new motor vehicles the problem will be intensified. While, as the Minister says, the Government accepts no responsibility for parking areas, some further restrictions may have to be imposed, and vehicles may have to be stopped further out of the city Many people already do that for their own convenience and peace of mind. They stop their vehicles somewhere removed from the city block, and return to them when they have transacted their business

Further investigations may have to be made into the parking of vehicles, and information obtained not only from the Eastern States but from America and England. I understand that in those countries there are modern facilities for the parking of vehicles. The time will probably arrive when we have to give consideration to the installing of such facilities. I think the member for Williams-Narrogin has achieved his purpose in having the matter discussed here. If it is adjourned for a period of six weeks or two months I think a further report could then be obtained to see what the position is in the light of that further experience, and a vote could then be taken.

On motion by Mr. Read, debate adjourned.

House adjourned at 10.3 p.m.

Legislative Assembly.

Thursday, 22nd August, 1946.

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

QUESTIONS.

UNDER SECRETARY FOR AGRICULTURE.

As to Business Trips and Duties.

Mr. SEWARD asked the Minister for Agriculture:

1, On how many occasions during the last nine months has the Under Secretary for Agriculture travelled to the Eastern States—

(a) by air;

(b) by other means of transport?

2, On what business was he engaged on each of the trips, and at whose expense were the trips made?

3, Is the Government of the opinion that the Under Secretaryship for Agriculture is not a full-time job?

4, If not, and if the Under Secretary is indispensable to the Commonwealth Government, will this Government consider the question of an acting appointment while the present occupant is so engaged?

The MINISTER replied:

1, (a) Six.

(b) Nil.

2, (a) On four occasions representing the State at meetings of the Standing Committee on Agriculture and accompanying Ministers to meetings of the Agricultural Council; other departmental matters also attended to during each visit.

Cost of transport paid on a formula between all State Governments and the Commonwealth.

(b) On two occasions to attend meetings called by the Controller of Egg Supplies; other departmental matters attended to on these occasions also.

Working days involved: nine days.

3, During the war the Under Secretary for Agriculture has not restricted his work to office hours or to week days.

4. See 2 (b) and 3.

COMMONWEALTH-STATE HOUSING SCHEME.

As to Gnowangerup and Mt. Barker Quotas.

Mr. WATTS asked the Premier:

1, Has a decision yet been reached in regard to the applications made for a quota of houses under the Commonwealth-State scheme for the towns of Gnowangerup and Mount Barker?

2, If so, what respective quotas have been allotted?

3, If not, when will a decision be arrived at?

The ACTING PREMIER replied:

1, No.

2, Answered by No. 1.

3, A survey of the needs of Gnowangerup and Mt. Barker has been made, but the applications received indicate that the hardship experienced is not comparable with other districts where the position is acute. Further inquiries are being made.

EDUCATION.

As to Tenders for Tambellup School.

Mr. WATTS asked the Minister for Education:

1, When is it proposed to call tenders in respect of the new three-roomed school at Tambellup which has been approved?

2, Will he regard this matter as one of urgency in view of the unsatisfactory temporary quarters that are being used to supplement the insufficient school accommodation?

The MINISTER replied:

1, Treasury approval has not yet been given for the erection of a three roomed school at Tambellup.

2, Inquiry will be made at once to determine the question of urgency in relation to the needs of other centres.

SEWERAGE, CLAREMONT.

As to Connecting Remaining Houses.

Mr. NORTH asked the Minister for Works:

So far as the engineering side of the matter is concerned, is it practicable, when labour and materials are available, to connect every house in the Claremont electorate to the deep sewerage system?

The MINISTER replied:

Yes, but to do so it would be necessary to extend the sewerage reticulation mains and install some pumping plants.

DAIRYING.

As to Disease in Cattle and Milk Standard.

Mr. STYANTS asked the Minister for Agriculture:

1, In view of the report of a departmental committee regarding the widespread incidence of disease in dairy cattle which provide milk for the metropolitan area and the reasonable assumption that cattle outside that area are also affected, will he give an assurance that the provisions of the Milk Bill will be made operative in the Eastern Goldfields area simultaneously with their coming into force in the metropolitan area?

2, Does he consider the milk standard of 3.2 per cent. butter-fat and 8.5 per cent. solids, not fat, demanded by the Department of Public Health, sufficiently high?

3, Why is the standard set by the Department of Public Health so much below the quality of milk given by cows which are of a reputable dairying strain?

4, Have any extensive tests been made to ascertain the butter-fat and solids, not fat, contained in the milk of the average standard dairy cows?

5, If so, will he supply particulars of the tests?

The MINISTER replied:

1, The provisions of the Milk Bill will be extended to country districts, including the Eastern Goldfields area, where such requests are received.

2, Yes. The percentages for butter-fat and solids, not fat, in the questions refer to minimum requirements.

3, Public health requirements are not much below the average quality of milk given by dairy breeds usually found in milk producing areas.

The standard for butter-fat which is the most variable component is not seriously at variance with minimum requirements in other places. *For example*: England, 3 per cent.; New South Wales, 3.2 per cent.; South Australia, 3.25 per cent.; New Zealand, 3.25 per cent.; Tasmania, 3.3 per cent.; Queensland, 3.3 per cent.; Victoria, 3.5 per cent.

4, Many series of examinations have been made regarding the quality of various breeds of dairy cows. For instance—

	Percentage of Fat.	Solids, not Fat.
Jersey	5.3	9.4
Guernsey ..	5.0	9.5
M. Shorthorn ..	4.0	9.4
Holstein - Friesian	3.4	8.6

5, Information regarding the chemical quality of milk in the Perth metropolitan area is given in the report of the interdepartmental committee recently tabled in Parliament.

RAILWAYS.

As to Accommodation for Concession-Ticket School Children.

Mr. SEWARD (without notice) asked the Minister for Railways:

1, Is it fact that when school children, on holidays, and about to proceed to their homes along the Kalgoorlie line, applied to the Railway Department for concession tickets, which cannot be applied for until within three days of being used, they were refused them as race traffic had booked up all accommodation.

2, If he is not aware of this, will he make immediate inquiries with a view to taking any action necessary to enable these children to go home on Friday or Saturday next?

The MINISTER replied:

1, I am not aware of any such happening.

2, I give the hon. member my assurance that I will have an immediate investigation made with a view to bringing about such adjustments as will provide for the children the facilities that are usually available and which they are quite entitled to enjoy.

ADDRESS-IN-REPLY.

Presentation.

Mr. SPEAKER: I desire to announce that, accompanied by the member for Williams-Narrogin and the member for Mt. Magnet, I waited upon His Excellency the Lieut.-Governor and presented the Address-in-reply to His Excellency's opening speech. His Excellency replied in the following terms:—

I thank you for your expressions of loyalty to His Most Gracious Majesty the King, and for your Address-in-reply to the Speech with which Parliament was opened.—(Signed) James Mitchell, Lieut.-Governor.

BILL—STATE GOVERNMENT INSURANCE OFFICE ACT AMENDMENT.

Third Reading.

THE MINISTER FOR WORKS (Hon. A. R. G. Hawke—Northam) [4.38] in moving the third reading said: During the Committee stage on this Bill the member for Nedlands suggested that an amendment should be made to Clause 2 for the purpose of consolidating the definition of the classes of insurance business which the State office would be legally entitled to transact. The object of the amendment was to make that definition much briefer but no less adequate. I had inquiries made of the manager of the State Government Insurance Office and the draftsman concerned with regard to this matter and they both agree that the suggested amendment, if adopted, would achieve the purpose indicated by the member for Nedlands. I have to advise that hon. member that I will bring this matter under the notice of the Minister for Labour on his return to the State for his consideration. In the event of his deciding in favour of the adoption of the amendment, the necessary action to

have it included in the Bill will be taken in another place. The Leader of the Opposition also moved an amendment to delete certain words from Clause 6 on the ground that those words were unnecessary, did not achieve anything, and did not affect the principle of the Bill in any way. I sought advice from the Crown Law Department and manager of the State Government Insurance Office on that point. Both agree with the contention of the Leader of the Opposition, and I propose to follow in relation to his suggestion the same course as I have indicated will be followed in connection with the suggested amendment of the member for Nedlands. I move—

That the Bill be now read a third time.

Question put and passed.

Bill read a third time and transmitted to the Council.

BILL—BUSINESS NAMES ACT AMENDMENT.

As to Second Reading.

Order of the Day read for the moving of the second reading.

Point of Order.

Mr. Watts: On a point of order, I should like to ask whether there is any justification for the position which this Bill, introduced by a private member, occupies on the notice paper today. I am jealous of the rights of private members, but I am more jealous of the rights of all private members and not merely of the rights of any particular private member. Yesterday, private members' day, this Bill was called on, and as it had not been printed, as I understood from the few remarks that were made, the second reading could not be proceeded with. In accordance with the invariable practice of this House, the Bill would have been set down in rotation for consideration on the ensuing private members' day, Wednesday next.

On the second day on which Parliament sat this session, it was ordered that Government business should take precedence of all motions and Orders of the Day on Tuesdays and Thursdays.

I admit that in times past, usually later in the session than this, there have been occasions since I have occupied a seat in the House when a private member's motion —this applies to both sides of the House— has been lifted so that it could be dealt with on a day reserved for Government business. There has been equality of opportunity, and I believe no exception has been taken to it, but the member for Guildford-Midland, as recently as the 30th August, 1944, was in trouble in the same way. On that occasion, exception was taken to his motion that a Bill be printed and made an Order of the Day for a special day—Wednesday, the 13th October. The member for Murchison said—

Such a motion has been contrary to the procedure of the House for a long time. With all due respect to the member for Guildford-Midland, I contend that private members' business has always appeared on the notice paper in rotation. I do not know that any special privileges should be extended to a private member.

After the member for Murchison had addressed you at great length, Mr. Speaker, you ruled that the objection taken by him was fatal. You added that there was nothing to prevent the member for Guildford-Midland from moving that the Order of the Day be postponed, but that it must take its place on the notice paper. In the circumstances, I raise a point of order as to whether this Order of the Day, placed as it is on the notice paper, is properly before the House, and I ask for your ruling.

The Acting Premier: I appreciate the point taken by the Leader of the Opposition and normally I would agree with him. Unfortunately, there was a misunderstanding regarding the printing of the Bill and its subsequent delivery to the House. Otherwise, the second reading would have been moved yesterday afternoon in the ordinary way. Because of the misunderstanding, it was thought reasonable that the member for Guildford-Midland should not thus be penalised to the extent of waiting another week before moving the second reading. I desire to indicate to private members that, in the event of a member being likely to be penalised under similar conditions, because of some misunderstanding or some unfortunate circumstance over which he has had no control, favourable consideration will be given to making available to him treatment similar to that being made available to the member for Guildford-Midland.

Mr. Speaker: The decision given by me last year does not apply to the point raised

by the Leader of the Opposition. The Government has the right of fixing the order of business on the notice paper in any way it desires. As a matter of fact, when I was on the floor of the House, I had a Bill —the Fremantle Trotting Bill—lifted up so that it could be taken on a day reserved for Government business. It lies with the Leader of the House whether he lifts up a Bill in this way or not, but on Wednesdays private members' business must take precedence of Government business. There is nothing to prevent the Bill from being proceeded with.

Second Reading.

HON. W. D. JOHNSON (Guildford-Midland) [4.47] in moving the second reading said: I intended to express my appreciation of the action of the Government in giving some little consideration to the special circumstances that occurred yesterday. Everything was ready for the second reading to be proceeded with, but by some mistake on the part of the Government Printing Office, copies of the Bill did not reach us in time.

Mr. Watts: As a matter of fact, the Bill has not reached us yet.

Hon. W. D. JOHNSON: I have been informed that it is here.

Mr. Doney: Well, it is not in front of us.

Hon. W. D. JOHNSON: The Bill was prepared by the draftsman who assists private members with their business, and was given in time to the Clerk of the House, who undertook to attend to the distribution. We all thought that the Bill would be available yesterday. Like the Leader of the Opposition, I am jealous of the right procedure being adopted, but after I had explained the circumstances to the Acting Premier he agreed to provide an opportunity for moving the second reading today. But for that, the delay in proceeding with a Bill of this sort—the measure is somewhat urgent—would have been unfair.

Mr. SPEAKER: I ask the hon. member not to blame an official.

Hon. W. D. JOHNSON: I have no intention of doing so. I know that the Clerk of the House did his part; otherwise, I would not have mentioned the point. Knowing that everything that needed to be done had been done, I thought that special consideration should be shown so that I could move the second reading today.

The Bill seeks to remove one word from Section 25 of the Act. The word I am asking the House to remove from the section is the word "co-operative." I submit that the word was placed in that section under a misapprehension. There was no need for it to be there; but the fact that it is there is hampering the progress and development of co-operative enterprises. I submit there is no justification for such restriction. To explain: Three co-operative companies are registered in districts adjacent to each other; there is not a great mileage between them. One is at Balkuling, one at Dangin and one at Quairading.

Realising the progress of mechanisation and the large part that tractors are playing, and will play in the future, in agriculture, the three companies got together to ascertain whether they could not give to the farmers of the three districts a better service than is available at the present time. As the result of protracted negotiations between the companies, they ultimately decided to establish at each of the three centres a small service station where regular attention could be given to small defects in tractors and machinery; but in addition to a small service station at Balkuling and one at Dangin, it was decided that at Quairading they would expand beyond the ordinary service station repairs and assistance and erect engineering works of greater magnitude where major repairs, if necessary, could be effected to the farmers' machinery and implements. Having arrived at that decision, they formed a partnership on the basis of a service station at two centres and comprehensive engineering works at another, which works would be available to the other two service stations should necessity arise. They registered the stations as factories and had the partnership properly and legally formed. They then decided—as they were compelled to do—to register under the Business Names Act.

In order to make the name of the partnership a little briefer than it would be if the three full names of the districts were included, they called the partnership the "B.D.Q. Co-operative Engineering Works," thus indicating that it was a partnership embracing the three districts, Balkuling, Dangin and Quairading. On submitting the name for registration, they were told that the partnership could not be registered with the word "Co-operative" in the title. They pointed out that the three co-operative com-

panies were properly registered and were functioning and that, as naturally they did not want to mislead the public, they wanted to indicate that it was a co-operative concern. They went to some trouble to try to overcome the difficulty that presented itself with regard to the name. After getting legal advice and assistance, they found that there was no means by which the registration could be effected as they desired unless an amendment of the principal Act was passed by Parliament.

They accordingly got in touch with the Minister for Justice and suggested that the Government might introduce a Bill for that purpose. Having given the matter consideration, the Minister wrote to me—I was representing the three co-operative companies—stating that the removal of the word "co-operative" would be effective as regards registration; but he left it to me to determine whether a Bill to amend the Act should be introduced by a private member rather than that the Government should make it part of its business. I discussed the matter personally with the Minister, who said the Government had no objection to my introducing the Bill. On that understanding, although I would desire that the Government did it, I gave notice of the Bill. Members will appreciate what an advantage it will be to farmers in the surrounding districts to have a service station at each of the centres I have mentioned and also big engineering works at Quairading.

Notwithstanding that the concern will be called the B.D.Q. Co-operative Engineering Works, it will not be limited solely to servicing the vehicles, implements or machinery of members of the co-operative companies. That is not intended. All co-operative concerns cater for the community and invite the community to join, but, if the community does not join it will still get the service. Of course, those members of the community not joining do not receive the benefit of rebates; but nevertheless in an activity of this kind full service is given to the general public and no favouritism will be shown to the co-operative members. Section 25 of the Act provides that no firm, individual or corporation required to be registered under Part II. of the Act shall use a business name which includes, among other words, the word "co-operative," but I submit that the inclusion in the section of the word "co-operative" is unnecessary, because otherwise the name would not be a true indication of the actual concern or the activity which it carries on.

Unless it is declared to be a co-operative company the public will be misled. Particularly would that be so in Western Australia, because no concern which is not genuinely co-operative and includes in its articles of association and rules the true principles of the Rochdale type of co-operation exists in Western Australia. I do not know of any other part of the world where there is greater purity in the control and activity of co-operation than in Western Australia. In other places, many preach the doctrine of the Rochdale principles, but do not strictly practise them. In Western Australia they must be practised, otherwise the concern would be false to its registration, as it must agree before registration that it subscribes to those principles. In the Companies Act—and these three concerns are registered under that Act—under the heading of "co-operative companies," it is stated—

> 101. No person, and no company or association (whether incorporated or not) other than—
>
> (d) a partnership or firm consisting only of two or more companies registered under the principal Act as amended by the Companies Act Amendment Act, 1929,
>
> shall carry on business under any name or title of which the word "co-operative" or any other word importing a similar meaning is part, or in any manner represent that the trade or business is co-operative.

So the Companies Act says definitely that a partnership or any association, whether incorporated or not can form a partnership. I mentioned this Bill to the Leader of the Opposition and, in a helpful spirit, he suggested to me that it might have a double meaning and might be of disadvantage to the co-operatives. He was doubtful whether under the Business Names Act an individual could not just use the word "co-operative" in the title of the firm while not recognising the principle. I had that examined by legal advisers and I think I have submitted to the Leader of the Opposition sufficient to convince him that the control of the word "co-operative" under the Companies Act Amendment Act, 1929, that lays down so

definitely what must be observed before the word co-operative can be used, makes it impossible for any person or association to use that word under the Business Names Act. So while I appreciate the point raised, I am convinced, and have legal endorsement for my views, that there will be no danger if we remove this word "co-operative" as suggested by the Bill.

I know that this Parliament does not want to limit the activities of co-operative enterprises. Therefore, where there are three companies determined to give up-to-date services to a wide community, I think the House will agree they should be encouraged and that this small Bill is necessary in order that they might continue in the enterprise and endeavour to make a success of it. I move—

That the Bill be now read a second time.

On motion by the Minister for Justice, debate adjourned.

BILL—STATE TRANSPORT CO-ORDINATION ACT AMENDMENT.

Second Reading.

THE MINISTER FOR TRANSPORT (Hon. W. M. Marshall—Murchison) [5.4] in moving the second reading said: This Bill rests on premises similar to those of a like piece of legislation introduced last session but not proceeded with. Although in principle exactly like its predecessor, it contains, in adition to the previous provisions, the substance of points and principles enunciated by those representing electorates in the North-West and also by the Leader of the Opposition during the discussion on the previous measure. The matter of transport generally has been giving the Government a great deal of concern. It is the intention of the Government to take cognisance of the great changes that have occurred in modes of transport and, so far as is humanly possible, to introduce modern methods, fitting each mode of transport into its correct, economic and efficient sphere in the transport system of the State generally. This, in all probability, will be the subject of further legislation at a later stage of the session.

The Bill now before the House has particular reference to the North-West portion of the State. There we have a vast area devoid of any rail transport, except 113 miles of line reaching from Port Hedland to Marble Bar. Another mode of transport which serves the North-West of the State is the shipping service along the North-West coast; and, in addition, there is an air service which, to a great degree, hugs the coastline, leaving the hinterland largely unprovided for. I feel that it would not matter what Government was in power or what its policy might be, transport must be a matter of immediate consideration in order that the development of that part of Western Australia might be encouraged. Apart from the desire to retain the enterprises now in existence in the North-West, I think all will agree that the Government must give consideration to an immediate increase of activity, and must take all necessary action to encourage a greater number of people to reside in and develop that sparsely populated area within the immediate future.

The war has brought home to us most forcibly the national and geographical importance of that part of the State and the urgent need for its immediate development. That being so, the Government, in this measure, makes a sincere endeavour to commence providing that facility which is so urgently needed, not only to encourage those who are there to remain but also, as far as possible, to induce others to go there and develop the rich portions of that section of the State. When the Transport Co-ordination Act became law in 1933 the main impelling thought, it would be safe to say, was that of giving some degree of protection to public-owned transport, particularly railways. The idea was to protect them, so far as possible, from what was termed unfair and uneconomic competition. This being so, many believe that the Transport Co-ordination Board was brought into existence merely for the purpose of restricting transport. But in actual practice the Act has done something more than give protection to transport systems which were in existence when it first became law. The board was empowered to organise road and air transport and to institute new services where, in its opinion, such were justified.

We know of many services which were really required and which the board has been responsible for bringing into existence. It has made possible some of these ser-

vices by granting subsidies in order that they might be maintained. The Bill therefore, in principle postulates removing the obstruction which appears in the Act. That obstruction is that the Road Transport Co-ordination Board has its jurisdiction limited to the 26th parallel, south. When the original Act was introduced it was thought that it was not necessary to go further north than that because, as I mentioned, there was only one railway there and it, seemingly, did not require the attention of the board. But the advent of modern modes of transport has revolutionised the position and brought forcibly home to us the fact that we must give consideration to the introduction of all those things made possible by scientific investigation and application.

This particular part of the State is one that lends itself peculiarly to road transport. The real purpose of this measure is to give relief, so far as it is possible, by the State, to the urgent necessity of the people in those parts. The Co-ordination Transport Board has had about 12 years' experience in the control of transport—excluding State-owned transport—practically throughout the State as far north as the 26th parallel, south. What we, as a Government, are most anxious to do is to take advantage of the experience which the Transport Board has gained and, realising the colossal difference that there is between the northern and the southern portions of the State, get the board to make a thorough investigation with a view to bringing into existence a transport system which will be of benefit to the people of the North.

One of the deterrent factors, so far as the people inhabiting this part of the State are concerned, is the cost of transport. This builds up the cost of living to such an extent as to make the North a most unattractive part of the State. It is considered that the board should be given the opportunity to make a thorough investigation, having regard to the geographical and the climatic differences which exist, and also bearing in mind the difference in the community of interests. With the powers given under the Bill we will be able so to allocate transport that the measure will be of material advantage. Transport systems will be thoroughly organised and assisted by way of subsidies in order to reduce the cost of living in that part of the State. The main features in the Bill are, firstly, to remove the restricted area which the Transport Co-ordination Board now covers.

In other words, we have in the Bill a provision that it will apply right throughout the State. This will make it possible for the board to license certain vehicles and subsidise such vehicles for the purpose of transporting goods and other things to, and throughout, the North-West. However, having regard to the peculiarities which apply in the North-West, particularly the long stages between settled areas, the Government feels that some of the conditions which apply in the parent Act ought not to apply there. One provision in the Bill, therefore, deals with the restriction of hours permitted under the Act, in regard to a person driving a vehicle. If a vehicle is transporting goods from the railhead at Meekatharra, the line of demarcation of the board's activities is approximately 53 miles north. The first port of call or town of consequence is Nullagine, and the distance between Nullagine and Meekatharra is 350 or 400 miles.

Hon. J. C. Willcock: What about Peak Hill?

The MINISTER FOR TRANSPORT: No call is made at Peak Hill. The member for Geraldton has not kept himself up with the times. Has he never heard of the madman's track? The registered mail service calls at Peak Hill, but the other forms of transport which are not registered for mail carrying go straight through at a distance of 28 or 35 miles on the eastern side of Peak Hill. From Nullagine to Marble Bar is about 52 miles, and from Marble Bar to Port Hedland 113 miles. The people driving those vehicles do so under an agreement with their employers. On that route there are no facilities for accommodation, apart from where they call at stations, so it is the practice in that part of the State for a man to drive until he is so fatigued that he needs to slumber. That is done in the bush, in the usual way. I do not think we could apply the sections of the Act to the North-West portion of the State at present, so provision is made in the Bill for the exemption of the North-West part of the State from that portion of the parent Act.

When the Bill was last before the House, the Leader of the Opposition raised the same

point and I think he moved an amendment as to the licensing of vehicles. The Government realises that it should not introduce irksome tactics or bring about anything that would inconvenience those who are so isolated and who live in such a remote part of the State. Provision is made in the Bill that, with the consent of the Minister, the board can remove from certain vehicle owners liability to apply for licenses. I would point out that this reservation in the Bill will supply a want in the North-West, without being irksome to those who must give the service or those who welcome it.

I think the point was raised by the member for Pilbara, or his colleague from Roebourne, on the last occasion, that he thought the air service that renders such valuable aid to that part of the State might get the consideration given to road transport by the board in the southern portions of the State, namely, financial assistance by way of subsidy in order that it might transport goods and other requisites at a rate such as to make it practicable for the people in those areas to enjoy the service. That could not be done, owing to two provisions in the parent Act. Firstly, these services went north of the 26th parallel and were outside the jurisdiction of the Transport Board. Secondly, there was no provision in the State Transport Co-ordination Act or in the Road Transport Subsidy Act for the Transport Board to subsidise air services, although provision was made for the subsidising of the building of aerodromes.

There is provision in this measure to give the Transport Board power, where it deems it wise so to do, to subsidise air services as well as road services. In 1937, the Road Transport Subsidy Act became law, and provided for the subsidising of services, but was distinct and apart from the State Transport Co-ordination Act, although its rightful place was in that Act because it provided for the distribution of the funds pertaining to transport services, and, as it was essential to alter some of the wording of the Road Transport Subsidy Act, opportunity has been grasped to put that Act in its rightful place in the State Transport Co-ordination Act. Provision is made in this Bill to repeal it as a separate Act and incorporate it in the State Transport Co-ordination Act, where it belongs.

I would remind members that there are minor amendments that I feel might be debated and I think that in the Committee stage of the Bill it would be appropriate to give them consideration. I have enunciated the major provisions of this measure. The desire of the Government is to give the North-West portion of this State a service that has long been required, in order to make the lives of those dwelling there in isolation more bearable, to encourage them to remain there and to induce others to go there. The war brought home to us the fact that we cannot continue to watch a decline in the population of the North-West portion of the State. Unless we are prepared to encourage a greater population in that area, I am doubtful whether we have the right to retain that portion of Western Australia. The Bill is small. I think it will be effective in its results. At least the Bill represents a sincere endeavour on the part of the Government to do that which might have been considered and done many years ago. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

BILL—FEEDING STUFFS ACT AMENDMENT, (No. 2).

Second Reading.

THE MINISTER FOR AGRICULTURE (Hon. J. T. Tonkin—North-East Fremantle) [5.32] in moving the second reading said: Owing to an inadvertence, the motion for the Order of Leave to introduce the Feeding Stuffs Act Amendment Bill (No. 1), which I recently placed before the House, was not in accordance with the Title of the Bill as drafted. Therefore, when the Bill was actually introduced in this Chamber, it did not meet the requirements of Standing Order No. 265 inasmuch as it was not strictly in pursuance of the Order of Leave. There was nothing for it but to have the Order discharged from the notice paper and the Bill re-introduced. I am afraid I may have to do that with another measure I have already presented, and steps have been taken to ensure that this sort of thing shall not occur again.

Mr. Mann: Who is to blame for the position?

The MINISTER FOR AGRICULTURE: I shall be compelled to cover some of the ground I did before, but I shall not deal with the matter as fully as I did previously. It is desirable, however, that I should refresh the memory of members with regard to the main reason for the necessity of the introduction of this legislation. Under the Feeding Stuffs Act, when a manufacturer desires to register a stock food he is obliged to set out on his application form the analysis of the food he desires registered. Section 5 of that Act requires that, with regard to stock food, the minimum percentages of crude protein and crude fat and the maximum percentage of crude fibre must be stated. In a stock food which is a protein-rich concentrate, a high percentage of fat is a distinct disadvantage inasmuch as the fat adversely affects the digestibility and biological value of the crude protein. Therefore instead of controlling the minimum of crude fat in such a food it is necessary to control the maximum amount because the more fat the food contains the less valuable it is for the required purpose.

The Bill therefore proposes that with regard to all meatmeals an applicant for registration of a food shall not state the minimum quantity of crude fat but the maximum quantity. Thus the Bill will alter the position from what it is at present. Section 5 requires the declaration of the minimum amounts of crude protein and crude fat and the maximum of crude fibre; the Bill is designed to make it obligatory upon the applicant to state the minimum amount of crude protein and the maximum amount of crude fat as well as the maximum amount of crude fibre.

Mr. Mann: Will this make it uniform throughout Australia?

The MINISTER FOR AGRICULTURE: Yes. When the Act was previously amended to bring it into line with legislation in other States, it was intended with regard to meatmeal that the minimum amount of crude protein and the maximum amount of crude fat should be stated. Owing to an oversight in drafting a minimum amount of crude fat was stipulated instead of the maximum, so the amendment in the Bill I now place before members is designed to put right what was an oversight when the Act was previously amended. I move—

That the Bill be now read a second time.

On motion by Mr. Mann, debate adjourned.

BILL—LEGISLATIVE COUNCIL REFERENDUM.

Message.

Message from the Lieut.-Governor received and read recommending appropriation for the purposes of the Bill.

Second Reading.

Order of the Day read for the resumption from the 20th August of the debate on the second reading.

Point of Order.

Mr. Watts: I desire to raise a point of order and to seek your ruling, Mr. Speaker, as to whether this Bill does not offend against Standing Order No. 265. The Order of Leave for this Bill was—

For leave to introduce a Bill for "An Act to submit to a referendum certain questions in relation to the Legislative Council as a constituent part of the Parliament of the State."

There are two objections to which I desire to make reference. The first is that in my opinion—and I trust, Sir, in yours—the provision in Clause 6 commencing with the question referring to the abolition of the Legislative Council, which abolition, if given effect to, would cease to make the Legislative Council any part of the State Parliament at all, is against the Order of Leave. I submit secondly, that the fact that the Bill, in Clauses 12, 18 and 19, purports to amend the Electoral Act, and that there is no mention of such intention in the Order of Leave or in any other part of the Bill except the clauses to which I have referred, means that the measure is not in accordance with our Standing Orders or the practice of introducing Bills, and ought to be withdrawn.

I submit that the draftsmanship of this measure can be called into question, because I contend that clauses have been inserted which bear no relationship whatever to the Order of Leave as submitted and agreed to. We have just had a similar example in a smaller case. I submit that if there be any doubt as to whether my point of order is completely tenable or no, the point of order should at least be given the benefit of the

doubt, because this House is entitled to demand of its draftsman and others who are responsible for the presentation of Bills to this House that they are presented strictly in accordance with the Standing Orders of this House and in accordance with parliamentary practice. As I have already mentioned, the Title and Order of Leave provide for a Legislative Council referendum, in regard to which the Council is a constituent part and parcel of Parliament and the question contained in paragraph (a) of Clause 6, proposed to be asked, is as to whether it should be abolished and therefore it would mean that the Legislative Council would no longer be a constituent part of Parliament. I turn from that to Clause 12 which sets out in Subclause (2)—

All the provisions of the Electoral Acts relating to voting by post shall, as far as may be, and with such reasonable modifications or variations thereof as may be necessary, but subject to Section 13 of this Act be applied and be observed in relation to voting by post at the referendum, save and except that in every case postal vote officers shall send postal votes received by them direct to the Chief Electoral Officer.

Even if I ignored, for the purposes of the point of order, the latter part having reference to the despatch of postal votes to the Chief Electoral Officer, Subclause (2) of Clause 12 provides that the Electoral Act shall be amended, because the whole proposal is subject to Clause 12 of this measure.

Turning now to Clauses 18 and 19 of the Bill, we find that somewhat similar conditions prevail—

18. Insofar as the regulations made under the Electoral Acts cannot be applied or made applicable or are not sufficient for the purposes of this Act, the Governor may make regulations not inconsistent with this Act prescribing all matters which are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

19. Any Act or omission by any officer, elector or other person in relation to the taking of the vote at the referendum under this Act which would be and constitute an offence against the Electoral Acts, if such act or omission had occurred in relation to an election of the Legislative Assembly, shall be an offence against this Act, and the officer, elector, or other person may be prosecuted for such offence under this Act . . .

So it is quite obvious that the draftsman has departed from an extremely desirable practice—if not one which was actually requisite under our Standing Orders—and the practice of the House by incorporating amendments to the Electoral Act in this measure and without making any reference whatever to those amendments in the Title or Order of Leave.

The Minister for Justice: This measure is a replica of last year's Bill.

Mr. Watts: I cannot help that. This matter was investigated by me because of the unfortunate position in which the Minister for Agriculture found himself regarding a somewhat similar occurrence. On that account I began to take some interest in it. It seemed to me that the procedure with regard to this measure was not the right procedure. If we allow the Rules and Standing Orders of this House to be infringed, as they appear to have been infringed in two instances in this case, we shall find ourselves ultimately in such a chaotic state that we shall not know where we are in regard to our legislation. Consequently, I decided to bring the matter before the House in order to obtain your ruling, Mr. Speaker. It was difficult to find many authorities on this point because the position is so simple that authorities have not felt the need to deal with it.

The Minister for Justice: What is your main objection?

Mr. Watts: I have two objections which I have dealt with at some length. First of all a Bill that proposes in its Title to deal with the Legislative Council as a constituent part of the Parliament of this State proposes by Clause 6 to abolish it, and so is contrary to the Order of Leave. Reference to that should have been made in the Title and in the Order of Leave. My second objection is that the Bill, particularly by Clause 12, actually amends the Electoral Act, and no reference is made to that in the Title or in the Order of Leave. This surprised me when I came to peruse the Bill. The whole Title of the Bill stands out in strongest contrast to the Title of the Bill proposed by the Minister for Transport, which Title, with most meticulous care, seems to deal with every small aspect of the measure. That is undoubtedly a Bill which has been given very careful thought and attention, every effort having apparently been made to draft it strictly in accordance with our rules and procedure. Let me quote Standing Order 265, which reads—

Every Bill not prepared pursuant to the Order of Leave, or according to the Rules and

Orders of the House, shall be ordered to be withdrawn.

I submit that that applies to this measure. "May," who is frequently quoted in this House, sometimes with respect and sometimes without, observes in the Twelfth Edition, page 351—

In preparing Bills, care must be taken that they do not contain provisions which are not authorised by the Order of Leave . . .

If it should appear that these Rules have not been observed, the House will order it to be withdrawn.

I have from time to time taken some small interest in the drafting of Parliamentary Bills in an endeavour to follow the mind of the draftsman in some of the involved measures that are placed before us. I have a work entitled "Legislative Drafting and Forms," Fourth Edition, by Sir Alison Russell, K.C., published fairly recently, in which he mentions several things to indicate to a draftsman what he should do in matters of this sort. At page 16, he says—

No clause should be inserted in or annexed to an Act which is foreign to what the Title of such Act imports.

There is nothing in the Title of this Bill to indicate that substantial amendments are contemplated to the electoral laws, and on that ground I submit that it cannot survive this stage of the proceedings, although when corrected, it may be presented in another form for the consideration of the House. Sir Alison Russell also says—

The draftsman should never be led into dealing with two different matters in the one Act. For example, he should not frame an Act entitled the Transport Act, 1938, to deal with two such matters as railways and motor cars.

Later on dealing with the question of the long Title, he says—

Every Act has a long Title, which indicates the general purpose of the ordinance and may be referred to for the purpose of ascertaining its general scope. It forms part of the Act.

In an explanatory note he says—

In old days it used not to be so, but now the Title is an important part of the Act, and is so treated in both Houses of Parliament.

On the two points I have mentioned, I think I have made out a case that the provisions of the Bill are not sufficiently in accord with the Order of Leave to permit of its being further discussed without being withdrawn and suitably amended.

The Acting Premier: I consider that the Leader of the Opposition has not proved, by the two points he has put forward, his claim that the Bill is out of order on the ground that it is not in accord with the Order of Leave. It may be that there is some insufficiency of order somewhere in connection with the whole proceeding, but certainly not on either of the two points submitted by the Leader of the Opposition. This is not a Bill to abolish the Legislative Council.

Mr. Doney: Surely it embodies that possibility, does it not?

The Acting Premier: It does not. This is a Bill which will seek from the electors of Western Australia an expression of opinion on what they consider should be done in connection with the Legislative Council.

Mr. Doney: Customarily, what action follows that?

The Acting Premier: The electors are to be asked whether in the first place they favour the abolition of that Chamber and, alternatively, whether they favour adult suffrage for that Chamber. If a majority of the electors at a referendum to be held decide in favour of abolition and the Government agrees to give effect legislatively to that expression of opinion, it will be necessary for the Government to introduce into Parliament a Bill with that objective in view. If that Bill, when introduced, is out of order in relationship to the Order of Leave, that will be the time to raise the particular point raised this afternoon by the Leader of the Opposition. The passing of this Bill can in no way of itself abolish the Legislative Council.

Mr. Doney: It is the necessary first step, is it not?

The Acting Premier: It is not necessarily the first step. The Government could, without any referendum, bring down a Bill for the abolition of the Legislative Council.

Mr. Doney: This Bill, therefore, is quite extraneous so far as it refers to the referendum.

The Acting Premier: This Bill, as I am sure the Member for Williams-Narrogin knows very well, despite his present obstinacy, is a Bill to ask the electors of Western Australia for their opinion as to whether they favour the abolition of the Legislative

Council. If the people by a majority vote express an opinion in favour of that objective there is no obligation on the part of the Government to take further action.

Mr. Doney: Of course there is not. There is no obligation on the Government.

The Acting Premier: It will be entirely at the discretion of the Government at the time as to whether it brings down a Bill to give legislative effect to that opinion.

Hon. J. C. Willcock: The Secession Bill was passed, but that did not bring secession to Western Australia.

The Acting Premier: I therefore submit that the argument of the Leader of the Opposition on that particular point is not applicable to the circumstances associated with this proposed legislation. The other point raised by him was that the Bill, in effect, would have the result of amending the Electoral Act and therefore that that part of the measure was not in order, as the proper procedure to amend the Electoral Act would be to bring down a separate Bill and have it debated and decided upon its merits.

Mr. Watts: Or, alternatively, to give a different Order of Leave for this Bill.

The Acting Premier: Or, alternatively, to amplify the Order of Leave for this Bill. As I understand the Electoral Act, it is an Act related to the holding of Parliamentary elections in this State. This referendum will not be a Parliamentary election and consequently the Electoral Act, in respect of its particular and legal relationship to Parliamentary elections, does not logically come under consideration at this time. For the purpose of simplification and the saving of time and effort—

Mr. Watts: You cannot use short cuts through the Standing Orders.

The Acting Premier: —and paper, the draftsman quite fairly, and I think quite sensibly, makes this Bill say that the Electoral Act shall be used almost entirely in relation to the referendum, but that in certain respects it shall be modified. It would, of course, have been possible for the draftsman to include in this Bill a whole mass of procedure as to how people should vote, as to how ballot papers should be made available to them, as to how the count should be conducted and all the rest of the thousand and one actions and circumstances that would be associated with a referendum of this kind. I consider the procedure set out in the Bill is much more sensible than the one I have outlined had it been included in the Bill. So I suggest that on the two main points which the Leader of the Opposition put forward he has not justified his contention that the Bill is not in order in accordance with the Order of Leave as accepted by the House on a previous occasion. There might, as I said at the beginning, be some other point of invalidity somewhere in the whole matter. If there is, I am not aware of it and I suggest it will be necessary, before the point of order can be sustained, for some new point to be put forward.

Mr. McDonald: I have not had an opportunity to examine the matters raised by the Leader of the Opposition except during the time that this debate has been occupying the House. I do, however, want to commend to you, Mr. Speaker, for your consideration, the matters which the Leader of the Opposition has raised. One would have thought that a Bill of this kind would be introduced under a motion of leave providing for a reference to the people of certain questions of amendment of the Constitution in relation to the existence or abolition of the Legislative Council and the franchise for the election of members of the Legislative Council. That, I think, is the usual procedure in the Commonwealth Parliament. When that Parliament passes a Bill with the objective of amending the Constitution, it is—if my memory serves me rightly—always a Bill to provide for a referendum in relation to an amendment of the Constitution.

Hon. J. C. Willcock: No. That is provided in the Constitution.

Mr. McDonald: I do not think it is.

Hon. J. C. Willcock: Yes, it is.

Mr. McDonald: It may be. I bow to the recollection of the member for Geraldton, but that is how it actually operates.

Hon. J. C. Willcock: The Commonwealth cannot alter its constitution without a referendum. Parliament can alter the State's Constitution.

Mr. McDonald: I am coming to that. I know quite well that the Commonwealth Constitution cannot be altered without a referendum, although increased powers may be

given to the Commonwealth by any Parliament in relation to the area which is under that Parliament's control. But the fact remains—if my memory serves me rightly—that when any amendment is sought to the Constitution, it is and would be under an Order of Leave to introduce a Bill for the amendment of the Constitution, and the Order of Leave would then proceed to specify the particular amendment which it was proposed to submit to the people. This Bill does not in so many words relate to any amendment of the Constitution at all. It proposes, under the Order of Leave, to submit certain questions, and those questions are in relation to the Legislative Council as a constituent part of the Parliament of the State.

The question might well have been—I am not assuming it was—in something of the same form, a question in relation to the Legislative Council, whether or not it shall continue as a constituent part of the Parliament of the State, and whether or not, if it does continue as a constituent part of the Parliament of the State, the franchise should be altered. There is nothing alarming about that, because my experience goes back to Orders of Leave which were sometimes very comprehensive in nature and which made quite sure that they covered every possible matter which should be covered to show the prospective contents of the Bill. Therefore I felt, when I heard the Leader of the Opposition, that he had raised a point well worthy of your consideration, Mr. Speaker, because a reading of the Order of Leave would certainly convey to most minds that the questions related to a Chamber of Parliament which was to be a continuing part of the Parliament of the State.

Hon. W. D. Johnson: Whether or not.

Mr. McDonald: Exactly. I accept completely what the hon. member says. If those words had been put in, there would be no need for a motion in this regard.

Hon. W. D. Johnson: You are trying to limit it now.

Mr. McDonald: They were not put in. The whole Order of Leave relates to a Chamber of this Parliament, which is a constituent part of the Parliament. Without having had time to examine this, I will go so far as to say that it would not have conveyed to me that there was a proposal to abolish the Legislative Council; in fact, not having looked at the Bill very carefully but having heard the Order of Leave, I made the mistake of making a statement that the new Bill had dropped the abolition of the Legislative Council. That is what the tenor of the Order of Leave actually conveyed to me. I pass for the moment to the matter of the Electoral Act, and I pause sufficiently long to say that if the Commonwealth is to be taken as any precedent in regard to compliance with Standing Orders and Parliamentary procedure, it, if my recollection is right, has a specific Act, the Constitution Alteration Referendum Act, which does not refer or apply to the contents of the Commonwealth Electoral Act, but all the necessary details for taking a referendum are included in the Commonwealth Constitution Alteration Referendum Act. It may be cumbrous, but it was apparently thought necessary in regard to the Commonwealth that all this procedure should be incorporated in the Act, which was to deal with alterations to the Constitution. So, if that precedent is worth anything, it is distinctly in support of the point of order raised by the Leader of the Opposition.

Hon. J. C. Willcock: I would like to point out that a similar position arose to the one now under discussion when the Parliament of this State decided to ask the electors what they thought about secession.

Mr. Watts: Nothing was wrong with the Title of that Bill.

Hon. J. C. Willcock: No, but it was similar to this. That is all this Bill does. We know that the referendum was carried, but that did not in fact give the right to this State to secede. All it did was to afford the people an opportunity to express their opinion by referendum as to whether steps should be taken to approach the Imperial Parliament, which had power to alter the Constitution that it had granted to us up to that stage. This is not a Bill to abolish the Legislative Council. I wish it were, because the procedure would then be very simple. But if this Bill passes, another Bill must be introduced into this Parliament and passed through this House—which I think might be done very easily—and also through the Legislative Council. Conse-

quently, a different procedure altogether is adopted. We have the experience of Queensland in this matter. A referendum was held in that State but the people did not support the abolition of the Upper House; yet a Bill to effect that abolition was carried through the Parliament, in opposition to the expressed will of the people. This Bill bears no relationship at all to the abolition of the Upper House. Our experience with regard to the Secession Bill clearly demonstrates what should be done.

Mr. McDonald: It seems to make some mention of the abolition of the Upper House.

Hon. J. C. Willcock: It asks me, as an elector, what I think of it. I may say I think it ought to be abolished, but that does not make any difference to anybody in the whole of Western Australia. All I have done is to express an opinion. If the Government of the day, when considering the results of the referendum, decides it will endeavour to give effect to the wishes of the people, expressed through the referendum, it does so. So far as the Commonwealth is concerned, we have a different set of circumstances altogether applying to us, inasmuch as the Commonwealth consists of a number of States joined together in a partnership. Those States are very jealous of giving powers to the Commonwealth, and are anxious to preserve the powers they have. So a cumbrous and very expensive method was set up to deal with alterations to the Constitution of the Commonwealth. It provides that a majority of people and a majority of States shall vote in favour of proposals to alter the Constitution before such alteration may be effected. They do not have to go back to the Commonwealth Parliament, because, according to the Commonwealth Constitution, if a referendum is carried the Constitution is altered, whereas if a referendum is carried here the Government of the day has to introduce a Bill to give effect to the opinion expressed by the referendum. I really did not want to intervene in this debate, and I think I can with confidence leave the matter to the Speaker's ruling.

Mr. Speaker: I require a few minutes to consider the verdict. I am quite satisfied in my own mind, but as it is so close to the tea suspension, I will leave the Chair until 7.30 p.m.

Sitting suspended from 6.10 to 7.30 p.m.

Mr. Speaker: Regarding the point of order raised by the Leader of the Opposition, first of all I should like to draw attention to the fact that every care is taken to see that all Bills introduced into the House are in accordance with the Order of Leave. As is known, I have had to order the withdrawal of two Bills which did not conform to Standing Order No. 265 during this session. In regard to the first question raised by the hon. member I should like to point out that Clause 6 only provides for the submission to the electors of certain questions. The answer to these questions by the electors does not, in itself, alter the Constitution of this Parliament; other legislation must be passed to implement their decision. In regard to the second point, I would point out that the Electoral Act is in no way amended by this Bill. We have no machinery for the holding of a referendum, except in the case of the Licensing Act, which provides for submission to the electors of the question of local opinion. The Secession Referendum Act contains exactly the same provisions as are contained in this Bill. I will quote the Order of Leave on that occasion. Although it contained provision for the holding of the election the Order of Leave was—

> An Act to submit to a referendum questions in relation to the State of Western Australia and the Federal Commonwealth established under the Commonwealth of Australia Constitution Act (Imperial).

I rule that this Bill is in accordance with the provisions of the Standing Orders and the practice of this House.

Debate Resumed.

MR. W. HEGNEY (Pilbara) [7.34]: I propose to submit a few reasons why this House should pass the Bill at present being considered, and trust that in the interests of the Parliamentary system of government another place will also pass the measure. There have been previous attempts by this House to alter the Constitution to amend, as it were, the powers or rights of another place. Some time ago a Bill was introduced to amend the present franchise of the Legis-

lative Council and to provide for adult franchise. That was defeated in another place. Not very long ago the present Minister for Justice introduced a Bill to alter the powers of the Legislative Council, to bring them more into line with the powers now enjoyed by the House of Lords under what is known as the British Parliament Act of 1911. That also was defeated, and I understand that in recent years a measure was introduced in this House providing for a householder qualification for the electors for the Legislative Council. That was defeated.

The time has arrived when the people of this State should be given the opportunity of determining whether they are in favour of two Chambers and, if they are, whether they are in favour of adult franchise for another place. The Council has defeated all efforts on the part of this Chamber to alter or restrict its powers, and I consider that the referring of the matter to the people is the right and proper thing to do. I think it is as well, in discussing a Bill of this character, to look at the background in order to ascertain the reasons why the Government is attempting to submit the question of the abolition of the Council, or that of adult franchise for the Council, to the people of this State.

On delving into British history we find that nearly 700 years ago—in the Parliament of Simon de Montefort in 1295—the King called the Lords Spiritual and Temporal and the Commons together, but before long it was found that the Lords Spiritual and Lords Temporal had something in common. It is an historical fact and an historical incident that there were two Houses in Britain rather than—for that time at least—three Houses. Right down through the ages the struggle has been between the Commons and the representatives of the privileged classes, until in 1911 the right of veto was taken from the House of Lords in the British Parliament. It is interesting to recall that for some years in Sweden there were four Houses of Parliament, and in France, up to the first revolution, there were three Houses of Parliament. I will not weary members by referring too much to the British Parliament. Let us come to our Australian Constitution and consider the historical records from the time of the foundation of this country in 1788. From that year until 1823 the Governor of New South Wales was the sole and exclusive Governor. He was the Government.

In 1823 an Act known as An Act for the Better Administration of Justice in New South Wales was passed. It made provision for the inclusion of up to seven members in the Legislative Council and certain prominent Government officials were empowered by the Governor to advise him in certain capacities, and also in regard to the imposition of taxes. That, in 1823, was the first step towards responsible Government in Australia. A few years later, in 1842, there was an Act for the Better Government of New South Wales and Van Dieman's Land. By that measure the previous Constitution was altered but there was still to be only one Chamber, of 36 members, two-thirds of whom were elected and one-third nominated. Later, in 1850, an Act known as The Australian Colonies Government Bill was introduced and, when passed by the British House of Parliament it gave to Port Phillip, Van Dieman's Land, and South Australia, a constitution of their own.

I find that the first responsible Government was introduced into New South Wales with two Chambers in 1856, in Victoria in 1859, and in Queensland the first Parliament was opened in 1860. In South Australia the first Parliament was opened in 1857, and in Western Australia responsible government was granted in 1890. In Tasmania the first Parliament was opened about the middle of last century. The point I wish to make is that as the State Parliaments were established the Legislative Councils grew up side by side with the popular Chambers. Under their constitution the privileged classes of those days saw to it that Chambers were set up in the various States which would restrict any likelihood of a majority of the people legislating as they thought fit. It may be interesting to read an extract from a document written by the then Governor of Tasmania, Sir William Denison, and despatched to His Majesty's Government in 1848. During the course of the statement Sir William said—

> The broad plan of a party, as in America, received the support of the community, and though there are many who would gladly avail themselves of any opportunity of raising themselves above the general level, yet here, as in America, any attempt to do so would be

frustrated by the jealousy of the remainder of the community. Your Lordship can hardly form any idea of the character of the population of these colonies. It is usual to assume that colonies are off-shoots from the parent stock, containing in themselves the germs of all the elements of which society in the mother country is composed. This can only be said of any colony with many reservations, but it cannot be said of these colonies with any appearance of justice or truth. There is an essentially democratic spirit which actuates the large mass of the community (apparently the criminal offence in those days), and it is with a view to check the development of this spirit, to prevent its coming into operation, that I suggest the formation of an Upper House.

That was the reason permeating the mind of the Governor of Tasmania just on a century ago and naturally an Upper House was well and truly established in the State. I find also that one of the greatest statesmen of Australia, one who helped to make Australian history—I refer to William Charles Wentworth—was appointed in 1853 chairman of a Select Committee by the Legislative Council of New South Wales. That body was to report on the form of government that should be adopted by the State of New South Wales. I find this record in a volume written by a lecturer at the Sydney University, Mr. E. Harris—

In May, 1853, in New South Wales a Select Committee, with William Charles Wentworth as chairman, was appointed to draw up a Constitution for the colony.

The committee's report was submitted to the Council in July, 1853; it provided for two Houses of Parliament. The lower House was to be chosen on a franchise which would give a vote to nearly all adult males.

There was provision also made for a Colonial House of Lords. Those on whom titles were originally conferred should sit in this Upper House—or Legislative Council—for life. Those who inherited titles should, in conjunction with original patentees still living, select a certain number of their order to sit.

Wentworth remarked—regarding this proposal to constitute a titled aristocracy—that "the Select Committee had no desire to sow the seeds of a future democracy."

That serves to indicate the ideas that William Charles Wentworth had in mind regarding the setting up of a Legislative Council. I think that in one way we can count ourselves comparatively lucky in Australia in the knowledge that no titled aristocracy was set up in any State. With regard to the constitutions of the Legislative Councils in the different States, it is interesting to note that from the very earliest stages the property qualification was a factor in the entitlement of anyone to be registered as a voter. One had to own not personal property but real estate.

I do not propose to traverse in detail the Constitutions of the different States nor to refer at length to the requirements that people had to comply with in connection with the franchise. Suffice to say that in four of the six States—that is, excluding Queensland and New South Wales—the property qualification prevailed. In two of the States certain people who otherwise do not own property are entitled to vote. Certain professional classes come within that category, including barristers, medical practitioners and certain retired naval and military officers. The point I wish to make is that if there was any justification for two Houses of Parliament one hundred years ago, that justification no longer exists because, after all is said and done, one of the reasons, among others, that the second Chamber system was introduced was to ensure—we have all heard of the exclusionists and the emancipationists of the early days of the colony of New South Wales—that the exclusionists would not be subject to the emancipationists.

In those days there was no system of compulsory education. It was recognised with a measure of justification that only those with reasonable knowledge, intellectual capacity and intelligence should have a vote in the government of the country so far as the Legislative Council was concerned. What is the position today? A system of compulsory education has been set up. There is a free University. We have technical schools and innumerable facilities enabling people to acquaint themselves with the history of the Government of their country and the manner in which laws are made; to acquaint themselves with their responsibilities and rights as well as their opportunities so that every person over the age of 21 years should be entitled to the right to vote.

I have mentioned briefly the qualifications respecting the Legislative Councils in the different States, and it may be interesting to remark at this stage that what all statesmen at the end of the last century recognised as an absolute necessity was that, sooner or later, the Australian people had to be welded under one Constitution into

one nation. It was recognised, too, that with respect to certain matters affecting the whole of the people, Australia should speak with one voice. Men like Parkes, Deakin, Griffiths, Kingston, Isaacs and others, after a series of conventions and a search for a Constitution suitable to be adapted to Australian conditions and Australian people, decided to more or less adopt the American Constitution. What does that provide for? It provides for two Houses of Parliament, and each House of Parliament throughout the length and breadth of Australia is elected on the adult franchise.

Mr. North: You mean America?

Mr. W. HEGNEY: No, I refer to Australia. Both the Senate and the House of Representatives are elected on the basis of adult franchise. With all due respect to the responsible positions held by members of this Parliament, the matters dealt with by the Australian Parliament are far more important than those that concern the subsidiary legislatures of the States. When the two Commonwealth Houses of Parliament were set up at the inauguration of Federation, it was done on the understanding that the more populous States would not be able to over-ride the less populous or far-distant States. That is the reason why, while the House of Representatives, which is the equivalent in the Federal sphere of the Legislative Assembly in Western Australia, was elected on single electorates and the adult franchise, the Senate was constituted of six members from each of the States as a protection for the less populous States. All through the years that have since elapsed, those Houses have been elected on the adult franchise.

What has happened in this and other States? We admit that the Senate was constituted to protect the interests of the less populous Sates, but nobody on this side of the House, and I doubt whether any member on the Opposition side, would deny that the Senate is just as much a party House as is the House of Representatives. One has only to look at the designations of the various candidates. We have as candidates for the Senate, Labour men, Liberals, and Country Party men. They are not standing as Western Australian representatives; they are standing as party representatives. This brings me to the claim made over a long period of years by members other than Labour members and by a certain section outside that another place is a House of review, that it is a House to check hasty legislation. I submit—and I do not think my statement will be contradicted—that 99 per cent. of the members of another place represent political parties. I am not complaining about that, but if there were any justification in earlier days for Legislative Councils to hold themselves up as Houses of review, that justification no longer exists.

The claim has also been made that if the second Chamber were abolished something drastic might happen. What would happen if there were a Liberal-Country Party Government here tomorrow? Would not a majority in both Houses be of the same political colour? Could not they conspire, if they so wished, just the same as if there were only one Chamber? The suggestion that some dire consequences would result to the people of this State if there were only one Chamber is entirely without foundation. We have only to point to the State of Queensland. That State had a Legislative Council appointed on a nominee basis until 1922. In that year the Theodore Government took steps to abolish the Council. The Labour Party was in office in Queensland in 1914 and continued in office for seven years after the Legislative Council had been abolished. In 1929, the Moore Government took office, but did not re-establish a Legislative Council. The Moore Government lasted for only three years, and the Labour Government has been legislating for Queensland from 1932 to 1946. This effectively disposes of the bogey that if the people of this State so decided and a second Chamber no longer existed, something drastic would happen to them.

There are certain reasons that can be advanced and, to my way of thinking, with great force, as to why this referendum should be taken, thus giving the people an opportunity to determine whether they desire a continuance of the present constitution or otherwise. I have mentioned education as one factor that should be taken into account and which should alter our outlook as to the need for second Chambers. I submit with all due respect to another place that there is something wrong with a constitution which provides that a man or woman of 21 years of age may nominate

for the Legislative Assembly and possibly become Premier of the State at the age of 22, and yet be denied the right to nominate for the Legislative Council until he or she attains the age of 30 years. There is also this anomaly and injustice: A person may be 21 or even 40 years of age, but unless he or she owns property of a value of £50, or pays rent to the value of £17, or has a lease of a value of £10 with a year to run, that person is not qualified to vote for another place. No doubt this happens at times: A person may own real estate to the value of £50,000 and be entitled to a vote for the Legislative Council. In his wisdom, he may decide to convert his real estate into personal property and invest the £50,000 in Commonwealth bonds. If he did that, he would be denied the right of a vote for the Legislative Council.

Mr. Doney: Do you think there are many cases like that?

Mr. W. HEGNEY: In the timber industry are to be found some of the finest men in the State. Many of them are living in houses of three or four rooms, for which they pay 5s. or 6s. a week, but, by virtue of their location and economic position, they are denied a vote for the Legislative Council. Yet, if one of those houses were shifted to Nedlands or some suburb where a brick area had not been proclaimed, the occupier would be entitled to a vote for the Legislative Council.

These are a few of the anomalies and injustices that need to be rectified, and the people should be given an opportunity to determine whether they shall be rectified. There is another important point. In some of the States, plural voting was abolished nearly 50 years ago, but here it is possible for a man owning 10 blocks of land, each valued at £50 and situated in each of the 10 provinces, to exercise 10 postal votes which would become effective on polling day. There are men, such as farm workers, miners and others, who are not entitled to a vote for the Legislative Council because they do not own £50 worth of real estate or pay rent of the value of £17 a year.

The arguments submitted by our opponents regarding the relationship between the Council and the Assembly are many and varied. Last session, when a similar Bill was presented to another place, it was claimed that the measure should have been accompanied by a certificate declaring that it had been passed by an absolute majority. As this had not been done it was claimed that the Bill was not properly before that House, and it was thrown out. I have dealt with the claim that the Council acts as a House of review, is a non-party House, and acts as a check upon hasty legislation. I do not propose to enlarge on that point; suffice it to say that the Legislative Council is not a House of review and that it exercises more power than does the House of Lords. It exercises more power than does the Senate—the second Chamber in the Commonwealth Parliament—and no matter what legislation may be passed by this Chamber, it can be vetoed by the Legislative Council.

Unless the Council proves amenable and modifies its demands, we can do nothing. All this talk about democracy is fallacious. It is a misnomer while the present position obtains. We have been charged with desiring to establish an autocracy by our proposal. That was actually a suggestion made by a previous speaker. If anybody can tell me that the effort to submit to the people a question on a specific subject for their determination is a desire to set up an autocracy, then I do not know what democracy is.

Member: Was that made mention of in this House?

Mr. J. Hegney: Yes, by the member for Mt. Marshall.

Mr. W. HEGNEY: Another point made by a previous speaker was that he was afraid of a minority gaining control. With all due respect to the Leader of the Opposition, I believe that recently he made a statement in the Press—I stand open to correction—somewhat to the effect that the Legislative Council was a barrier against Communism.

Several members interjected.

Mr. SPEAKER: Order!

Mr. W. HEGNEY: I suggest, with all sincerity, that one of the ways to encourage dictatorships, whether of the Nazism, Fascism or Communistic kind, or any other 'ism, is for the young people of the State to grow up knowing that they can have a vote for one House of Parliament and can then be sandbagged by another House.

Mr. Mann: What nonsense!

Mr. SPEAKER: Order!

Mr. W. HEGNEY: That is a fact. There is no desire on our part for minority rule. All that we ask for in this Bill is that the people of the State—the men and women over the age of 21 years—shall be given the right to say whether they desire a second Chamber or consider it necessary, and if they do, whether they think the present restricted franchise should continue or whether it should be on the same basis as that for the Commonwealth Parliament.

Mr. Leslie: You have it in the Commonwealth Parliament today.

Mr. SPEAKER: Order!

Mr. W. HEGNEY: The opponents of the Bill have submitted various reasons which I have enumerated. They declare they want the Legislative Council to be a House of review; they are afraid of the minority; they are afraid of autocracy; they want a check on hasty legislation. What they are really seeking is to perpetuate the privilege of the Legislative Council, and prevent the great mass of the people of this State from having their wishes dealt with and implemented through the activities of the Legislative Assembly. That is the real reason why they desire the status quo; that is the reason why they desire to fight, as they always have done, the abolition of the Legislative Council, the Chamber of privilege. The Council and the Senate, as I said before, were to be Houses of review, but they are no longer so. They are not brakes on dictatorships.

I would like to quote figures of recent elections and I speak now from memory. In the election of 1943 I think some 220,000 persons voted for the Legislative Assembly. I stand open to correction as to a few thousand. For the contested seats in the Legislative Council in 1939, about 26,000 people voted. As a matter of fact, there are about 86,000 people on the Legislative Council roll and about 270,000 on the Legislative Assembly roll. Try as one will, distort as one will, in the final analysis it is found that a minority of the people of the State can dictate to the majority through their elected representatives in the legislative halls of Western Australia, and I refer to the Legislative Council. I do not propose to take up a great deal more time, but I would like to say that if the Legislative Council refuses to pass this measure in order to give the people of Western Australia the chance to determine whether they will have an alteration of the Constitution, I have no hesitation in saying—and I make no apology for suggesting—that the Government, either alone or in conjunction with other State Governments, should make a very strong approach to both the Commonwealth Government and the British Government for the purpose of trying to put a period to the present position in this State.

Mr. Mann: That is a dangerous statement to make.

Mr. W. HEGNEY: That is the position I would take up, because the British Parliament was in the first place responsible for writing into its statute-book the basis of the Australian Constitution; and I would suggest that if the Legislative Council refused to give the people this opportunity, then there should be no hesitation in making approaches both to the Commonwealth Parliament and the British Parliament, despite the Statute of Westminster. If the people are to be given the opportunity to determine whether they desire a continuation of the present system, then I am prepared to abide by the will of the majority; but I fail to see why, in these days of democracy, or alleged democracy, there should be two Houses of Parliament in which one House, elected on a privileged franchise and by a minority of the people compared with this Chamber, should have the right to veto and thwart the wishes of the majority of the people

Members: Hear, hear!

HON. N. KEENAN (Nedlands) [8.6]: No-one in this House, and I venture also to think no-one outside this House has any doubt whatever of the sincerity of the Minister who is in charge of the Bill, no matter what the political differences may be. The Minister is an honourable man, as we know, and therefore I am entitled to assume—and so are all of us entitled to assume—that when he asks the electors of Western Australia to give a favourable vote on the abolition of the Legislative Council in the Parliament of Western Australia, he himself believes that a unicameral system of Parliamentary government is not only desirable but necessary.

Mr. Leslie: He indicated to the contrary in his speech.

Hon. N. KEENAN: I do not know. I listened to his speech and may have missed what the hon. member heard.

Mr. Doney: I think the Minister wanted it both ways.

Mr. SPEAKER: Order!

Hon. N. KEENAN: While I feel certain of the Minister's sincerity in his belief as to the efficacy of the unicameral system, I have no knowledge whatever of the grounds on which that belief is based, whether those grounds are to be the authority of constitutional essays of men of eminence who have examined the Constitutions not only of our Home Country and of our Empire, but of other countries, or whether they are based on the result of examining the records of history so as to learn from the past what might reasonably be expected to occur in these days. Whether one or the other is the case, I am in complete ignorance because the Minister has not said a single word on the matter. It is quite true that the Minister and the member for Pilbara did refer to the case of Queensland and said that that State had abolished the Legislative Council in its State Parliament. But although the member for Geraldton reminded the House today, the Minister forgot to say that in that case the abolition of the Upper House in the Queensland Parliament was in direct and flagrant contradiction of the vote of the people of Queensland given on that very issue. To my mind that action was such a scandal that any self-possessed democrat should be ashamed even to mention it.

Mr. J. Hegney: The people of Queensland confirmed the action by subsequently electing a Labour Government.

Hon. N. KEENAN: That only shows how it is possible to bully people. However, I do not propose to deal with every interjection because in that case I should remain on my feet for far too long. I desire to make clear what I shall endeavour to establish here tonight: That is, the proposition that it is absolutely impossible to conceive any effective protection for the rights of a minority unless there is a second Chamber in existence. I am going to show that that is clearly established by every essayist who has ever attempted to write on the issue of what should be the constitution of a self-governing country, and is also supported entirely by the records of history. Further, if in any social structure the rights of the majority are the only rights to prevail then such a structure is absolutely and certainly damned and certain to experience destruction.

The Minister for Justice: You do not think a minority should supersede a majority, do you?

Hon. N. KEENAN: I do not think I asserted that. If the Minister will do me the honour of listening, I shall endeavour to make myself clear; and then, if I have not made myself clear, the Minister can tell me so. I propose to refer to the writings of a few—for I do not intend to delay the House too long—of the most eminent of the many men who have addressed themselves to the task of commenting on Constitutions and what are necessary features in a Constitution to achieve a desirable and profitable end. Let me first of all quote from John Stuart Mill, of whom I presume very member in this House has heard and whose works every member has also read at some time or other. John Stuart Mill said at page 13 of his essay on "Representative Government"—

> A majority in a single Chamber when it has assumed a permanent character when composed of the same persons habitually acting together, and always assured of victory in their own House——

a very accurate description of what happens here and will always happen here—

> easily becomes despotic and over-weening if released from the necessity of considering whether its acts will be concurred in by another constituted authority.

Now I propose to read from Lecky whom again I presume almost every member has read at some time or other. In his book on "Democracy and Liberty" Lecky says—

> Of all forms of government possible among mankind I do not know one which is likely to be worse than the government of a single omnipotent democratic Chamber. The tyranny of majorities is of all forms of tyranny that which in the conditions of modern life is the most to be feared and against which it should be the chief object of a wise statesman to provide.

I propose now to read from a book by a man who became a peer afterwards and was known as Lord Acton, a very distinguished historian. I shall quote from his book, "The

History of Freedom." All the essays from which I am quoting were written on the subject of freedom—how it can be saved and preserved and what steps are necessary to that end. Lord Acton said—

> In every genuine democracy a second Chamber is the essential security for freedom.

Hon. W. D. Johnson: Did he refer to a property Chamber? Did he mention a property qualification?

Hon. N. KEENAN: I think the hon. member will have every opportunity to speak and will have every courtesy extended to him from me when he does so. In the meantime I think he might remain silent.

Hon. W. D. Johnson: I thought you might explain yourself.

Mr. SPEAKER: Order!

Hon. N. KEENAN: Lord Acton wrote—

> A real and strong second Chamber is a *sine qua non* of efficient legislation and government.

I am sorry. That was not Lord Acton's statement. It appeared in an article by Frederick Harrison, another well-known commentator on Constitutions and it was written in 1910.

Mr. J. Hegney: A lot of second Chambers have gone overboard since then.

Mr. SPEAKER: Order! I must ask members to keep order.

Hon. N. KEENAN: I suppose I may assume that everyone has at some time or other heard of Sydney Webb. He was the most advanced thinker on the Left Wing side in the Victorian, Edwardian and Early Georgian reigns. In 1917 he said—

> There is good ground for the establishment of a second Chamber in our Parliamentary system preferably in the form of the Norwegian second Chamber where the Parliament called the Storthing consists of two Chambers, one the Odelsthing which initiates legislation and a second Lagthing which revises such legislation and suggests what amendment should be made in it.

I suppose, too, I may ask the House to accept my statement that Lord Roseberry was a distinguished Liberal and Prime Minister of England at the head of the Liberal Party. He said—

> There are two exceptions to the general protest of all civilised communities against being governed by a single Chamber.

I shall refer lastly—for I have no right to ask the House to tolerate too many extracts—to a statement made by Sir Henry Maine a distinguished historian. He said—

> We do not look to a second Chamber for infallibility.

But apparently the member for Pilbara does. He considers that if it is not infallible it should be wiped out of existence. But Sir Henry Maine said that we do not look to a second Chamber for infallibility but for additional security and he added—

> It is hardly too much to say that in this view almost any second Chamber is better than none.

I have laid before the House—and I am afraid I may have taxed the patience of members—a short but nevertheless rather voluminous selection from men of the highest eminence in the British world on this very subject, which goes to the kernel of the issue we are determining here today. I now propose to refer to the lesson of history. First of all I would like to recall, because it is sometimes completely forgotten, that the Athenian democracy, which existed 500 years before the coming of Christ, was the highest and the most deserving of credit. It still stands as an example of the purest, cleanest and most effective democracy. Although it existed in ancient days so that the past has, to some extent, swallowed its glories, it is only right that we should remember it. In "Aristotle's Athenian Constitution"—Aristotle, a man living in those days, was a philosopher as well as a great writer—the author points out the long conflict between the people and in the first instance, the chieftains and afterwards the kings, and that they reached the point where their democratic system was so complete that the whole of the power rested in the whole of the people. That was brought about in this manner: All the people met on a mound known as the Pnyx, which was a big hill within the walls of Athens. There they were obliged, by law, to meet 40 times in each year. Apparently it was well known that a large number would take an interest in the proceedings because the quorum fixed was 6,000. That assembly was known as the Ecclesia which is a Greek name for "the assembled." It is important to note that in this mother of democracies everyone of age—and there too the age was, as far as one knows, about what it is with us, namely 21 years—took part.

The Minister for Justice: That was a pure democracy.

Hon. N. KEENAN: I have said so.

The Minister for Justice: Yes, I have read all about it.

Hon. N. KEENAN: In this pure democracy no business could be initiated by the Ecclesia. It could only deal with such matters as had passed the preliminary examination by the council of 500, called the Boule. That, again, is a mere name in Greek. So there was a bicameral system although it worked somewhat on the reverse plan to what we have in our mind because the Boule first passed a measure and then it was dealt with by the Ecclesia.

Hon. J. C. Willcock: By the majority.

Hon. N. KEENAN: But the majority could not initiate anything. So I am entitled to claim it as a conclusive example of a bicameral system. It would be possible, if time permitted, for me to recall the forms of either wholly democratic or quasi-democratic communities which existed in those far off days; in particlar, the Republic of Rome. In that case the Government was entrusted not to one consul but to two, a point which John Stuart Mill said was of great importance. Both of these consuls, I have to admit, were elected only by the Senate, to whom they were responsible. In addition to the two consuls, who were answerable to the Senate and who reported to the Senate, there were two tribunes who were elected by the mass of the people, and whose power and authority were indefinite but almost equal to that of the consuls; in fact, the difference was so slight that it might be said to have been greater in some respects.

The Minister for Agriculture: Were there not three tribunes?

Hon. N. KEENAN: I took my notes from John Stuart Mill. Apparently he made a mistake. By the means I have put before the Chamber the dangers to which I have referred of a single Chamber or authority having exclusive and final authority, and abusing it by reason of having that exclusive right, were, in a large measure, avoided but not quite because the position was not sufficiently defined. So it was, in process of time, undermined and the result of that undermining led to the decline and fall of Rome. I would like to turn for a little while to consideration of what is of more interest to us, and which has been dealt with by the member for Pilbara in his speech—I refer to the history of our own British Parliament of which we are humble imitators and, I might almost say, humble servants. The British Constitution, as we all know, is not a written one in this sense that it has never been reduced to any form of writing. Therefore it has developed a flexibility of a colossal character and has adapted itself, in all ages and phases of the British Empire, to the circumstances of the day. Therefore it is extremely difficult to define.

I pass over the primitive political units of the Anglo-Saxon days which consisted, more or less, of legendary assemblies, until I come to the year 1213 when King John, being in the position of wanting funds—a chronic condition of kings—sent a writ to the sheriffs of the counties asking every county—and this is preserved to-day in the British Constitution because there it will be found there are still the old county elections as distinct from the boroughs and the towns—for four knights four burghers and a reeve, who was a kind of sheriff, from a number—21—of named towns. These people were to consult with the King for the purpose of ways and means. How often do we hear that expression used in this chamber, and how little do we recognise that it has come down through all the ages! It is a curious expression and has all that historical background. Members also know that in 1215, two years later, the barons compelled the King to accept what is called the Magna Carta. That has always had a place in the history of England, and in our own schools and universities, very much above what it deserves, because it was merely a baronial document and did not in the slightest degree contribute to any progress in what might be called national representation.

Hon. J. C. Willcock: It did curtail the right of the king to get money.

Hon. N. KEENAN: It did, but it was a baronial document and certainly protected the baronial class from any imposition of that character. It is by no means certain when the first Parliament, or what might properly be described as a Parliament, assembled. The member for Pilbara said it was the Parliament of Simon de Montefort, but there is considerable doubt as to that,

because there is no record of how that Parliament was composed. Simon de Montefort's Parliament would have been in the year 1263, but it is known and on record beyond doubt that in 1267 a Parliament did assemble at Windsor, which consisted of the number of 18 barons, a larger number —not recorded—of clergy, and two knights from each shire and two citizens from each of 21 nominated towns. That is the first Parliament in which the three estates, so often mentioned, appeared. They are the estates of the realm, the baronage and the clergy.

The member for Pilbara is correct in reminding this House—he deserves great credit for the research he made into the matter—that the barons and clergy at about the beginning of the 14th century joined hands and assembled together in one chamber while, on the other hand, the knights and burghers joined hands and assembled in another chamber, and those two chambers for the first time then became known as the Lords and the Commons. That evolution was purely fortuitous; there was no design in it. It came about, in the extraordinary way of which I have reminded the House, that the whole of the British Constitution came into existence. Just then there was a demand for two Houses and the two Houses were formed on the basis of the clergy joining hands with the barons and the knights joining hands with the burghers. That device was perpetuated and there is no doubt that it was perpetuated for good reasons, for it was recognised that it created a greater stability than one single chamber had any prospect of attaining. By reason of that stability, the British Constitution has continued down through the ages until modern days, with which we are all so well acquainted. It is well illustrated by what happened to foreign Parliaments, because the British Parliament is often spoken of as the Mother of Parliaments. There is no such thing as the Mother of Parliaments.

Over a century before any British Parliament existed, there was a Parliament in Spain, known as the Cortes of Aragon. There was a Parliament in France—at one time more Parliaments than one—known as States General, but in both instances they remained single chambers, and in both instances the Crown was able to corrupt them, because they were only single chambers, an both perished.

Hon. J. C. Willcock: So did some of th kings.

Mr. Cross: I thought this Bill was for referendum.

Mr. Mann: It is beyond your intelligenc at all events.

Hon. N. KEENAN: I think I am entitle to show the danger of having a Constitutio consisting of one chamber. I hope th member for Canning will do me the honou of allowing me to address my remarks t his mind. After the deposition of Charl I., and his execution, the House of Commor was then largely dominated by Puritans the head of whom was Oliver Cromwell. O the 10th March, 1649, the House of Com mons passed an Act to abolish the House c Lords and establish a single-chamber Pa liament. I present that fact to the Minist for his use on some other exclusive occasio

The Minister for Justice: I have read c that.

Hon. N. KEENAN: Let me now remin the Minister that eight years later, the sam Oliver Cromwell addressed the Parliamer and advised it to revise and create a secon chamber, which it did unanimously.

Hon. J. C. Willcock: Cromwell was the within a year or two of his death, and w very senile.

Hon. N. KEENAN: It was a long tim before his death.

Hon. J. C. Willcock: Only three or fou years.

Hon. N. KEENAN: I am afraid th member for Geraldton should go to scho again. I am speaking of 1657.

Hon. J. C. Willcock: He died in 1659.

Hon. N. KEENAN: He said—I endor every word of it and say it is entirely i accord with the authorities I have cite here tonight—to the Commons—

> I tell you, unless you have some such thin (as a second chamber) as a balance, you cann be safe.

And thereupon, taking the advice of a ma who knew, they unanimously restored th second Chamber. I am endeavouring to pu the matter exactly as it happened, witho colouring it one way or the other. I mu

remind the House that the second chamber that was so revived was, by the action of the Republican Chancellor Thurloe, limited to the peers who had not taken part in the war against the Parliament, and so the system of hereditary succession was for the time being put on one side.

Mr. Cross: They put their own supporters in.

Hon. N. KEENAN: The point to be noted is the necessity for a second chamber to control the abuse of power by a single chamber possessing sole authority. Such is the British experience of the abolition of a second chamber. The attempt to govern by one chamber of Parliament is, so far as my reading and knowledge go, invariably a child of revolution. Invariably it is the idea of a revolutionary party. Thus, in the case of the French Revolution of 1789, when a chamber was appointed—the constituent chamber, as it was called—for the purpose of making a constitution for the new France, that constituent chamber strongly advised that the new constitution for France should have two chambers, but the revolutionary element in the constituent chamber defeated that and brought in a constitution consisting of one chamber. That lasted only for two years and on the 3rd Fructidor, 1791, which is the revolutionary name for July, the new constitution was brought into existence with two chambers, one of which was known as the Conseil of Cinq Cents and the other the Conseil des Anciens.

The point is that it became impossible to carry on government successfully with a chamber that was omnipotent and without restraint, and therefore able and ready at times to do things that were hopelessly dangerous to the nation at large. Then again in 1848 there was another French Republic brought into existence and it started on its career with a single chamber, but in 1852, just four years later, it was obliged to create a second chamber. That state of affairs continued right up to 1940 when the Germans entered France and destroyed the French Government.

Now let me recall what happened when the Germans were driven out. Unfortunately the Communists had a very large representation in the Constituent Chamber, which was charged with the responsibility of drawing up the new Constitution, a representation, far beyond what their numbers warranted. However, as they had taken a prominent part in what is known as the resistance movement, they took care to have a large representation so that when the question arose in that Constituent Assembly as to what form the future government of France should take, they would have a dominant voice in the matter. The result was that, because of the Communist vote, by a majority of 29, it was determined that the Constitution should provide for only one Chamber.

When we remember, and know, that the Communist Party representation in that Constituent Assembly was far and away above 100, we can appreciate how entirely it was by their vote that a much larger majority of the people who were in favour of an upper chamber were defeated. When the Constitution they framed was submitted to the French people, by a majority of over 1,000,000 they rejected the proposal that there should be only one chamber and today there are again two chambers in France. I do not want to trace at great length the historical aspect of this matter, but I should be entitled to draw attention to the fact that even in the home of the revolutionary world —I refer to Russia—if we can imagine that their Constitution is anything but a sham, which, of course, it is—

Hon. J. C. Willcock: Then do not refer to it if it is only a sham!

Hon. N. KEENAN: Even though it be a sham Russia has two Houses.

Mr. Cross: But everyone has a vote for both chambers. Do not forget that.

Mr. Mann: Comrade!

Hon. N. KEENAN: Even in their own home country, the Russian Communists took the precaution to provide the measure of safety, which is the result of having a second chamber. Throughout the whole history of the world that is the story regarding the second chamber. I do not wish to impose on members' patience, so I shall not continue at much greater length. However, I emphasise that throughout the whole of history there is, in respect of this question, only one lesson to be learnt, and that is without a second chamber there is no stability. When any attempt was made to govern without a second chamber, in order to obtain stability, the second chamber had to be revived.

Now I shall say a few words on the other issue to be laid before the electors. That issue was described by the member for Pilbara, truly and properly, as the matter of the franchise. If another place is elected on exactly the same franchise as this chamber—that is to say, on the manhood franchise—I should like to know by what right could this chamber then say that it had the sole right to determine what party should govern, that it was the one House that could determine what taxation was to be imposed. By what right could this chamber then claim to be the one House to determine annually the revenue and expenditure for the State? If the Legislative Council had exactly the same authority, what right would this House have to say, "We are the parties interested with this or that matter —not the other place?"

Mr. J. Hegney: The people could reconcile those rights. It is the people who make the Parliament.

Hon. N. KEENAN: Perhaps if the member for Middle Swan will listen for a moment, I will amplify my statement and make my point clear.

Mr. J. Hegney: I am sorry.

Hon. N. KEENAN: This House only enjoys its tremendous rights and stupendous privileges—for what reason? Because members here are closer to the people; we are more in touch with the people; we are the representatives of the people to a much higher degree.

Mr. J. Hegney: Too right!

Hon. N. KEENAN: But that position applies only because of the restricted franchise upon which another place is elected. If we alter that positon we shall have thrown away any right this Chamber has to occupy the position it is in today.

Hon. W. D. Johnson: That is so.

Hon. N. KEENAN: I am as certain of that as it is possible to be certain about anything I could speak about.

Mr. Mann: That is so.

Hon. N. KEENAN: Since I have been in political life, I have always advocated the liberalising of the franchise for the Legislative Council, and the Minister for Justice was good enough to refer to one effort of mine in that direction 40 years ago.

The Minister for Justice: That is correct.

Hon. N. KEENAN: I remain of the same opinion today, but that is not to say that I approve of the chaotic position that must arise with respect to the two Chambers if they possess exactly the same mandate, in which case one could not be subservient to the other. The position would be impossible. If adopted it would provide ground for revolt and chaos.

I propose now to say a few words about the Federal Senate. That House is in no sense a second Chamber. It was never intended to be a second Chamber. It was set up as a States House, pure and simple.

Hon J. C. Willcock: It was supposed to be.

Hon N. KEENAN: It is not elected on the same franchise as the House of Representatives. The fact is that an elector in Tasmania who votes for the Senate has eight times the electoral strength and value of an elector in New South Wales who votes for the Senate. When it comes to the House of Representatives, the elector in Tasmania, which I take for the sake of illustration, has very slightly more electoral privileges than the corresponding elector in New South Wales. Thus neither on the question of the franchise nor on the question of the Constitution is there any comparison. Although I am in favour of liberalising the franchise of the Upper House to a very great extent, if my particular wishes were complied with I would never dream of placing that House in the position of being able to say to the Legislative Assembly members, "We possess the same mandate as you do. We are going to assert our right to govern this State as much as you do. We will put in power the Government that we want, and we will impose the taxation we deem fit." In those circumstances, the two Houses would clash at every point when any claim for privilege was put forward.

Hon. W. D. Johnson: Then it is a case of abolition or nothing!

Hon N. KEENAN: I have spoken at greater length than I intended. Unfortunately, some members interjected and I followed them up. In this matter, the most disappointing feature is that the Bill is not attempting to deal with what is really the crucial point—the necessity to resolve

the difficulties between the two Houses. No matter what happens or what kind of House we create, there will be differences between the Houses. This proposal contains nothing at all that will lead to the adjustment of those differences when they arise. That is the matter to which we should address our minds and not a matter of this sort, which has no practical value and is opposed to all the lessons of history and all the teachings of the best of mankind.

On motion by Mr. Cross, debate adjourned.

BILL—MILK.

Second Reading.

Debate resumed from the 14th August.

MR. McLARTY (Murray-Wellington) [8.51]: I support the second reading as I did the Bill of last session. I am glad that the Minister has brought it down early in the session. Last year it was introduced at a very late stage and as a result did not get through the Legislative Council. Apart from the opportunity that members have had to gain a knowledge of this legislation since last year, there have been numerous newspaper articles, letters to the papers and meetings, as well as interviews with various parties interested, so that there can be no reason for any member not appreciating the importance of this Bill.

The Minister proposes to make this legislation permanent, and I feel sure that Parliament will agree. He informed us that the board had been in existence for about 13 years and that, as a result of its work, there had been an improvement in the quality of milk supplied to the metropolitan area, while the position of the producers had certainly been improved. It is necessary that the board be given permanency in order that it may still more effectively guard the interests of the consuming public, the producer, and in fact all sections of the industry. Amongst the members of the board have been some very eminent men. When the board was formed, one of the members was the late John Curtin, late Prime Minister of Australia. Obviously the Government of the day attached considerable importance to the board when it appointed a gentleman of the calibre of Mr. Curtin as a member.

Mr. Abbott: Was not a dairyman fined the other day for selling bad milk?

Mr. McLARTY: The Hon. F. E. Gibson, M.L.C., was a member of the first board and later Mr. T. G. Davies was appointed. Amongst the members have also been some prominent men from the producing side. So all parties have realised the importance of the board and tried to secure the most suitable men as members.

Milk Bills have been brought before Parliament on seven previous occasions. Much discussion has taken place on each measure and there has also been much discussion of the subject during the Address-in-reply and other debates. That the measure should have State-wide application is only right; I have not heard from any quarter any opposition to that proposal. As the Minister told the House last session, it is just as important that the people outside the metropolitan area should have a good, wholesome milk supply as it is for those within the metropolitan area. Another advantage of giving the measure State-wide application is that the board will be enabled to exercise better control over milk generally.

I suppose members read the report of the departmental committee that appeared in yesterday's newspaper. I have heard a good deal of comment on it. Those officers consisted of Dr. A. N. Kingsbury, bacteriologist at the Health Department, Mr. A. McKenzie-Clark, Chief Inspector of Stock, Mr. W. E. Stannard, Chairman of the Metropolitan Milk Board, and Mr. M. Cullity, Superintendent of Dairying. I admit that the report does not make pleasant reading, but I wish to emphasise one paragraph, which states that there is no indication that the present milk supply is causing epidemics of disease amongst humans. I think it important that attention be drawn to that paragraph. The public should also understand that the board is exerting all possible efforts to ensure a supply of clean, wholesome milk. We do not want it to be thought by the public at large that the matter of the milk supply is being treated lightly and that really nothing is being done. The contrary is the case.

The report makes reference to several diseases that affect human beings—tuberculosis, contagious abortion which is said to cause undulant fever in humans, actinomycosis, and mastitis which we are told is responsible for sore throats and certain forms of enteritis. A close watch is being kept by

the board over all classes of milk. Samples of milk are frequently taken by the board's inspectors. Where mastitis is revealed, the dairyman is informed and is instructed what to do. When milk is found to be infected with the contagious streptococci of mastitis, the dairyman is instructed not to include that milk for human consumption. Provision is made in the Bill to deal with actinomycosis. This is a type of tuberculosis that affects the jaw of the beast, causing lumpy jaw, but often a beast suffering from this disease is not otherwise affected.

The Bill provides for the establishment of a compensation fund. I find that the sum which was contributed to that fund by vendors and dairymen up to the 30th June, 1946, amounted to approximately £34,887. The vendors' fund stood, at the 30th June, 1946, at £20,338 and the dairymen's fund at £14,549. Under the Bill, this money will go into a compensation fund which is to be created to provide compensation for dairymen whose stock are condemned and destroyed on account of disease. The Bill also provides for the contribution of a maximum amount of a farthing per gallon by both producers and vendors. At present it is estimated that about 7,000,000 gallons of milk per annum are consumed in the metropolitan area. Assuming that the maximum amount of one farthing is collected on all of this milk, it will yield an amount of between £14,000 and £15,000 per annum. The Bill also provides that the Treasurer shall contribute a like amount. Therefore, the total contributions from these sources will amount to about £30,000 in one year, so that at the end of 12 months, if we add together all these funds which go to the compensation fund, we will have an amount of £65,000. But this Bill will apply to the whole State and consequently the amount will be considerably over £65,000.

Let us have a look at the compensation side. If we paid the maximum amount of compensation laid down in the Bill, namely, £20 per head for each animal destroyed, we could pay with the money we would have in hand at the end of 12 months—again assuming that the maximum amount was paid for compensation—for a total of 3,250 cows destroyed. A good deal of the money would go back into the compensation fund, so actually we would have a larger sum than the amount I stated. This should assure the public that finance will not be lacking to cope with cattle diseases, especially T.B., although other diseases can be brought under the Bill should it be so desired. I mention these figures to give members an idea of the amount that would or might be available in order to combat cattle diseases. I have ascertained that in 1935, 4,400,000 gallons of milk were consumed in the metropolitan area; at present the quantity is about 7,000,000 gallons per annum. I am wondering whether those who contend that milk is spreading so much disease would contend today that there is twice as much disease. Has there been an increase in disease corresponding to the increased consumption of milk? I very much doubt it.

I come from a dairying district which supplies the greater part of the wholemilk to the metropolitan area. There are some very large schools in the district and I see the children frequently. I presume the children consume more milk than do the children in any other part of the State and yet I doubt whether a healthier lot of children could be found anywhere. Certain diseases which may be caused by milk have been mentioned by the departmental committee, but those diseases are very rare in humans in the district to which I refer. If we have not got those diseases in the actual dairying districts, I fail to see why milk should be the cause of disease in the metropolitan area. It may be said that dairying in the farming areas is carried on under more hygienic and better conditions than it is in the metropolitan area.

Mr. Read: Oh! What a pity!

Mr. McLARTY: I suggest to my friend from Victoria Park, who interjected in his wrong seat, that he would have a slight knowledge of dairying conditions in the agricultural districts, but he might have a much more intimate knowledge of the conditions in the metropolitan area. Anyhow, I favour protecting the health of the public as far as possible and do not want to do anything which would deprive the public of that protection. I presume that when a certain sum of money has been credited to the compensation fund the Minister will not want to collect the full contributions, if he decides it is necessary to levy the full amount in the early stages. Unquestionably, most of the money required will be

collected in the early stages; but I feel quite confident that as time goes on the claims for compensation will become less and less.

The Bill contains some alterations. When introducing it, the Minister spoke at great length on the merits and demerits of pasteurisation. I do not propose to discuss the Bill from that angle at all. I feel it is more a matter for experts and technical men generally; but I believe that unless we improve the milk supply, and do it rapidly, thus creating confidence in the public, it will be exceedingly hard for any Government to stand up against the demand for pasteurisation. I also believe that with the provisions contained in this Bill we will reach the happy stage of having a better milk supply sooner than a great many people expect.

As I said, there are some alterations in the Bill. The Minister did not refer to some of them. Last session's Bill included reference to milk used for manufacturing purposes. This Bill still includes such milk, but exemption can be obtained from the Milk Board. I notice there is a safeguard with reference to the illicit use of wholemilk. Manufacturers have to apply to the board for a certificate of exemption from the Act and the board can issue a certificate and impose conditions under which it is issued. If a manufacturer fails to comply with or observe any of the conditions, the certificate may be revoked by the board, and this is in the board's absolute discretion. Returns have to be supplied and the board has the right to inspect premises and books. That is certainly a safeguard as it means that this milk will have to be used for manufacturing purposes only, and I do not think it is likely to get on to the wholemilk market.

The Bill also provides that a person who is using the milk as wholemilk and for manufacturing purposes as well is not exempt from the Act, and that is a wise provision. Another new provision deals with storage of milk. This will assist the board. Under it, milk can be stored only in licensed premises. I think it is necessary that the board should know where all milk is stored in Perth. It is in the interests of good health for the board to know this. Under the present Act, milk can be stored anywhere. I am glad the Minister has made an alteration in the Bill, and I hope he is not going to be persuaded by the eloquence of the member for Perth to make a further alteration in the Committee stage.

Under this Bill, the Milk Board can issue licenses under its own authority. Previously, it had to get a certificate from the local authority. Power is not taken from the local authority to carry out inspections in regard to health. That power is still preserved to it. I strongly advocated this last session. I pointed out to the Minister that these dairying districts extend over a wide area. The secretary of a road board is usually the health inspector. He is a very busy man and it is not easy for him to make inspections; and as a result, the producer concerned, who is waiting for his license, and also the Milk Board, are put to considerable inconvenience. I certainly think this provision is a very wise one.

The Minister for Agriculture: I yielded to your very persuasive manner.

Mr. McLARTY: I hope the Minister will yield to a few more of my suggestions. I notice something else that is new. The Commissioner of Health can instruct the board to do certain things. Last session I said I did not think it was in our best interests to have three different controls—the Milk Board, the Agricultural Department and the Health Department. I hope members will bear in mind that most of the inspectors employed by the Milk Board have health certificates. Those, who have not, have had considerable experience with regard to the wholemilk industry, and their activities are very closely watched by the Milk Board. We have practical men on that board. We have consumers' representatives, who are alive to the serious complaints regarding health. When we come to the Committee stage, I propose to offer a certain amendment regarding this provision which gives the Commissioner of Health power to instruct. He can request, but I do not think there is any necessity to give him power to instruct. It is possible that a health inspector may go to a dairy and find something wrong just on that particular day. The man, to all intents and purposes, may be a really good producer, but this one action would condemn him, and the board would have no say in the matter at all. The Commissioner of Health would say, "You are not to take his milk; wipe him out."

The Minister for Justice: He has power under the Health Act that supersedes this.

Mr. McLARTY: He has very wide powers under the Health Act; but I want, if possible, to get the Minister to agree to let the board deal with these people and not have them instructed by the Commissioner of Health. I do not think there is any need for that to be done; and I think the Minister himself has sufficient confidence in the board to know that it would carry out the health requirements and would be very alert to the need for milk being produced under the most hygienic conditions. Surplus milk has always been widely discussed ever since the board came into being. There have been all sorts of ways of getting rid of this surplus milk. I can remember that at one time a lot of milk used to be bought which was called ship's milk. It was milk supplied to ships in Fremantle Harbour. It was bought at a cheaper rate than milk sent to the metropolitan area. We amended the Act in that connection. Then there was the Kalgoorlie milk. Fortunately, the board will now be able to control that under the State-wide application of the proposed measure. Cheap milk was bought and sent to Kalgoorlie.

Mr. Doney: When you say cheap milk, do you refer to its low quality?

Mr. McLARTY: No; it was milk sold at a lower price than that fixed by the board.

Mr. Abbott: At prices better than were obtained for butter-fat.

Mr. McLARTY: The hon. member wants to lead me off the track, and to induce me to discuss the respective merits of the butter-fat producer and the milk producer. I notice there is an amendment on the subject, so we will leave the discussion on that to the Committee stage. I want to ask the Minister a question. I do not expect him to answer it now.

Mr. SPEAKER: No, not now!

Mr. McLARTY: No, sir. I want to ask him: Why is there need for this surplus milk? The Act is to be given State-wide application, and I fail to see why any provision should be made for surplus milk. I know that some producers are offenders in this direction. A producer may have a quota of 30 gallons. A truck comes to pick up his milk and he finds that he has 35 gallons. He does not want to be bothered separating it, but wants to get rid of it, so he is prepared to let it go in at the cheaper rate. That tends to undercut the price.

Hon. W. D. Johnson: This Bill will not stop that, will it?

Mr. McLARTY: I think that if the Minister would agree to my suggestion to delete from the Bill reference to surplus milk, it would go a long way towards doing so. When we come to the Committee stage, I will give further reasons why the definition of surplus milk should be deleted from this Bill. Furthermore, I will put something in its place. I do not know whether you, Mr. Speaker, will allow me to refer to it now.

Mr. SPEAKER: Yes, so long as the hon. member does not mention the clause.

Mr. McLARTY: I will not mention clauses. I propose to put in these words—

> Any milk supplied over and above the maximum daily quantity shall be deemed accommodation milk and paid for as such.

If the Minister will accept that it will do away with the need to provide for surplus milk in the Act. There are one or two other amendments that I propose to move. One refers to the method by which the election of the producers' representatives shall be made. I have an amendment on the notice paper dealing with that point. When the Minister introduced the Bill last season I asked him how he would define the boundaries for the election of the producers' representatives. This Bill, as did the previous one, provides that there shall be two zones. I do not think we want two zones. I admit that when the first measure was introduced into Parliament I was mainly responsible for the creation of two zones, because at that time there were two different classes. There were the producers in the metropolitan area and those outside. But times have changed and the greater number of the metropolitan producers have gone out into the agricultural areas. I think the figures at present show that there are 99 producers in the metropolitan area—the No. 1 area—and 235 outside.

Hon. W. D. Johnson: That is 99 too many.

Mr. McLARTY: When this Bill was first introduced into Parliament there was, I think, a slight majority in the metropolitan area. I do not know how the Minister can

define these two zones. The Bill has State-wide application, and I suggest to him that he will make things easier for himself if he accepts my amendment and permits the whole of the producers to elect the two representatives for the whole area

Mr. Needham: A State-wide election?

Mr. McLARTY: Yes. The only other amendment I have is to provide that the producers' representatives shall be producers. That is necessary. It is essential that we should have this milk board. There will be chaos in the whole of the milk industry if we do not have a board, and I conclude my speech as I commenced by saying that this board has undoubtedly been in the interests of all sections of the community. If we are to have a pure milk supply we must have the board. It is necessary too that a veterinary officer be employed by the board. We will not wipe out the disease without one. I notice in the report of the Reorganisation Commission for Milk—this is a British report issued under the authority of the Minister for Agriculture and Fisheries—the need for a veterinary officer to carry out inspections of stock is stressed. If such inspections are carried out they will have a great effect upon reducing disease. The report deals with a whole-time veterinary service and states—

> On the subject of cost, we have been informed that, on an average, one wholetime officer may be expected to examine 10,000 cows three times in 12 months.

That should indicate just what one veterinary officer could do if he were attached to the Milk Board. I hope that one will be employed by the board at the earliest opportunity. I support the second reading.

MR. HILL (Albany) [9.26]: I support the second reading for two reasons. One is that I have had definite instructions from a municipality which I represent strongly to support the Bill. The Albany Municipality is not only anxious to see the Bill passed but to see it applied to its district. I also support it because I feel it is my duty to do so. It is freely recognised that milk is a good medium for carrying and spreading disease. Some years ago troops and sailors in the Mediterranean were seriously handicapped and suffered considerable illness through Malta fever. It was found that this fever was caused by the troops drinking goats' milk. Orders were immediately issued that no goats' milk was to be drunk by the troops. The result was that Malta fever ceased. We cannot adopt a similar method with the milk supply of this State, but we should tackle it by other means, and the Bill is a serious attempt to deal with the problems associated with milk. We should aim, first of all, at getting clean milk from the cow and then getting the milk from the cow to the consumer in a satisfactory condition.

I am not going through the Bill as did the member for Murray-Wellington, but I would like to give the House a couple of my personal experiences. One milking cow that I had I finally decided to butcher. The cow was in poor condition and I put her on to good feed and she rapidly responded. When in first-class condition I took her into the slaughterhouse and, as the butcher put his knife into her, he said, "My word this is a lovely bit of beef." I left the slaughterhouse then and when I got home I found waiting for me a telephone message which said that the cow was one mass of T.B. and the whole carcase was condemned. A few years later I had another cow that became very poor, and I destroyed it. I discussed the symptoms with our veterinary officer, and he thought it was T.B.

I had another of my cows—a fine Guernsey—tested by a Government veterinary officer, and she responded to the tuberculin test. I had the beast slaughtered and the carcase was sold as beef. I point out that because a cow responds to the tuberculin test it does not mean that she is unfit for consumption, although it may mean that the milk, to a certain extent, is dangerous. The veterinary officer told me on one occasion that a cow that responded to the test was slaughtered, and when they made a careful examination of the carcase they could find no trace of T.B. Finally the veterinary officer decided to examine a gland in a rather out-of-the-way spot. That gland was investigated and was found to have the T.B. which caused the response to the test.

By testing the cows throughout the State I am sure we would do good work and go a long way towards stamping out T.B. in our dairy herds, which would be of great benefit to

Western Australia. I am reminded of an epidemic of typhoid fever in Albany many years ago, when many young people were affected. The authorities set to work to trace the source of the infection. There had been a church bazaar, at which icecream was sold, and it was eventually discovered that water from a tank attached to the church building had caused the epidemic. Under this legislation it will be necessary to have a proper staff of veterinary officers to do the testing.

Mr. Seward: Where are you going to get them?

Mr. HILL: That is no argument against the passing of this Bill. I trust the Bill will pass this House because it gives the Government and the board a definite means of providing pure milk for our consumers.

MR. SEWARD (Pingelly) [9.32]: It is not my intention to take up much time on this Bill, but I am disappointed to learn that the Government does not intend to make pasteurisation compulsory. During his speech I asked the Minister if he could estimate what would be the cost of fitting up a pasteurisation plant, and he said it would be very costly. He also said that it would take not less than two years. We have heard in recent years—particularly from the other side of the House, though I do not subscribe to it—that because we can find money for war there should be no reason why we cannot get money for peace. When the health of the community is at stake there is no reason why we should consider expense. The fact that it would take two years to instal the plant does not carry any weight.

I can imagine the kind of reception one would have received in wartime if one had said that we could not get some vital weapon because it would take two years. I think the health of the community is more important than the question of either cost or time. If pasteurisation is necessary to ensure the health of the community, neither expense nor time should stand in its way. I am not in a position to discuss the matter from a technical point of view, but the other morning when walking along St. George's-terrace I saw a man carrying some bottles of milk. I saw a motor lorry, but if he had not come from it with the bottles of milk I would have thought, from its condition, that it was the dustman's waggon. I heard the member for Murray-Wellington say that some board is exercising control over the distribution of milk, and I think that that board should look at some of the vehicles in which milk is being distributed.

I can well remember the bringing forward in this House about 12 years ago of a report on the state of some herds —in the hands of Government agents in the South-West—that were badly infected with contagious abortion. We still have that disease in our herds and we saw the report in the papers only recently. I am firmly convinced that nothing will alter this state of affairs until we have compulsion to force somebody to take action. I have not a copy of the civil list of this State by me but I have the South Australian civil list here. When one turns to the section dealing with agriculture and dairying one sees, among the list of officers, a Director of Agriculture at £1,272, a Chief Agricultural Adviser at £822, a Chief Dairy Instructor at £722, a senior dairy adviser at £522 and four at £472 per annum, and another assistant dairy adviser at £372. There are two pages here of the officers of the Department of Agriculture. I would like to see our civil list, and compare the two. It is no use our saying we cannot get veterinary officers, because nothing is done in this State to encourage them.

As long as I have been in this House I have advocated training in veterinary work at Narrogin and Muresk, so that veterinary officers could conduct their investigations before the classes. If that were done some of the students would be encouraged to take up veterinary science. We have advertised in some of the Eastern States for veterinary surgeons at salaries that lumpers would not accept. As long as that kind of thing goes on we will accomplish nothing. The only thing that will effect an improvement in our milk supply will be the advocacy of some system of pasteurisation that will improve the quality of the milk. In his statement the Minister said that pasteurisation would kill all the germs, both beneficial and otherwise. At all events it will kill them, but at present we get both the beneficial germs and those that are injurious. The Minister said that our system of pasteurisation is not effective or efficient, and I agree with him. Why tolerate a system that is not efficient and

imagine that we are getting pure milk? If the system is not efficient it is not pasteurisation.

The health of the community is of more consequence to us than the mere consideration of the cost that this service might entail. I was pleased, but amused, at the illustration the Minister gave about Whyalla. I was amused because one is constantly reading complaints and abuse from many people in the Eastern States about this terrible thing the B.H.P., but whenever we wish to quote efficiency we fly to the B.H.P. The mere fact that that company has not adopted pasteurisation at Whyalla cannot be taken as proof that it is not necessary in larger communities. I regard Whyalla more as a family concern, as it were, because the whole town belongs to the B.H.P. and it is obviously in the best interests of that company to preserve its employees in the best possible state of health.

Mr. Abbott: Have they not a high standard, with a wind tunnel in which all the flies are blown away?

Mr. SEWARD: If I am permitted to go on I will inform the hon. member that the B.H.P., having a high regard for the health of its employees, has taken the milk supply into its own hands and has enforced proper conditions. Its herds are tested and are free from T.B., the whole thing being rigidly controlled. One does not find any such system in connection with our milk supply. Certainly I have not noticed any such indication. If that were not so, we would not have our cows, on being tested, reacting to the T.B. test as we have recently experienced. We cannot say that because the B.H.P. has not adopted the pasteurisation method at Whyalla it is not necessary to adopt the system elsewhere. As I mentioned previously, that company is interested in safeguarding the health of its employees by ensuring a supply of clean, wholesome milk; we cannot possibly say that we get a supply of that description here. I hope that before the Bill is finally passed pasteurisation will be made compulsory.

The only other matter I wish to refer to concerns the composition of the board. When we are dealing with the Bill in Committee I may move an amendment to the effect that the man to be appointed as chairman of the board shall not be a civil servant. We can recall most unfortunate experiences with regard to boards in the Eastern States—I do not refer to our experience in Western Australia—where civil servants have been connected with them. I assert that civil servants ought to have their time fully occupied by the functions of their respective offices, otherwise those positions cannot be regarded as of sufficient importance.

Mr. McLarty: In this instance it is a full-time job.

Mr. SEWARD: I know, but I do not want a civil servant who already has one position to fill to be appointed as chairman of the board. I think the man selected for that position should be an outsider, one with practical experience.

Mr. McLarty: The present occupant of the chairmanship gives the whole of his time to the work.

Mr. SEWARD: I do not say that he does not, but my point is that I do not want the chairman to be a civil servant. In saying that, I do not desire to reflect in any way upon our civil servants. We have many highly qualified and skilled officers in the Civil Service, but in this instance the position of chairman calls for the appointment of a practical man from outside who would give his full time to the work.

Mr. McLarty: The present chairman does that.

Mr. SEWARD: I am not talking about the present board but about the board that is to be set up. I trust that, particularly in view of the report that was published in yesterday's issue of "The West Australian" and moreover because of the fact that the unsatisfactory position regarding our cattle has continued over the past 12 or 13 years or even longer—in this respect we do not seem to have made any progress at all, but rather to have retrogressed—we should take the matter in hand and pay our veterinary surgeons and officers of the Agricultural Department much higher salaries. At present they are not receiving remuneration anything like that which they should receive. If I were to compare the salaries paid here with those operating in South Australia and elsewhere, I could easily prove that point.

We should increase the number of veterinary surgeons available here and I do not say that we should necessarily import them. Rather should we encourage the rising generation to engage in veterinary science and draw our supply from that source. Until something like that is done I do not think we will register any marked improvement in our dairy herds or in our stock generally. Certainly no improvement has been made during the past 12 or 13 years. In my opinion the only thing to do is to adopt pasteurisation, at any rate until we have improved the health of our herds so as to ensure that the best possible milk supply is provided for our people. I do not know sufficient about the matter to say definitely whether pasteurisation is completely effective. As the Minister pointed out the other night, doctors look upon it from one point of view while others regard it from another angle. The fact remains that much of the milk we obtain at present is far from the standard of quality it should attain. To overcome that, the best way is to adopt pasteurisation, which I hope will be agreed to before the Bill is passed by Parliament.

Mr. ABBOTT: I move —

That the debate be adjourned.

Motion put and negatived.

MR. ABBOTT (North Perth) [9.45]: The Bill, as I understand it, has two objectives. Probably the principal one is to provide a good supply of germ-free milk to the community. The second objective is to enable the producers of milk to receive a reasonable remuneration for the work entailed. As members know, I have, on every occasion possible, objected to the creation of monopolies. In this instance it is well known that the producers of wholemilk have been given a monopoly of the business and that monopoly is represented in value by about £300,000. It is all very well, perhaps, for the vendors of alcohol or other such commodities to be in that privileged position, but when we find that producers of milk have to hold a license and are obliged to pay for their monopoly at the rate of £10 or more per gallon—and so are the vendors—it is not reasonable.

Mr. Needham: Which is the better, a monopoly in connection with milk or a monopoly as regards alcohol?

Mr. ABBOTT: I do not think either is right, but the former is probably the more evil, because I suggest that no-one should have an advantage merely because he sells wholemilk. I think the community is entitled to receive wholemilk at the best possible price. That, however, is the responsibility of the Government and particularly of the Minister concerned. It is for them to see that no-one is deriving an undue advantage because of his participation in this vocation. I would like to see the dairying industry throughout the whole State placed on the basis of equal competition. In other words, the producer of cheese or of butter-fat or of wholemilk should be on the one basis. I understand that the producer of cheese has to provide milk of a quality that gives a return of something like four per cent. butter-fat, and when he delivers his supplies he is paid on the basis of the butter-fat content of his milk. On the other hand, the producer of wholemilk is permitted to deliver his commodity with a return of about three per cent. and he is not paid on the butter-fat content, but at the rate of so much per gallon. The man who delivers milk from a cow with a rich nourishing supply of a five per cent. butter-fat content gets exactly the same price for his commodity as the man who sells milk with a three per cent. butter-fat content.

Mr. Fox: One producer may water his milk down.

Mr. ABBOTT: That may be done. I would like the producer of wholemilk to be paid like the producer of milk for cheese or butter—on the basis of the butter-fat content, irrespective of the quantity he supplies. That would encourage the producers to produce first-class milk instead of milk that comes just within the requirements of the Act.

The second point I wish to mention is that of pasteurisation. Naturally, we have to be guided by our experts. They are the people who have specially studied the problem. Although we might feel sometimes that they are wrong or have reached a wrong conclusion, we must accept their opinion as being more likely to be correct than that of people who merely feel that a thing is

right or wrong. It struck me as peculiar that the Minister should say that in spite of the opinion of medical men on pasteurisation, they might be wrong. He said that, by and large, the medical profession believe in pasteurisation, and we must acknowledge that scientific opinion, by and large, is right. As I said before, we must be guided by the experts. Therefore I consider that we should follow their advice unless we can conceive of some very good reason why we should do otherwise. Pasteurisation has been adopted by many communities throughout the world, and I should like to see it adopted here.

If we study the disadvantages of using non-pasteurised milk, we must realise that the milk, when taken from the cow, may not be infected with tuberculosis or some other disease, but it may very likely become infected after being taken from the cow. Comparatively few people are infected with bovine tuberculosis, but many are infected by diseases contracted after the milk has been taken from the cow. The purest form of milk seems to be that which is pasteurised and delivered in containers that ensure that it does not become contaminated after it has left the cow. There may be some support for the argument of the Minister that valuable constituents of milk are destroyed by pasteurisation, but, so far as I have been able to ascertain, these constituents may be supplied from fruit, vegetables and other sources that are not subject to the same disadvantages as is milk.

The proposal is to pay some £30,000 a year for the destruction of cows that react to the T.B. test, but are we approaching this problem from the most important aspect, namely, that of giving the consumer the purest possible milk? I agree that nobody would knowingly drink milk infected by bovine T.B. When we read the statistics relating to those who have contracted the disease, we find that they form only a small percentage as compared with those who might possibly have contracted some disease from milk that has become contaminated after leaving the cow. Would it not be better to subsidise the pasteurisation of milk and so ensure a germ-free supply to consumers? I suggest that the Minister might set a time from which pasteurised milk must be delivered or milk that has been certified as being free from T.B. or other disease. This policy has been adopted by other communities. Either the milk must be delivered fresh in a condition free from T.B.—that is, bottled under hygienic conditions—or it must be delivered after being pasteurised. I should think that would be the proper approach to the problem; it appeals to me as being the proper view for the responsible authorities to take.

I would have liked to see provision made in the Bill that, after a given date—I do not care whether two or three years—only pasteurised milk might be supplied or fresh milk from herds tested and proved to be free from the diseases that have been mentioned. I hope the Minister will see fit to reconsider some of the provisions of the measure and at least set a date-line from which the consuming public may expect to get fresh milk that is absolutely free from contamination and infection at the source, or pasteurised milk which, though it may not contain all the attributes of wholemilk, will at least be free from all disease.

On motion by Hon. W. D. Johnson, debate adjourned.

House adjourned at 10 p.m.

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