demolished as substandard but the local authority was wise enough to allow them to remain occupied in order to help the Housing Commission overcome the housing shortage.

The time has now come when those dwellings must be demolished and in most instances the present occupants will need homes from the Housing Commission. There have been fairly large land resumptions by the Government in Geraldton in the vicinity of the wharves for Co-operative Bulk Handling Ltd. and that will mean that more houses will be required. In my opinion, the local municipal authorities have been most co-operative in the matter of housing although they have had their difficulties, just as the Housing Commission has, in regard to shortage of funds for the provision of roads, footpaths, electric lighting and so on for the areas concerned.

They have encouraged to the utmost the building of homes by private individuals—self-help builders—and I agree with that policy. Even in the worst period, a few years ago, the Housing Commission was extremely helpful to those who wished to build under the self-help scheme. There is a housing shortage at Northampton also, though it is not as acute as that at Geraldton. The town at Northampton is growing and it is necessary that more dwellings be built there as quickly as possible under either the Commonwealth-State rental homes scheme or the State housing legislation.

Mr. OLDFIELD: I move—

That progress be reported.

Motion put and negatived.

Vote put and passed.

Progress reported.

House adjourned at 11.17 p.m.

Legislative Council

Thursday, 2nd December, 1954.

CONTENTS.

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

ASSENT TO BILL.

Message from the Governor received and read notifying assent to the City of Perth Scheme for Superannuation (Amendments Authorisation) Bill.

MOTION—STANDING ORDERS SUSPENSION.

Closing Days of Session.

The CHIEF SECRETARY: I move—

That during the remainder of the session, so much of the Standing Orders be suspended as is necessary to enable Bills to pass through all stages at any one sitting, and all messages from the Legislative Assembly to be taken into consideration forthwith.

When I gave notice of this motion I had no particular Bill in mind, but at this stage of the session I thought it advisable, as a safety measure, in case it might be needed. In the next few days, we may require the suspension of Standing Orders, although I do not intend to rush anything through without giving members an opportunity to discuss it.

Hon. Sir CHARLES LATHAM: I hope the Minister will allow us to adjourn the debate on a Bill until a later stage of a sitting so that we may have a look at its contents. It is difficult to pick up a Bill, as soon as it has been introduced, and thoroughly understand it. On that basis I shall agree to the motion.

Question put and passed.

WORKERS' COMPENSATION ACT AMENDMENT BILL SELECT COMMITTEE.

Report Presented.

Hon. H. Hearn brought up the report of the select committee together with a typewritten copy of the evidence and the correspondence referred to in the report.

Ordered: That the report and recommendations be printed.

On motion by the Chief Secretary, the Committee stage was made an Order of the Day for the next sitting.

BILL—INSPECTION OF MACHINERY ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

BILL—LIMITATION ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had disagreed to the amendment made by the Council.

BILL—NATIVE ADMINISTRATION ACT AMENDMENT.

Read a third time and transmitted to the Assembly.

BILL—NATIVE WELFARE.

Recommittal.

On motion by the Minister for the North-West, Bill recommitted for the further consideration of Clause 39.

In Committee.

Hon. W. R. Hall in the Chair; the Minister for the North-West in charge of the Bill.

Clause 39—Section 37 repealed and re-enacted:

The MINISTER FOR THE NORTH-WEST: I move an amendment—

> That the letter "(a)" in line 29, page 16, be struck out.

Attention has been drawn to the fact that if the letter "(a)" is struck out it will facilitate the reading of the clause.

Amendment put and passed; the clause, as amended, agreed to.

Bill again reported with a further amendment and the report adopted.

BILL—RADIOACTIVE SUBSTANCES.

Reports of Committee adopted.

BILL—WHEAT INDUSTRY STABILISATION.

Second Reading.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North) [4.45] in moving the second reading said: This measure is complementary to Commonwealth legislation which gives effect to growers' wishes for a five-year wheat stabilisation scheme. It results from a poll taken amongst growers earlier this year when there was an overwhelming vote in favour of such a plan.

It will be recalled that legislation was passed during the last parliamentary session to provide for what is known as the reserve plan. This was an emergency scheme to cover a period of three years. It contained none of the features of stabilisation but enabled the Commonwealth Government to ratify the International Wheat Agreement as well as guarantee a home sales price for growers.

Ever since the reserve plan was put into operation the Commonwealth and States have continued negotiations with a view to reaching unanimous agreement on a plan to submit to growers. Once again Victoria was in disagreement with the Governments of the five other States, and agreement was not reached until the Prime Minister called a meeting of State Premiers and Ministers for Agriculture on the 26th July last. Following agreement, all States were in a position to submit a plan to growers for endorsement. When the poll was held, a total of 46,584 voted in favour of the plan and only 2,934 were against it.

Immediately the results were known, the Commonwealth took action to introduce legislation to give effect to the wishes of growers. This has been passed and proclaimed, and as soon as possible each State must pass complementary legislation. This Bill is therefore urgent, as it is desired to have the scheme in operation by the beginning of December for the 1954-55 wheat season.

Rather than further complicate the position by amending the present Act it was considered preferable to have entirely new legislation, and this Bill therefore proposes to repeal the Wheat Industry Stabilisation Act, 1948-1953. It is proposed that the new Act shall supersede the 1953 orderly marketing legislation and shall operate with the present harvest.

It has been necessary to make this Bill retrospective, so that it will include the 1953-54 crop now being marketed by the Wheat Board. This gives continuity to

stabilisation and, under the circumstances, is unavoidable. However, the position is appreciated by all Governments as well as the grower organisation.

The plan agreed upon will follow directly upon the old five-years' stabilisation plan which expired with the 1952-53 crop and consists of the following main points:—

1. The Wheat Stabilisation Plan is to be for five years, and will apply to crops of the seasons 1953-54 to 1957-58 inclusive.

2. The Australian Wheat Board is to be the sole authority for the marketing of wheat and flour for export from Australia for the period of the plan.

3. The Commonwealth Government will guarantee a return to growers of the ascertained cost of production in respect of up to 100,000,000 bushels of wheat exported from Australia from each of the five wheat crops covered by the plan.

4. A stabilisation fund will be established by means of an export tax to be collected at the rate of 1s. 6d. per bushel when wheat export prices exceed the cost of production by this amount or more, and by that portion of 1s. 6d. by which the export prices exceed the cost of production when the excess is less than 1s. 6d. per bushel. The export tax will apply from the 1953-54 crop.

5. The proposed amount of the stabilisation fund will be £20,000,000. Any accumulation in excess of this sum will, after recommendations by the Australian Wheat Board, be repaid to the oldest contributing pool so as to form a revolving fund.

6. When average export realisations fall below the cost of production, export returns will be raised, in respect of up to 100,000,000 bushels of wheat in each crop, to the cost of production level, first by drawing on the stabilisation fund; and when that fund is exhausted, the Commonwealth Treasury will meet the obligations of the Commonwealth guarantee.

7. The home consumption price for f.a.q. wheat will be not less than the cost of production determined for each season. Subject to the understanding that at no time will the price fall below the cost of production, however, the home consumption price for f.a.q. wheat sold for domestic human consumption and for poultry, pig and dairy stock will be determined by State legislation at 14/- a bushel, bulk, f.o.r. ports. This price will vary downwards to conform with the International Wheat Agreement price current at the commencement of each season, if the International Wheat Agreement price should be at that time less than 14/- a bushel, bulk f.o.r. ports.

Should Australia not be a party to an international agreement, the home consumption price of the wheat will vary downwards in conformity with the current price for export sales by the Australian Wheat Board, at the commencement of each season, if the board's export price should be at that time less than 14/- per bushel, bulk, f.o.r. ports.

8. Wheat grown in W.A. and exported will have a premium of 3d. per bushel paid on it, in recognition of the natural freight advantage applying to Western Australia owing to its proximity to the principal overseas markets for wheat.

9. All wheat sold for home consumption in Australia will be loaded to the extent of 1½d. per bushel to cover the cost of transporting wheat to Tasmania in each season of the plan. This will be kept in a separate fund and will be used to reimburse the board for the cost of shipment to Tasmania.

The Commonwealth Government is thinking in terms of a continuing scheme and contemplates opening fresh negotiations when the plan nears its end; and any money remaining in the stabilisation fund at the end of the period will form the basis of a new fund if agreed to by the State Governments and approved by growers.

This Bill is connected with the Soil Fertility Research Bill already passed by this House, inasmuch as it authorises the board to pay any contributions that a grower may assign to the trustees of the Soil Fertility Research Fund. The same clause also states that such assignments shall be exempt from stamp duty under the Stamp Act. The Government agreed to this exemption because of the work involved and the impracticability of ensuring that stamps are affixed and cancelled.

Last year's legislation changed the W.A. Agency Board of the Australian Wheat Board to the Western Australian Wheat Board, which also became a licensed receiver for the Australian Wheat Board. It is not proposed to change this set-up; but in order to establish uniformity in regard to membership of grower members, it is proposed that the terms of office of all members should run concurrently with the Australian Wheat Board. The full board will therefore have a life of three years commencing from October, 1953, when the Wheat Marketing Act was proclaimed. The representation on the State Board will remain the same, comprising seven members, of whom four will be elected growers,

one will be the manager of Co-operative Bulk Handling, one will represent the W.A. Flour Millowners' Association, and one will represent the W.A. Government Railways Commission.

The Commonwealth legislation came into operation on the 1st of this month, and I am informed that other States participating in the scheme have now passed similar legislation. The Minister for Agriculture is anxious that the Bill be considered as quickly as possible, and I trust that members interested in this stabilisation scheme will be good enough to intimate any amendments they may have in mind and have them typed, so that we may perhaps proceed with consideration of the Bill later in this sitting in an endeavour to have the legislation passed. I move—

That the Bill be now read a second time.

On motion by Hon. Sir Charles Latham, debate adjourned till a later stage of the sitting.

(Continued on page 3462.)

BILL—FIRE BRIGADES ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. G. Fraser—West) [4.56] in moving the second reading said: This Bill is based on that which was laid aside last year as a result of disagreement between the two Houses, plus a couple of other amendments requested by the W.A. Fire Brigades Board.

When the Act was consolidated in 1942, all local authority districts which had been created fire districts were shown as such in the Second Schedule. While Section 5 of the Act authorises the appointment and cancellation of further fire districts, there is no provision for cancellation of any of those appearing in the Second Schedule. This is an anomaly which should be rectified. An example is Wiluna, which is no longer required as a fire district, but cannot be cancelled as such.

The Chief Electoral Officer has recommended that provision be made for appeals to a magistrate should any question or dispute arise in regard to the regularity or validity of an election or the voting at an election, of any member to the board. A query of this nature did arise fairly recently, and it is considered there should be the right of appeal in such a case.

The next amendment provides for the appointment to the board of a representative of the permanent firemen. The board at present has 10 members, two appointed by the Government—one of whom is the President—three elected by the insurance companies; one by the Perth City Council; one each by the other metropolitan local authorities, the Goldfields and the rural local authorities; and one by the volunteer fire brigades.

The W.A. Fire Brigade Employees' Union considers that many of the disabilities from which it states firemen suffer could be overcome if they had a direct representative on the board, and the State Executive of the A.L.P. has supported this request. It seems anomalous that the volunteer firemen should have a representative on the board, while the permanent men have not.

The Bill provides that on written notice from the Minister, the secretaries of the Fire Brigades Employees' Union and the Fire Brigades Officers' Association Union may, within 30 days of the giving of the notice, submit to the Minister a panel of four names, from which the Minister will select the employees' representative on the board. If the panel of names is not received within 30 days, or any further period allowed by the Minister, or if none of the names submitted is of a person eligible for appointment, the Minister will be authorised to select a person himself.

The Act specifies that the total fees paid to the 10 members of the board shall not exceed £850 in any one year, the maximum being increased to this figure from £550 in 1949. The decrease in money values and the possibility of the appointment of another board member warrants an increase in the maximum, which it is suggested shall be £1,250.

Under the Act the board has power to charge fees for the attendance of firemen at fires on uninsured premises or property. The validity of this provision has been successfully challenged in court, and the Crown Law Department has recommended the repeal and re-enactment of the relevant section, so as to obviate any further risk of challenge.

There is provision in the Act for the making of a regulation prescribing the types of apparatus and appliances, for saving life and property, that must be kept on all premises, excluding private dwellings. This regulation also has been successfully challenged in court, and the Crown Law Department advises that the regulation is not a proper exercise of the power authorised by the Act. To overcome this, the Crown Law Department has recommended that the Act be amended to validate the regulation. I move—

That the Bill be now read a second time.

On motion by Hon. C. H. Simpson, debate adjourned.

BILL—PETROLEUM ACT AMENDMENT.

Second Reading.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North) [5.0] in moving the second reading said: As a result of the development on such a large scale of the search for oil in Western Australia, it has become necessary to amend the principal Act.

Prior to 1936, statutory provisions regarding oil prospecting were contained in the Mining Act. In 1936 Parliament approved of the Petroleum Bill, the principal purpose of which was to liberalise oil search provisions and to encourage the investment of overseas capital. This Bill was based on a similar measure introduced by the Commonwealth, and most of the other States adopted complementary legislation.

The Act was amended in 1940, 1949, and 1951, with the object of further liberalising the measure and of bringing it up to date. I would advise members that the Act was reprinted recently and that copies are available. I understand that the clerks may have some copies on hand.

Following the discovery of oil in this State in November, 1953, it became apparent that the principal Act was not entirely satisfactory. Therefore, the necessary amendments were drawn up and were thoroughly discussed with the companies engaged in the search for oil. The companies stated they were quite satisfied with the amendments.

The first proposal is to amend in the principal Act the definition of "Crown Land." Under the present definition the authority to search for oil ceases at low water mark. It is possible that, as in other countries, oil deposits extend beneath the ocean surrounding our sedimentary areas, and, therefore, jurisdiction in regard to petroleum should extend to include the sea areas which are within the State's general jurisdiction; that is, at least the territorial limit of three miles.

Hon. C. H. Simpson: Do you know what happens, in other countries, if oil goes beyond that limit?

The MINISTER FOR THE NORTH-WEST: No. I am not conversant with the international situation. Another interpretation that requires amendment is that of "warden." Under the present definition the only warden is the Under Secretary for Mines, who is authorised in the definition to temporarily delegate his powers to a stipendiary, police or resident magistrate.

As a result of the great activity in oil search, and the fact that this is covering such a wide area of the State, it has become necessary for the warden's duties under the Act to be distributed amongst those persons now acting as wardens for the Mines Department. These wardens are located in areas where the search for oil is taking place, such as Carnarvon, the Kimberleys, Geraldton, etc., and their appointment will facilitate operations. The Under Secrtary for Mines also has too many other duties to permit of his sitting as warden for the whole State on oil matters.

Some of the major items to be handled by wardens will be in regard to operations on private property and the protection of the respective rights of petroleum operators and private property owners. These can more satisfactorily be handled by local wardens. The Bill provides that wardens may be appointed under the Act, and magistrates may be among those appointed.

The next amendment seeks to repeal and re-enact Section 19 which provides that all exploration permits, prospecting licences, and petroleum leases, and every share or interest in them may be transferred or otherwise disposed of. This provision is repealed as it is considered most desirable that transfers of any titles be subject to Ministerial approval. The object of this is to prevent trafficking in titles; and it will ensure that the Government has full knowledge of all circumstances surrounding any proposed disposal of permits, licences, or leases. It is considered this provision should prevent titles being taken up purely for the speculative purpose of early and profitable disposal without the fulfilment of obligations. The amendment, therefore, proposes that no title shall be transferred or assigned without the Minister's approval being obtained.

In Section 22 of the Act the term "mineral oil" is erroneously used. The Act deals with "petroleum," and so the Bill provides for the term to be altered to "petroleum."

As the Act stands, any proposed oil operations on privately-owned land have to be referred to the Minister before any work can commence. The Bill seeks to repeal Section 27 which provides for this, and to allow an operator to start work as soon as he comes to an agreement with the owner of the land; or, alternatively, if the warden has assessed any compensation which may have to be paid to the land-owner. This will ensure that no work is undertaken on private land until such time as satisfactory compensation arrangements are made.

Another provision in the principal Act that the Bill seeks to repeal is that in Section 28 (a) which provides that no permit, licence or lease shall be granted in respect of any private land which is used as, or is under 50 yards from, a yard, garden, orchard or cultivated field. This provision is the same as one which was included in the Mining Act to ensure that yards, gardens, etc., should not have opencuts or shafts running through, and thereby ruining them for ever. If this provision were still to be applied to oil, it would probably prevent any search in the southern part of the State, where a great proportion of land might be classed as a yard or cultivated field. In addition, oil exploration is not as destructive as mineral mining.

The remainder of Section 28, which it is not proposed to amend, adequately protects township blocks, reservoirs or substantial improvements. Under the Act,

the Minister is the sole judge as to whether any improvement can be classed as substantial.

New ground is broken in the Bill by the proposal that compensation be payable to the lessee of any pastoral lease for any damage caused to improvements on the lease through oil operations on the lease. Compensation would also be payable, under the amendment, for any further damage which the warden considered the lessee had been caused as a result of the damage to the improvements.

Under the principal Act pastoral leasehold is Crown land so far as the search for petroleum is concerned, and pastoralists have no compensation rights whatever. The same applies to Crown Land under the Mining Act in regard to the search for all minerals. As the best prospects of petroleum exist in the North and North-West on pastoral land, it is considered it would be equitable to grant pastoralists rights to compensation for damage which may be caused to improvements.

The Bill also proposes to repeal Section 29 of the Act. This deals with partnerships and sets out the provisions which shall apply to partnerships. These provisions have been in the Act since 1936. Then, owing to the lack of knowledge of what was required in the search for petroleum, two or more individuals could apply for titles.

Today it is recognised that the search for petroleum is a highly technical one calling for immense sums of money and a most competent and experienced organisation. In short, it is a project not for individuals but for companies. The present provisions have no application whatever to present-day search, and it is desirable that they be repealed. They have application to gold and mineral mining under the Mining Act from which they were originally copied.

Section 38 of the Act specifies the duties and responsibilities of the holder of a permit to explore. The Bill seeks to add to these a requirement that the holder must immediately, and before advising anyone else, inform the Minister of any occurrence of oil during scout drilling activities on the permit. The Bill also provides that subsequently he shall immediately inform the Minister in writing of the composition and physical properties of oil found during scout drilling, and of the nature and extent and geological age of the oil-bearing formation. The reason for these amendments is that it is considered that the State Government should be the first to be informed of any petroleum discovery, together with full details of its composition and quality, and of the oil-bearing structure from which it is obtained.

The Bill also proposes that the holder of a licence to prospect shall similarly advise the Minister of any occurrence of oil during drilling operations, and of the nature and extent and geological age of the oil-bearing formation. At present Section 45 (3) of the Act provides that licences to prospect shall be issued for a period of four years, and the Minister may grant renewals for two periods only of one year each. For all licences granted after the 1st January, 1955, the Bill seeks to reduce the licence period to two years, with three renewals of one year each. Licences granted prior to the 1st January next will not be affected. This applies to the present operating companies, W.A. Petroleum Pty. Ltd. and Freney's, which hold existing licences and which have based their programmes on the terms of those licences.

The discovery of oil, together with the greater activity in the search for it, and the larger number of people starting or desirous of starting operations, has rendered it advisable to shorten the terms of licences so that operations can be reviewed at reasonably short periods. This will ensure that legitimate search operations are being undertaken. If such is the case, extensions to leases would be warranted. If it is not the case, renewals need not be granted.

At present if the holder of a licence to prospect finds oil in the area which his licence covers, the Act provides that within six months, or within a further period approved by the Minister, he shall be entitled to select as much of that area as he shall require for petroleum leases. The Bill proposes to make this entitlement applicable only to licences to prospect which were granted prior to the 1st January, 1955. It must be appreciated that this applies to licences to prospect only, not permits to explore, which cover much larger areas. Licences to prospect do not exceed 200 square miles each, and there are in force today only 23, totalling approximately 4,550 square miles. W. A. Petroleum Pty. Ltd. holds 20 of these; and the Freney Co., 3.

As both companies, particularly Wapet, were encouraged to operate here by the titles provided, and as Wapet has located petroleum, it is considered only equitable that the provisions under which the companies were granted their existing licences should be maintained. I might say that subsequent operators have been interested only as a result of Wapet's work and discovery, and none of these to date has done sufficient work to disclose any structures warranting the granting of licences to prospect.

The Bill proposes that where licences to prospect are granted after the 1st January, 1955, and the licensee finds oil, he shall be entitled within the statutory period to select for petroleum leases as much of the area as he shall require up to 50 per cent. of the area. The other half of the area, plus any further land that

the licensee may not require, shall be reserved to the Crown to be disposed of as required by the principal Act.

Members may be aware that the stages of oil search are these: A permit is issued for the exploration of any area decided by the Minister, in which the holder has to conduct reconnaissance, geological, geophysical and aerial surveys in order to ascertain if any closed structures likely to contain oil or warranting a more concentrated examination exist. If he satisfies himself and the department that structures do exist, he can be granted licences to prospect not exceeding 200 square miles each, and on these he undertakes concentrated ground geological and geophysical work, and, if warranted, drilling. If oil is then discovered, he can apply for oil leases not exceeding 100 square miles each.

If agreed to, the amendment means that in every discovery on areas with licences granted after the 1st January, 1955, the Government will be authorised to reserve half the structure. The Government can then operate such area itself or decide to dispose of it. If the latter, it must give the discoverer of the oil the first right to acquire it on the terms and conditions relating to its disposal.

It is considered that the previous amendment gives a reasonable reward to the original discoverer of oil to whom, of course, much is owed for pertinacity in exploring our State, after many other organisations had tried and abandoned efforts or, on approach, had decided without search that our State was barren of oil. Those operators now coming in are attracted solely because oil has been located, and are entitled to no special consideration.

It is considered the Government is justified in reserving to the State a portion of any basins located, and in benefiting financially from their disposal. Any discoverer will not be unreasonably treated, in that he will have half the basin and the right to purchase the other half. In the legislation of most oil countries somewhat similar provisions to this now exist.

The next amendment is of a consequential nature. Section 56 of the Act deals with applications for petroleum leases, and in paragraph (a) of Subsection (2) states that the applicant shall specify the number of shares or units in which the lease is to be divided; and, where the application is made by two or more persons, the number of shares or units to be held by each person. I have explained that the Bill proposes that in future oil titles will all be in the names of registered companies or syndicates, and therefore this provision will have to be repealed. As I mentioned previously, the magnitude of oil search operations is such that it is beyond the resources of individuals, and is essentially a matter for qualified organisations.

Section 58 of the Act states that the area of a petroleum lease shall as nearly as possible, be a rectangle. If for topographical or other reasons a rectangle is not feasible, intervening irregularly shaped areas may be applied for. The Bill seeks to replace this with a provision that the shape of the area shall be that of a rectangle with boundaries in the direction of the meridian and at right angles to the meridian. If by reason of other boundaries or physical features this shape cannot be observed, the shape shall be as nearly in accordance with the requirements of this provision as circumstances shall permit.

This amendment will ensure that the boundaries of all leases can be fixed by latitude and longitude co-ordinates. This method is now more or less standard world practice in regard to holdings. It has the virtue of accuracy, and permits of boundaries being adequately defined for the purpose of showing them on plans.

The next amendment is important. It deals with the amount of royalty payable by lessees of petroleum leases. The Act at present provides that the rate of royalty to be specified in the lease shall be fixed by the Minister at the time of granting the lease and shall not be less than 5 per cent. or more than 10 per cent. of the gross value of the product. This percentage was included in the Act in 1940—a number of years before oil was found here. It is not considered that the amount is equitable. The rate in most other countries ranges from 5 per cent. to 12½ per cent., and in some it goes as high as 16⅔ per cent. The proposal in the Bill is to maintain the minimum rate of 5 per cent. and increase the maximum from 10 to 12½ per cent. When the rate applying to any lease is fixed, consideration will be given to the size of the oil well; that is, the output the well is capable of, the cost of production and the cost of getting the product to a market.

The Bill seeks to add a new Section 78B to the Act to enable the Governor to create reserves. This will provide the Government with the authority to reserve from general application the sections of areas licensed on which oil has been discovered, or any other areas of Crown land which it may be considered desirable to reserve for any particular reason. All reserved land will then not be available for general application.

The new section authorises the sale of any reserved areas by general tender or auction on such conditions as the Minister thinks fit. In most oil countries today similar provision is made for the Government to be entitled to retain portions of likely oil-bearing areas with a view to some additional benefit being obtained for the development of the country beyond the statutory production royalty. In Alberta

receipts from sale of oil lands are placed in a special capital fund which is used for productive capital works such as roads, water conservation, schools, hospitals, etc. The Minister would be authorised, upon a sale, to issue such a title as he considers desirable. For example, if it were on ground in which oil had been located, leases could be issued, or if it were ground that yet had to be explored permits to explore would be granted.

The remaining amendments are of a consequential nature and deal with the establishment of wardens' courts. I have endeavoured to explain the Bill in detail. I trust it will receive the approbation of the House, as its sole intention is to protect the interests of the State so far as oil discoveries are concerned. As I have said, the amendments have been discussed with W.A. Petroleum Ltd., which company has signified its agreement. I move—

That the Bill be now read a second time.

On motion by Hon. C. H. Simpson, debate adjourned.

BILL—ROAD CLOSURE.

Second Reading.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North) [5.25] in moving the second reading said: This Bill concerns the closure of certain roads, one of which is dealt with in Clause 2, and concerns the closure of Road No. 7872, Beverley Road District. This road is no longer required but, if action for closure were to be taken under the provisions of the Road Districts Act, 1919-1951, the land comprised therein would revert to the adjoining holders in equal shares. The holders of the land on the eastern side are not interested in acquiring any portion of the land as their western boundaries are fenced with a substantial rabbit-proof fence which it would be uneconomical to move. The holders of the land adjoining the western side of the road are prepared to purchase the whole of the land for inclusion in their existing Certificate of Title. Other closures dealt with are as follows:—

Closure of a right-of-way off Shenton-st., Bunbury: At the request of the owners of the appurtenant land, the Bunbury Municipal Council has recommended the closure of a private right-of-way off Shenton-st., Bunbury. The State Electricity Commission and the Bunbury Water Board have no objection to the closure. It is proposed to vest the land comprising the right-of-way in the contiguous holders by dividing it down its centre line.

Closure of a certain right-of-way at Bunbury: The Education Department desires to consolidate the Picton school-site, for which purpose it is necessary to close a private right-of-way separating portions of the school reserve. The Municipality of Bunbury has no objection to the closure of the right-of-way, which has not been used or developed as such and is covered with scrub and weeds at present. The main portion of the right-of-way it is proposed shall be included in the contiguous reserves 23769 (school-site) and 23714 (recreation and children's playground). The balance is to be included in lot 74 the holder of which is also the holder of the fee simple of the land in the right-of-way. When certain land was resumed in 1908 for an addition to this schoolsite, portion of the same right-of-way was closed by resumption and an alternative right-of-way was granted to the appurtenant owners by transfer of an easement. It is necessary now to cancel the easement.

Closure of portion of Road No. 9381 in Darling Range Road District: Road No. 9381 at Lesmurdie was deviated, involving resumptions from adjoining freehold land and it is desired to close portion of the old road and to vest the land contained therein in the adjoining holder in compensation for the land resumed.

Closure of Carter Place, Fremantle: This road was provided between community centre, recreation and park reserve No. 23529 and school-site reserve No. 23530 at Hilton Park, Fremantle. The City of Fremantle considers the road unnecessary and has requested its closure and that the land be added to the adjoining community centre, recreation ground and park which is held in fee simple by the City of Fremantle. The adjoining school-site comprises 13 acres 2 roods 11 perches and is sufficient for the purpose. A slight adjustment of the western boundary of the school-site will be required to obliterate the truncation of the corners.

Closure of Birch-st. and portion of Baston-st., Geraldton: The Christian Brothers of St. Patrick's College, Geraldton, have acquired the land through which these roads are surveyed and they desire to use the area for school playing grounds. To consolidate the whole area it is desired to close the whole of Birch-st. and portion of Baston-st. and to vest the contained land in the trustees of the Christian Brothers. The roads have not been dedicated for public use, having been provided in a private subdivision of freehold land. The Municipality of Geraldton has concurred in the proposed closure.

Closure of Blanche-st., Geraldton: It is proposed to obliterate a private road at Geraldton and to reinclude the land in the adjoining lots which have been resurveyed to adopt the centre line of the road as the boundary between the contiguous lots all of which have frontages to existing public roads. The land in the road is to be vested in the owners for the time being of the contiguous lots.

Closure of portions of Hall Way, Geraldton: The Municipality of Geraldton has negotiated with the owner of Geraldton suburban lots 87 and 88 for provision in a subdivision of his land for an extension of Trigg-st. from Hilda Way to Pope-st. The proposal involves the closure of portions of Hall Way which the council holds in fee simple. It is intended that the council retain the portion required for extension of Lorna-st. The land comprised in the portions to be closed are to be vested in the owner of Geraldton suburban lot 88 in compensation for the land he will make available for extension of Trigg-st.

Closure of portions of Dunraven and Onslow-sts., Geraldton: For the purpose of extending and consolidating the Geraldton High School site, the Education Department has requested the closure of portions of Dunraven and Onslow-sts., which have not been used or developed as public roads. The only adjoining holder affected by the proposed closure has indicated that he has no objection and the Municipality of Geraldton has approved of the proposals. All the land in the roads is to be included in the high school site.

Clauses 13 and 14, Closure of portions of Mark and Cecil-sts., Geraldton: The Municipality of Geraldton has undertaken certain town planning works involving the straightening of Mark and Cecil-sts., for which purpose the council has acquired the contiguous land. It is proposed that the adjacent area be resubdivided in a manner already approved by the Town Planning Board, which will provide a better road system. When the streets are closed, it is intended that the land therein will be dealt with under the provisions of the Closed Roads Alienation Act, 1932, in such manner as may be approved by the Governor.

Closure of portion of a right-of-way off Brede-st., Geraldton: The owners of the various lots to which this private right-of-way is appurtenant, desire its closure as it is unsuitable for a thoroughfare. The Municipality of Geraldton has agreed to the proposed closure. The land comprised in the right-of-way is to be vested in the owners for the time being of the lots contiguous to its southern side. The owners on the northern side had no right of carriage way over it.

Closure of portion of Market-st., Guildford: Guildford school site reserve No. 7400 contains only 2 acres 2 roods 16 perches which is inadequate for the purpose and it is desired to include therein the adjoining portion of Market-st., which has not been utilised as a road. Provision has been made for alternative access to adjoining lots 179, 180 and 187, the owner of which is agreeable to the closure which has been recommended by the Municipality of Guildford and endorsed by the Town Planning Board.

Closure of Road No. 9616, Mewburn-st., Mandurah: The Mandurah Road Board desires to close Newburn-st. with the intention that the land be used by the public as a park. If the road were closed under the ordinary provisions of the Road Districts Act, the land would revest to the adjoining holders. The road board considers that it serves no useful purpose as a road, but would be prepared to develop the land as a park. Provision is made in the Bill for the revestment of the land with the intention that it be reserved for a park as required by the road board.

Closure of portion of Venn-st., Northam: The Municipality of Northam desires to straighten Venn-st. and for the purpose, proposes to acquire lot 11 on Land Titles Office Plan 2436 in exchange for portion of the existing street. The land comprised in the portion to be closed will be vested in the municipality so that a resurvey can be effected of all the land concerned, which will provide a new road one chain wide and a new lot for transfer in exchange for lot 11.

Closure of a private right-of-way off Catherine and Wood-sts., Inglewood: The owners of the lots to which this private right-of-way is appurtenant desire its closure on the understanding that the land comprised therein will vest in the owners for the time being of the contiguous lots on the south-western and north-western sides of the right-of-way. The Perth Road Board has approved the proposal and the Water Supply, Sewerage and Drainage Department has no objection.

Closure of portion of Williams-road, Mount Yokine: In two adjoining private subdivisions of freehold land at Mount Yokine provision was made in each for roads which are contiguous to each other. Both are known as portions of Williams-road and it is proposed to close the portion shown on Land Titles Office Plan No. 5023, leaving the north-eastern portion available for public use. The land comprised in the portion to be closed will be revested in Her Majesty as of Her former estate with the intention that it be disposed of to the adjoining holders. I move—

That the Bill be now read a second time.

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

BILL—STATE GOVERNMENT INSURANCE OFFICE ACT AMENDMENT (No. 2).

In Committee.

Resumed from the 30th November. Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clause 2—Section 2 amended:

The CHIEF SECRETARY: I move an amendment—

> That after the word "child" in line 9, page 2, the words "or a person enrolled at a university as an undergraduate" be inserted.

In order to comply with the suggestions put forward by Dr. Hislop it is necessary to make many amendments to achieve the desired result, but they are all tied up with the one question. This amendment will not mean that the university undergraduate will come under the existing scheme. It merely gives the State Government Insurance Office the right to cover him. It may seem unusual for me to read out amendments without giving reasons for their adoption, but if members place the Bill before them they will be able to follow the amendments and see the reasons.

Amendment put and passed.

On motions by the Chief Secretary, clause further amended by inserting after the world "child" in line 13, page 2, the words "or the person"; by inserting after the word "child" in line 16, page 2, the words "or the person"; by inserting after the word "child" in line 18, page 2, the words "or the person"; by inserting after the word "school" in line 20, page 2, the words "or a university"; by inserting after the word "pupil" in line 21, page 2, the words "or as an undergraduate;" by inserting after the word "school" in line 23, page 2, the words "or the university"; by inserting after the word "school" in line 25, page 2, the words "or the university"; by inserting after the word "school" in line 28, page 2, the words "or the university"; by inserting after the word "school" where firstly and secondly appearing in line 32, page 2, the words "or the university"; by inserting after the word "place" in line 33, page 2, the words "as the case may be"; by inserting after the word "child" in line 36, page 2, the words "or the person"; and by adding at the end of the clause the words "In this paragraph 'child' means a person under the age of twenty-one years."

The CHIEF SECRETARY: I think that by making these amendments we shall have done the solicitors out of a job because the position has been explained so fully.

Title—agreed to.

Bill reported with amendments.

BILL—RESERVES.

Second Reading

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North) [5.47] in moving the second reading said: This Bill relates to certain reserves, and the details are as follows:—

Reserve No. 18296 at Bruce Rock: This reserve comprises an unsurveyed strip of land 1½ chains wide between Johnson-st. and the Bruce Rock station yard. It was set apart for the purpose of public utility and classified as of "A" class in 1923 at the request of the Bruce Rock Road Board. Access to the main station entrance and to other entrances to the railway reserve is obtained through the reserve. The road board desires to widen Johnson-st. by including portion of the reserve and other amendments will be required after the necessary survey has been completed. To facilitate any such amendments it is desired that the classification of the reserve as of "A" class be cancelled.

Reserve No. 12074 at Carnarvon: This reserve was set apart as an educational endowment in 1906 and comprised an unsurveyed area of about 9¾ acres. Portion of the area was utilised for road widening purposes in the construction of the North-West Coastal Highway. The northern end of the reserve was used for water supply purposes because of a large sand hill, which is the highest point in Carnarvon and on which the town's water supply tank is erected. The balance of the reserve has been used as a site for the Carnarvon High School for which a modern building has been erected. The land has been surveyed to exclude the road widening and to provide two separate lots which it is proposed to reserve for the respective purposes of schoolsite and water supply. The cancellation of the educational endowment reserve is necessary.

Reserve No. 6066 at Fremantle: The land comprising the Fremantle cemetery reserve is held in fee simple in trust for the purpose by the trustees of the Fremantle Cemetery Board. In 1943, under the National Security (General) Regulations, a possession order was issued at the request of the Central Wool Committee for use of portion of the reserve at the corner of Carrington-st. and High-rd. for wool storage purposes. Substantial buildings are erected on the land and the Australian Wool Bureau desires to retain possession for the time being, but as the authority under the National Security Regulations has lapsed, it is necessary that parliamentary approval be obtained to enable the trustees of the Fremantle Cemetery Board to execute a lease in favour of the Australian Wool Bureau. It is proposed that the proposed lease shall expire on the 31st December, 1960, and that the buildings will be removed and the site vacated prior to that date.

Reserve No. A5304 at Geraldton: This reserve, which is at present set apart for recreation purposes and vested in the Municipality of Geraldton, comprises land which it is desired to incorporate in the site for the purpose of a bulk handling terminal. It is necessary to cancel the existing reserve so that the land will be available for the new purpose.

Reserve No. A. 11385, at Geraldton: The Geraldton High School is erected on portion of this reserve which is set apart for the purposes of an educational endowment. The trustees of the Public Education Endowment approved of Geraldton lots 620 to 663 inclusive being used for the high school site and it is desired to create a separate reserve for the purpose. Provision has been made in the current road closure Bill for the closure of the portions of Dunraven and Onslow-sts. so that the whole site can be consolidated.

Reserve A. 18325, at Inglewood: Negotiations have been made between the Department of Public Health and the Perth Road Board to exchange certain areas at Maylands and Inglewood. An area of over 13 acres on the river front at Maylands has been held by the Crown for the purpose of a home for mentally retarded children. The Perth Road Board desires to acquire the Maylands land for recreation and river-front improvements, including a riverside drive, and is prepared to make available in exchange portion of Reserve 18325 at Inglewood to comprise approximately the same area.

This reserve is set apart for recreation purposes and is vested in the Perth Road Board. The balance of the reserve provides ample area for recreation purposes. While amending the reserve it is also desired to provide for the widening of Dundas-rd. to a width of one chain involving an excision of about 2 roods 34 perches from the reserve. A further excision of about 8 acres 1 rood 17 perches is required to extend Hamer-parade, from Central-avenue to Dundas-rd., and to provide a separate reserve for parking area and gardens on the south-eastern side of proposed extension. A bituminised road through the reserve in this position has been in use for many years.

Excision from Reserve No. 18987, National Park, Porongorup: The site selected for the Bolganup Creek, lower damsite, in connection with the Mt. Barker water supply comes within the National Park Reserve A. 18987 at Porongorup. It is necessary to excise from this Class "A" reserve an area of about 16 acres which will be set apart as a separate reserve for the purpose of the Mt. Barker water supply.

Reserve No. 22568, at Rockingham: The Fremantle Harbour Trust has requested that a reserve be provided at Rockingham for navigation lights. The selected site is on the shore of Mangles Bay and is at present portion of Class "A" Reserve 22568 which is set apart for the purposes of park and recreation. It is proposed to excise an area of about 1 acre from the reserve near the corner of Governor and Rockingham-rds.

Reserve No. 12077, at Wagin: The Education Department desires to obtain the use of Railway Water Reserve No. 5733 for recreation purposes and swimming pool. The Railway Department is prepared to release the reserve in exchange for certain lots required for railway housing. The trustees of the Public Education Endowment are agreeable to Wagin Lots 520 to 528, 534 and 535 being excised from educational endowment Reserve No. 12077, and being reserved for railway purposes (housing).

Reserve No. 14678, at Wickepin: This reserve for park lands and recreation is part of a larger area which the Wickepin Road Board desires to develop as a greater sports ground. It is desired to consolidate the reserves and it is proposed that the old reserve be cancelled and that the land be included in the new Recreation Reserve No. 23911.

There are duplicate copies of the file dealing with these reserves and also the file dealing with the Road Closure Bill. These are available to any member who may desire to examine the details of the lands affected. Maps are included in the files giving a full description. I move —

That the Bill be now read a second time.

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

BILL—MINING ACT AMENDMENT.

Second Reading.

Order of the Day read for the resumption from the 30th November of the debate on the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. R. Hall in the Chair; the Minister for the North-West in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Section 316 amended:

Hon. C. H. SIMPSON: During the second reading, I spoke fully on the implications of Section 316 of the Act. Clauses 3, 4 and 5 of the Bill really deal with the same principle. That was the removal of the right of appeal from decisions of the Collie coal tribunal. I previously gave my reasons for submitting that these three clauses should not be agreed to. I explained that the system at Collie had worked well, and pointed out that similar coal reference boards in the Eastern States had their rights of appeal preserved, and that the President of the Arbitration Court in this State had the right to say—if an appeal were lodged—whether he thought it should be heard. I related what had happened in the case of the several appeals that have been made to the Court.

I repeat that if there were no right of appeal from decisions of this board to a superior court its decisions would eventually affect the rest of the 175,000 employees in the State. I submit that Clauses 3, 4 and 5 would be dangerous to the industrial set-up of Western Australia as they could possibly embarrass other sections of industry and would deny to other employees the right which this tribunal seeks to reserve to itself. On the Arbitration Court bench there is an employees' representative who is keenly alive to their rights, and so those rights are carefully considered in any appeals that come before the court.

The MINISTER FOR THE NORTH-WEST: I hope the Committee will not agree with Mr. Simpson's submissions. This clause proposes to leave the decision to the tribunal without appeal to the Arbitration Court. Somebody must make the final decision; and the most competent body to do that in this instance, in the light of the knowledge it possesses, is the tribunal set up to deal with coalmining matters. As I said during the second reading debate, the Arbitration Court deals with many matters concerning hours and wages, and is not as conversant with the coalmining industry as this special tribunal is. There is no appeal from decisions of coal tribunals in the Eastern States to the Arbitration Court.

Hon. C. H. Simpson: No, but there is an appeal to a superior court.

The MINISTER FOR THE NORTH-WEST: At Collie there is the coal reference board to deal with minor matters and so the tribunal is the superior authority.

Hon. H. K. WATSON: I hope the Committee will not agree to the clause, as it would get away from the general principle of our courts that there shall be a right of appeal to somewhere from the court of original jurisdiction or first authority. If a decision is left to one man he may make a mistake, and so the right of appeal is necessary. Here the appeal from the tribunal is to the Arbitration Court, the decision of which is final. The power under Section 323 is not unlimited. The party wishing to appeal to the court must first obtain the leave of the president who, in turn, satisfies himself that the subject matter of the appeal, the grounds for it and its substance, are substantial. He made that clear on the first appeal that came before him and on that occasion he said—

> It is important, therefore, that on this occasion I should indicate what, in my view, are the principles to be applied by the President of the Court when deciding whether or not to permit a decision of the tribunal to be reviewed by the Court. It will be observed from Section 323, that Parliament did not give to a dissatisfied party a right of appeal to the Arbitration Court as a matter of course. It provided, in Subsection (1) of Section 323, that a review of the decision of the tribunal could only be heard with the permission of the president.

He said further—

> I think the proper inference to be drawn is that Parliament intended the president to have a discretion to refuse the right of review if he considered that the application was a frivolous one or that the subject matter of the tribunal's decision was a relatively trivial matter or a matter of minor importance. On the other hand, if, in the opinion of the president, the decision of the tribunal involved a question of considerable importance to the parties or the public, then I think it clear that it is the president's duty to permit the decision to be reviewed. Perhaps there is one proviso to this statement. Even if the matter were of considerable importance, no doubt the president should refuse leave if the decision of the tribunal was plainly correct and it would be a mere waste of time and money for the court to review it.

That sets out the position clearly. I believe the right of appeal should remain in the Act. I oppose the clause.

Hon. C. H. SIMPSON: When introducing the measure the Minister, quite innocently, devoted 70 per cent. of his remarks to the first two clauses, which deal with diamond prospecting at Nullagine, while Clauses 3, 4 and 5, which deal with a most important question, were covered by the bald statement that the three sections concerned were to be repealed on various grounds. Of the four appeals that have been made in two and a half years, two went by default, because the unions in one case agreed that the tribunal had made a mistake; and in the second, although they were invited to submit evidence, they did not do so. The first appeal of any kind from the tribunal to the court concerned margins and wages at the time of the railway strike. The judge did partly allow that appeal.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. C. H. SIMPSON: This clause, and the following two, are really bound up with Subsection (4) of Section 316. Several reasons were given as to why this right of appeal should be struck out of the legislation, and the first was that the Coal Industry Tribunal was an expert body specialising in coal production. The answer is that the president of the court, I should imagine, would not permit an appeal to be made if technical matters, or matters involving seniority, were involved. He would decide, as he did on one occasion,

that it was purely a local matter and that in any case the court would probably confirm the decision of the other tribunal.

The Coal Industry Tribunal consists of five members; Mr. Wallwork is president and there are two representatives of the mine-owners and two of the miners. The representatives of the two factions cancel each other out and, as inevitably happens on such tribunals, a decision nearly always becomes the decision of the president. I think that is largely the case now. If a serious matter were referred to the Arbitration Court, it could give a more just decision than those on the spot, because it is detached from the local atmosphere; and so I think the right of appeal should be preserved.

The second point made was that the Arbitration Court did not possess the necessary knowledge. In technical matters or matters of a minor character, the president of the court would probably not consent to hear an appeal; but on industrial matters, the Arbitration Court is a body which possesses a fund of knowledge; it has records of evidence and details to which to refer. In addition, it is concerned with preserving a consistent outlook as between union and union and employer and employer, so that there will be a just assessment of the claims of industry in every particular. That might be jeopardised if a small union had the right to determine industrial matters.

The third reason given was the example of the Joint Coal Board, whose decisions are not reviewed. That is not an industrial authority; it is a production and distribution authority and does not fix working conditions. The example of Queensland and New South Wales was held up as the fourth reason for agreeing to this clause. Commonwealth complementary legislation was passed to allow decisions of the New South Wales tribunal to be reviewed by the Conciliation Commissioner, who is both an interstate and intrastate authority. Not long ago, the present Commonwealth Government passed legislation providing for a right of appeal to the High Court from decisions of the Conciliation Commissioner. So, in effect, they have two rights of appeal in New South Wales.

The Queensland Coal Board is also a distribution authority, but is subject to the right of appeal to the Federal Coal Industry Tribunal. So rights of appeal are preserved; and I would like the Minister to look into those facts because, in my opinion, they justify retention of the right of appeal in this State. I oppose the clause.

Hon. A. F. GRIFFITH: Coalmining is a basic industry; and if we agree to the clauses in this Bill, the tribunal will be in the position that it can make decisions in respect of workers employed in the coal industry—there are about 2,000 of them—and those decisions could easily affect thousands of other workers in the State. That seems unfair.

The MINISTER FOR THE NORTH-WEST: In order to get further information on the points raised, I shall report progress.

Progress reported.

BILL—WHEAT INDUSTRY STABILISATION.

Second Reading.

Debate resumed from an earlier stage of the sitting.

HON. SIR CHARLES LATHAM (Central) [7.40]: Since the Minister introduced the Bill, I have had a look at it; and it is practically the same, with a few minor exceptions, as the Act which was passed in 1948. The Minister has explained the objects of the measure, which are to constitute a licensing authority which will do certain things on behalf of the Commonwealth Government and the wheatgrowers of the State, and provides for a guaranteed price by the Commonwealth Government on up to 100,000,000 bushels of wheat, which will be exported from Australia. For anything over that, of course, wheatgrowers will have to accept the market price. The Bill also fixes the price for home consumption wheat.

I do not think there is need for me to say more about the Bill, as members have a thorough understanding of its objects. It is a subject that has been fully discussed in years gone by, and this sort of legislation has been on the statute book for some time. When the last measure was under discussion, there was a ready market for our product; but unfortunately this year we have a carry-over from last year, and that may cause some difficulty in the way of storage and markets. Little wheat is leaving Australia, although some sales were effected recently at a price much below that expected. However it can be considered satisfactory.

As the Minister for Agriculture has to attend an important conference, I would like him to leave feeling that he has been able to introduce and have passed a measure that will be of benefit to the wheatgrowers of this State. It may not meet all his requirements, and there is one clause in the Bill which is causing consternation to wheatgrowers. However, I do not think it will occasion farmers as much worry as some of them anticipate, and I support the second reading.

HON. L. A. LOGAN (Midland) [7.45]: This Bill is only to ratify the wishes of the wheatgrowers throughout Australia. They have shown in no uncertain terms that they require a stabilisation scheme, and this measure gives effect to the result of the referendum that was held. The

only point at issue, and the only one that caused some controversy, is the provision contained in Clause 8 of the Bill, which deals with the power of the Minister. Although the wording might seem rather harsh, we must realise that wherever a Government has entered into an arrangement whereby it may be liable for certain moneys, it is entitled to have some say in the functions of the board. I do not know why there is this outcry about the wording of the Bill; because if we study the old wording and that in the Bill before us, we find that although the wording is different, the meaning is the same. The words to which exception has been taken in the Bill are these—

> The Commonwealth Minister may give directions to the board concerning the performance of its functions and the exercise of its powers and the board shall comply with those directions.

If we look at the Old Act we find that the board may, subject to the directions of the Minister administering the Commonwealth Act, do so-and-so. Analysing those two phrases, I would say that the ultimate meaning is the same.

The Minister for the North-West: The intention is the same.

Hon. L. A. LOGAN: That is so: one is "subject to the direction of the Minister" and the other is "the Minister may direct". Personally I can see no difference and I cannot understand why there is this hubbub. We know that in the past a Commonwealth Minister has sold wheat belonging to the wheatgrowers of Australia.

Hon. L. C. Diver: Entered into a contract.

Hon. L. A. LOGAN: It is the same thing; he sold wheat to New Zealand at a figure below world parity at the time. Had the Government paid the growers the difference between the prices, it would have been just; but unfortunately that was not done. The growers themselves had to pay the penalty for that Minister's action, and that is the reason why the leaders of the growers are so concerned that the Minister has so much power under the Act. I can appreciate the doubts that exist in their minds as to what future Ministers may do if they are clothed with so much power. Where the Commonwealth Government may, through the actions it has taken under this stabilisation scheme, be subject to paying out certain funds, then the Minister must—and I think it is a constitutional must—have some power to direct the duties of the board.

I would like to hope and trust that Ministers controlling this department in future will do the same as the present Minister, Mr. McEwen, has done. As soon as he took over the portfolio he said to the Wheat Board, "This is your job; you do it; and as far as I am concerned there will be no Ministerial interference." If we can have that assurance—except, of course, during times of war and adversity—the growers will be satisfied. Even if the Ministers themselves sold wheat outside the functions of the board—at a profit—and paid the growers the difference between the prices, the growers would be satisfied.

It would be futile for us to attempt to amend the Bill, as I understand similar legislation has already been passed by several other States. If we attempted to upset it, it would throw out the whole stabilisation scheme throughout the Commonwealth, and I am sure the majority of the growers would not want us to do that. Accordingly we have no alternative but to accept the wording in the Bill. I hope and trust we will not have need to worry about the powers of the Minister. I support the second reading.

HON. A. R. JONES (Midland) [7.50]: I want briefly to support this measure and to point out that whilst this is called a stabilisation scheme, it is in fact an equalisation scheme, because it means only that the growers themselves will be paying something into a fund, or the Commonwealth Government will be paying into a fund, if the need ever arises to equalise the payments over a period for wheat in Australia. So why it is given the name of stabilisation, I would not know; it is an equalisation fund set up by the growers themselves.

The whole scheme is based on the fact that the home consumption price shall be the International Wheat Agreement price, if there is one in existence, during the five-year period, or 14s. or world parity, whichever is lesser, but not less than the cost of production. It is not hard for us to see, therefore, that the home consumption price cannot assist this fund to any great extent, because the most it will be is the International Wheat Agreement price, or 14s. or the cost of production. Accordingly I feel the farmer will not get very much benefit by the price allowed for home consumption wheat under this stabilisation scheme.

The cost of production at the moment is estimated at 12s. 7d.; and while it may be the average cost of production for a bushel of wheat today, it is not very generous if the grower is only to be allowed the cost of production. In what other industry do we find the cost of production prevailing for the total amount that shall be redeemable by the producer, or manufacturer, of an article or some product? It seems wrong altogether. I am sure the unions would make a very loud cry if we suggested that they work at cost of production.

The Minister for the North-West: What about the Farmers' Union? They agreed to it.

Hon. A. R. JONES: The union agreed to it, plus a margin. I am only trying to point out that this Bill provides something which to my mind is not very generous on the part of any Government. We have at this stage come to a period where higher prices are possible—and I say "possible" advisedly, because at the moment wheat is moving a bit and prices are gaining a little. During the last ten years there has been no risk; and on the look of things at the moment, the next five years will not present much risk or burden on the pockets of the people of Australia who may be asked through taxation to put back a little of the millions of pounds it is well known the industry has provided in cheap wheat.

The way the scheme is spoken of, would make it appear to be a generous action. It may be, or it may not be; but possibly it will provide one-tenth of what has been made available to the public through the generous attitude of the farmers at the present time. If wheat is sold at above cost of production, an export tax will be levied at 1s. 6d. a bushel, and a fund built up to the extent of £20,000,000. If the fund is built up to that amount and no call is made on it, then, as the years go by, 1s. 6d. will be levied—or that portion of 1s. 6d. over the cost of production—to keep the fund at £20,000,000; and those people who subcribed to the fund in the year 1954-55 would be the first to be repaid some of the moneys they put into it.

Accordingly if wheat does remain at a price above the cost of production, then the farmers themselves will be paying in to build up this fund; so the Commonwealth Government is not being very generous by saying it will guarantee the farmers the cost of production on 100,000,000 bushels of wheat, which would be the exportable surplus. Mr. Logan has said that Clause 8, Subclause (2) on page 8 of the Bill is one with which we are concerned.

While at present it has not been found necessary by any Minister to veto or to have any say at all in the control of the sale of wheat, I would suggest it would be possible, if we had a change of Minister—even in the same Government—for that Minister to have a leaning towards another industry: it might be the stock industry, the poultry industry or the pig-raising industry. He might feel that the industry was in a run-down condition and could only afford to pay 10s. a bushel, and he could direct the board to make sales to that industry at whatever figure he fixed.

That does not seem reasonable, particularly when the Commonwealth Government has put nothing into a fund by way of guarantee. It is possible that even at the end of four years the Government might still not have contributed anything; yet from now till four years hence the Minister would have the right to direct the board to make any sale he felt necessary. I feel there is a genuine concern that the Minister could impose something which he is not entitled to impose until such time as the Commonwealth Government had put some money into the fund or was called upon to meet its guarantee.

If we cannot do anything this year, I feel that we should become organised throughout the Commonwealth next year and endeavour to have this particular provision watered down a bit so that the Minister only takes over control, or is given any right of veto, when the Commonwealth Government has any particular interest in the fund which might have been created. Before I resume my seat, I would indicate to the House how Western Australia particularly has fared under the stabilisation scheme we have had in the past.

I have figures here which prove that in the years between 1945 and 1952, Western Australia would have been better off by £20,000,00 if it had conducted a pool of its own instead of coming under the Commonwealth scheme. That is because of the amounts of which we were deprived through having to average out with the home consumption price of the whole of Australia. If we had operated as a separate entity, conducted our own pools overseas, and accepted the overseas price for wheat, we could have been very generous to the wheat eating public of Western Australia, even more generous than we have been over the last few years. We would have been better off by some millions of pounds.

In the past some members have said that the farmers have received everything and have been little prepared to give anything away. I would ask such members to bear in mind what the growers have given to the consumers in Western Australia in the way of cheap wheat over a number of years. The figures reveal that year after year, even under the Federal scheme, the overall position has been helped to the extent that Western Australia gave away £4,000,000 in each of the two years 1950-51 and 1951-52. In 1949-50, it gave away £3,000,000; and in 1948-49, the figure was £2,000,000. Never let other industries, and those who claim to represent the workers, say that the wheatgrowers have not made some sacrifice. Back in 1946-47 stock feeders paid 4s. 11½d. for their wheat; and in 1947-48, they paid 5s.

The Minister for the North-West: What was the export price?

Hon. A. R. JONES: It was then 11s. 4d.; and in 1947-48, it was 14s. 4d., at a time when the stock feeders paid 5s., and the home consumption price was 5s. In 1948-49 the export price was 11s. 4d., and the stock feeders paid 6s. 3½d. The following year the figures were 13s. 3d. and 6s. 8d., and the year afterwards they were

12s. 1d. and 7s. 10d. It was not until last year that the price charged to the stock feeders was anything like the cost of production. Now it is 14s., which is slightly over the cost of production.

The Minister for the North-West: What was the export price last year?

Hon. A. R. JONES: The last figure available was 13s. 2d. For some of the year the stock feeders paid 7s. 10¾d. and for the balance of the year they paid 10s. It was not until 1952-53 that stock feeders paid anything like the cost of production. So it is not very hard for us to prove that farmers have made a big contribution to the economy of this country, and they will continue to do so with wheat rising in price. It said that by the end of February there will not be any old season's wheat left in the country. Wheat is taking a little bit of a move upwards. Coarse grains are more or less governed by the wheat of the world, and the price has advanced to over 10s. per bushel again for both oats and barley.

I support the measure, but I trust the Minister will make apparent the argument we have put up concerning the clause to which I have made reference. I hope that our objection will be conveyed to the Federal Government. We feel that, as we are putting money into this scheme and the Government will not do so until it is called upon, the Commonwealth Minister should not have the right to veto or to direct what the board shall do until that time arrives.

HON. C. H. SIMPSON (Midland) [8.5]: With other members, I have listened with great interest to the remarks of Mr. Logan and Mr. Jones concerning the wheat industry and the implications of the Bill. I agree with all they have said. I also agree that while it is necessary to pass the Bill as promptly as is required by the Minister in another place, it is desirable that our Minister should convey to the Minister he represents the opinions of members here in regard to the necessity for some consideration being given to Clause 8, the clause in dispute.

It was rightly said by Mr. Jones that the wheatgrowers of this State have been benefactors, inasmuch as they have supplied wheat at under cost for the purpose of stock feeding, and there have been occasions when Western Australia has been called upon to supply a considerable quantity for consumption in the other States, because seasonal conditions there were very bad. That meant we had to accept the home consumption price for wheat because we happened to be in the position, as one of the four major wheatgrowing States, of producing a larger export proportion than any other State. The other States have a greater internal consumption, and Western Australia usually has a larger proportion of its total yield available for export.

As Mr. Jones rightly said, if we had conducted a pool of our own, we would, over the years, have shown a handsome profit. But the poll in 1948, and that of this year, revealed that the majority of growers preferred a Commonwealth-wide pool to a State pool on the ground, I think, that if prices receded, the benefits of the stabilisation scheme would be more effective if they applied on a Commonwealth-wide scale than if they were confined simply to our own State.

The clause that has been referred to varies little from the corresponding section in the 1948 Act; and, as a layman, I agree with Mr. Logan that there is no apparent difference in the wording. However, the experts who specialise in the niceties of legal phraseology claim that, while the previous section contained a power of veto, but not of initiative or direction, this clause does in fact endow the Minister with both the right of initiative and of direction. That is the point to which it is desirable the attention of the Federal Minister should be drawn, and the hope expressed that, if there is in fact such power, it will be used for the benefit of growers and not to their detriment.

It might be worth while if the Minister were to give some undertaking as to the extent to which he would be prepared to limit these powers of direction and initiative if the clause gives him those powers. However, as the Bill has been accepted and ratified by the other States, and it is necessary that similar ratification should be given here to pave the way for marketing and making payments for this season's crop, I support the measure.

THE MINISTER FOR THE NORTH-WEST (Hon. H. C. Strickland—North—in reply) [8.11]: There is no necessity for this State to draw the Federal Minister's attention to the objections that have been raised in connection with the clause mentioned, because in the Senate only last week, or the week before, it was contested and, of course, the objection got very little support. The Federal Minister and the Federal Government were adamant that the clause should remain as it is. The explanation from Canberra is that the provision in the old Act was negative, but that in this measure it is very clear and deliberative and there can be no confusion whatever as to the power of the Minister. The provision in the old Act begins—

> The board may subject to the directions of the Minister administering the Commonwealth Act . . .

do certain things.

Hon. C. H. Simpson: The Federal Minister for Commerce is away overseas, is he not?

The MINISTER FOR THE NORTH-WEST: Yes. But the Federal Cabinet was adamant on this clause, and the provision has been included in the Acts of the other States. No comment was raised about it

such as has been offered here. The provision is very clear and leaves no room for doubt or litigation. It reads—

> The Commonwealth Minister may give directions to the board concerning the performance of its functions and the exercise of its powers and the board shall comply with those directions.

Hon. A. R. Jones: It gives him full power.

The MINISTER FOR THE NORTH-WEST: Yes.

Hon. A. R. Jones: Then what is the good of the board?

The MINISTER FOR THE NORTH-WEST: That power is never likely to be used unless the price of wheat drops below the cost of production. Then, once the fund of £20,000,000 is exhausted, the Commonwealth will be called upon to subscribe the difference.

Hon. A. R. Jones: I think it should have a say.

The MINISTER FOR THE NORTH-WEST: I do not know whether any Minister can simply give away money without having some control over it.

Hon. A. R. Jones: I am saying that he should have a say in those circumstances.

The MINISTER FOR THE NORTH-WEST: It is unlikely that the power will be used unless such a situation arises. Never in the history of Commonwealth stabilisation has it been necessary for the Commonwealth to subsidise the price. The cost of production has me intrigued. Mr. Jones always appears to be of the opinion that Governments are ungenerous. I do not know much about it; but when one thinks of the cost of production and knows how some of the wheat is grown, one wonders how such a high figure is arrived at.

Hon. N. E. Baxter: It is based on the average.

The MINISTER FOR THE NORTH-WEST: I have very little knowledge of the subject, but I do know that when wheat sells at 13s. or 14s. a bushel it provides a price which enables farmers to share-farm. This means that the cost of production must be below 8s. in order that two persons may make a profitable living with wheat at 16s.

Hon. L. C. Diver: Now, now!

The MINISTER FOR THE NORTH-WEST: I am not putting forward something that I have no knowledge of.

Hon. L. C. Diver: You told us just now that you were not sure.

The MINISTER FOR THE NORTH-WEST: I know of one district where the average production per acre is comparable with the average for the State; and where, over the previous four years—not this year, because owing to the light season, production will be below average—one young fellow has been able to do very well by cropping 500 acres on a share basis. I understand that the share farmer supplies the plant, does all the work, and pays for half the bags that are used to take the grain to the silo. The owner, I think, provides the land, super and seed wheat.

It has always intrigued me to know how, if—under these conditions—profits can be made, the cost of production should be as high as Mr. Jones states. I understand that the cost of production includes a margin for labour after covering depreciation and all other expenses, but I do not know the formula. I have only a vague knowledge of the subject. The claim is made that the wheat farmer always contributes to the pocket of the people, but he does get something back by way of return. For instance, there are no wharfage charges for exports of the produce of the soil.

Hon. Sir Charles Latham: The people buying overseas pay those charges.

The MINISTER FOR THE NORTH-WEST: No, the people importing pay them. They are paid on the goods that flow in, be they jams, clothes, machinery or anything else. Admittedy the farmer pays some of the charges in connection with those items; but so do the members of the public, generally. The harbour boards want to balance their budgets so, in order that the exports can go through free, an impost is put on the imports.

Hon. Sir Charles Latham: If we charge the wharfage dues, the people purchasing overseas will have to pay them, and that will limit our market.

The MINISTER FOR THE NORTH-WEST: If that were the case, the farmer should have no objection.

Hon. Sir Charles Latham: It would stop our markets.

The MINISTER FOR THE NORTH-WEST: It must be admitted that there is a concession in regard to the produce of the soil; and it is a generous concession.

Hon. C. H. Simpson: Wharfage charges are raised on imports, such as tractors, binders and other things that farmers use.

The MINISTER FOR THE NORTH-WEST: Yes, and on clothes, baby foods and tinned milk. Very few farmers, who are good farmers, should have to buy a tin of milk.

Hon. Sir Charles Latham: I think you had better get on to bananas.

The MINISTER FOR THE NORTH-WEST: I am just making my observations on the generosity of the farmers. I would say that a large contribution is made to the farmers—not only wheat farmers, but all farmers, and people living in the farming areas—by the general public of Australia. This is done by the "ungenerous"

Commonwealth Governments through railway fares and freights. This matter is not all one-sided.

Hon. Sir Charles Latham: I wonder whether you want the Bill to go through tonight.

The MINISTER FOR THE NORTH-WEST: One cannot say that the farmer always carries the whole load. We do want the Bill passed, and I am pleased to hear of the support that the members of the farming community, who know that it is an important measure, are giving it.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed*.

BILL—PLANT DISEASES ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the Council's amendments.

RESOLUTION—STATE FORESTS.

To Revoke Dedication.

Message from the Assembly received and read requesting concurrence in the following resolution:—

> That the proposal for the partial revocation of State Forests Nos. 20, 21, 28, 33, 34, 36, 38, 51 and 55 laid on the Table of the Legislative Assembly by command of His Excellency the Governor on the 26th day of November, 1954, be carried out.

BILL—BETTING CONTROL.

In Committee.

Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Commencement:

Hon. A. F. GRIFFITH: I move an amendment—

> That after the word "proclamation" in line 10, page 1, the following proviso be added:—
>
> > Provided that no such proclamation shall be made unless the majority of electors qualified to vote for elections for the Legislative Assembly have approved of the coming into operation of the Act at a referendum.

The reason for the amendment is that I believe the people of the State should be given some opportunity to express their views on such an important issue. Perhaps the two most controversial issues in the minds of the public are betting and liquor control. Not long ago we had a referendum on the liquor question to ascertain the views of the public in that regard. Rather than force this Bill through Parliament by sheer weight of numbers, it would be far more satisfactory to permit the people of the State to express their opinion by referendum. When the Chief Secretary was speaking last night he said, "The Minister for the North-West was right when he said that the majority of the people of this State are in favour of this Bill." Of course statements such as that coming from the Chief Secretary can be only assumption.

The Chief Secretary: Just the same as your statement made about the opposition—

Hon. A. F. GRIFFITH: Very well, let us settle it on that point. If the Chief Secretary will admit that the statement he made last night is correct—namely, that the majority of people are in favour of the Bill—then his assertion that the majority of the people are not in favour of a referendum must fall to the ground. Therefore, if for no other reason, the Chief Secretary's assertion is a good argument for agreeing to this amendment. My conscience guides me to vote against a measure of this description because I do not think it is the answer to the problem, but I would be quite prepared to accept what the majority of the people decided by referendum. It might be suggested that the amendment is out of order.

The Chief Secretary: You have read my thoughts.

Hon. A. F. GRIFFITH: No. I know the Chief Secretary pretty well; and I also know that if he can find a way to oppose this amendment so that an opportunity will not be given to the people to express their opinion, he will make every endeavour to avail himself of that opportunity. Apparently, by his admission, that will be his course of action. An amendment of this nature will place no monetary obligation on the Crown.

The CHAIRMAN: I take it that the hon. member is persisting with his amendment and is not going to ask for a ruling on it?

Hon. A. F. GRIFFITH: No, I will let the Chief Secretary have that privilege. If this amendment is agreed to, there will be no monetary obligation placed on the Crown; nor will there be any burden imposed on the people, because the Government in its own time, of its own discretion and in its own wisdom, can decide to take the question to a referendum and permit the people to make their decision.

The very purpose of the clause in providing that the Act shall come into operation on a date to be fixed by proclamation is that the ramifications of the s.p. betting activities can be investigated; that the Government can find men who are eligible or trustworthy to be appointed to the betting control board; that the members of the board might determine those persons who are eligible to receive licences, or a dozen and one things according to the terms of the Bill. At the end of that time, the Government may find that the ramifications of the problem are such that it will consider it undesirable to proclaim the Bill and will not persist with its intention. In that event the Bill would not become an Act. I say to Government members, who have supported this non-party Bill about which we have heard so much and on which every member behind the Chief Secretary has cast a favourable vote—

Hon. E. M. Davies: Are we not allowed to have consciences in the same way as you?

Hon. A. F. GRIFFITH: Yes. Whether the Bill has been a non-party measure or not, it has been solidly voted for by members on the other side of the Chamber. I say to Mr. Logan, Mr. Murray and Mr. Craig on this side that they should support this amendment; because if they do, the people will have an opportunity to express their views.

Hon. C. W. D. Barker: The people have given their answer long ago.

Hon. A. F. GRIFFITH: I suppose Mr. Barker would say that the people gave their answer when they elected this Government to office.

Hon. F. R. H. Lavery: That is why they usually elect governments, is it not?

Hon. A. F. GRIFFITH: That may be so; but this question was not made an issue during the last election.

Hon. R. J. Boylen: It was in 1946, after which your Government did nothing about it.

Hon. A. F. GRIFFITH: This Government did not say to the people in 1953, "We will introduce into the Parliament of Western Australia legislation to control betting." No mention was made of that during the election. Perhaps if we had an election on the issue today, it might be a different story.

Hon. R. J. Boylen: You won an election on it in 1946.

Hon. A. F. GRIFFITH: The point is that there was no issue made of it during the election of 1953. Therefore, in 1953 the people had no opportunity to say, "If this Government is elected it will introduce legislation to legalise and control betting."

Hon. C. W. D. Barker: The demand for betting facilities is so great that there is no need to go to the people.

Hon. A. F. GRIFFITH: The demand for betting facilities, in the words of the Chief Secretary, is such that a majority would not vote against the legislation. My idea is that the people should be given an opportunity to express their views.

Point of Order.

The Chief Secretary: In view of the fact that this amendment will probably entail a long debate and that later the amendment could be ruled out of order, I think it might be just as well at this stage, Mr. Chairman, if we had your ruling. I do not mind a debate being held on the amendment; but I do not want it to proceed for a long period and then find it is out of order.

Hon. A. F. Griffith: It is better to quash it now while you have the chance.

The Chief Secretary: Yes. I am prepared to debate the amendment if it is in order; but if it is not, it should be quashed now. Also, it might be against the provisions of the Constitution Acts Amendment Act. At the moment I cannot find the relevant section, but I would like to have a ruling, Sir, as to whether the amendment is in order.

The Chairman: In making a ruling on this proposed amendment the first thing to decide is whether the amendment will appropriate revenue.

The Chief Secretary: I think you will find that the relevant section is Section 46 of the Constitution Acts Amendment Act.

The Chairman: I have that section before me. The Bill, when introduced in the Legislative Assembly, was accompanied by a Message from the Governor; and the clerk's certificate on the Bill, as presented to the Legislative Council, sets out that "the purposes for appropriation of the revenue were first recommended by Message from the Governor." Clause 8 of the Bill provides that the expenses of administration of the Act are payable out of such money that Parliament appropriates for the purpose. Subsection (2) of Section 46 of the Constitution Acts Amendment Act of 1899 provides that the Legislative Council may not amend Bills appropriating revenue. Subsection (3) of Section 46 of the same Act provides that the Legislative Council may not amend any Bill so as to increase any proposed charge or burden on the people. Whatever moneys would be appropriated under the Bill as presented would, if the proposed amendment were agreed to, be an added charge, and therefore, in my opinion, is not in order under Section 46 of the Constitution Acts Amendment Act, 1899. I therefore rule that the amendment is out of order.

Dissent from Chairman's Ruling.

Hon. A. F. Griffith: I must reluctantly disagree with your ruling.

[*The President took the Chair.*]

The Chairman having stated the dissent.

Hon. A. F. Griffith: The Chairman of Committees reported that he upheld the point taken by the Chief Secretary on the amendment to Clause 2. I was reluctant to disagree with his ruling, but I had to do so. I appeal to you on the matter because I feel that the Chairman has not given a correct ruling.

I would point out that in attempting to amend clause 2 I desired to add the words that appear on the notice paper in my name, which seek to provide for the holding of a referendum on this matter. The Chairman said that Clause 8 of the Bill provides that the expenses of the Bill will be payable out of such moneys as Parliament appropriates for the purpose. I venture to suggest that the fulfilment of a referendum would not be a charge against the administration of this Bill. If the amendment were agreed to it would simply mean that, in the Government's own time, in its own discretion, at its own free will, when it thinks fit and proper so to do, it can take this matter to the people by way of referendum.

I also pointed out, in introducing the amendment, that this Bill containing in all 33 clauses and a schedule—is quite lengthy and involved in its ramifications. It provides that the Government shall appoint certain persons to a betting control board. If this Bill passes through Parliament, the Government will have to seek out the different men who are fit and capable of holding the positions on the board. The board will have to receive applications for licences, and it will have select licensees to operate betting shops. The board will have to go into the question of suitable matters in a hundred and one different ways to satisfy itself that everything will be in the best interests of the people. If that is not the intention of the board, then there will be a very sorry state of affairs.

Granting that that is the intention of the board we may find that at the end of the period of time, when all these investigations have been made, the board and the Government consider that this Bill is not a suitable one and should not come into operation at all; or in other words, it should not be proclaimed. If it were desired immediately to bring into operation the clauses contained in the Bill, then the words in lines 9 and 10 "the Act shall come into operation on a date to be fixed" would not have appeared. Obviously it can only come into operation on a date to be fixed because all these things have to be gone into.

I repeat that, when all these investigations have been made, the Government might not decide to bring the Bill into operation at all. In the meantime the Government might, in its own time—and if it did not want to it need not—conduct a referendum. If this amendment is accepted, the Legislative Council will not offer any direction that the referendum shall be carried out. It is merely intended to place an opportunity before the people to express their views on the subject.

I realise that the Chief Secretary, in his anxiety to get this Bill through Parliament, would be failing in his duty if he did not ask the Chairman for a ruling to find a weak spot to get rid of something which I consider the people should have: that is the opportunity to express themselves on this matter. Naturally the Chief Secretary took it on himself to say, "This will not get past the Chairman, so I shall challenge it in any case". I ask you, Mr. President, to consider the question. I hope you will come to the conclusion that this amendment does not impose a burden on the Crown. In doing so I believe you will be giving the House an opportunity to pass the amendment in the hope that the people of this State might be given an opportunity of expressing their views on a matter which is very important to all sections of the community.

Hon. H. K. Watson: I think Mr. Griffith has stated his case very clearly on the broad lines to which he directed his arguments; that is, the referendum is not bound to be held and therefore this House will not be imposing any charge on the people. I rise to clear up a point in connection with the report of the Chairman. He said that Subsection (2) of Section 46 of the Constitution Acts Amendment Act provides that the Legislative Council may not amend Bills appropriating revenue.

That being so, I would like to urgently submit this point for your consideration, Mr. President. Whatever might be your decision, under Subsection (3) of Section 46, which provides that the Legislative Council may not amend any Bill so as to increase any charge or burden on the people—I admit that in your opinion you may consider that the referendum would increase or create a proposed charge—I submit that the Chairman's ruling under Subsection (2) is certainly not consistent in the broad general terms in which it has been presented.

Subsection (2) says that the Legislative Council may not amend Loan Bills, or Bills imposing taxation, or Bills appropriating revenue or moneys for the ordinary annual services of the Government. The last words are the important ones. I mention that point because it is conceivable that if that particular part of the ruling is upheld in the manner in which it is presented, this House might not be able to amend any part of the Bill. I think we should be very careful to see that such a state of affairs does not arise inadvertently; because at no time has it been suggested that because the Bill appropriates Consolidated Revenue for the

purposes of carrying out the provision of the measure, it is one which this House cannot amend.

It is true this House cannot amend Bills appropriating revenue or moneys for the ordinary annual services of the Government, but that is very different to the ruling submitted by the Chairman. All this Bill does is to provide in Clause 8 that the expenses of administration of the Act are payable out of such moneys as Parliament appropriates for such a purpose. Whether the Bill was or was not introduced by Message in another place, I submit that Section 46 (2) is quite inapplicable. What happens under Subsection (3) is another matter.

The Chief Secretary: The hon. member has already imposed a burden on the people by moving the amendment because of the cost of these proceedings.

Hon. A. F. Griffith: You are anxious to get the Bill through.

The Chief Secretary: Not more so this than any other Bill. I want to give members all the time possible to discuss the measure. Every organisation must be bound by rules and regulations; otherwise chaos would result. I raised the point at this stage because, if the amendment is out of order, it is useless to go on discussing it. I shall not waste time by discussing the ruling because I consider it is sound and am prepared to leave it in your hands, Mr. President.

Hon. Sir Charles Latham: I associate myself with the remarks of Mr. Griffith, and endorse the opinion of Mr. Watson. Subsection (2) has no application to this matter. It states that the Council may not amend Loan Bills or Bills imposing taxation, or Bills appropriating revenue or money for the ordinary annual services of the Government. That would apply to the Appropriation Bill, but this measure has nothing to do with the appropriation of revenue. Whether the Bill was introduced in another place by Message or not does not influence me. The mere fact of a Bill's being introduced by Message does not necessarily make it a money Bill.

Hon. H. K. Watson: If so, this House would be short-circuited in every way.

Hon. Sir Charles Latham: Yes, and we might as well cease to exist, as we would have no power. Mr. Griffith has clearly explained the position. The amendment would not bind the Government to holding a referendum. All it provides is that, before the measure can become law, it shall be referred to the people. We have to be very careful not to establish a precedent. I have always argued that a President or a Speaker might make a mistake, but Parliament should not make a mistake because it is so difficult to rectify a parliamentary error. The Chairman of Committees is not infallible.

The Minister for the North-West: The Standing Orders are.

Hon. Sir Charles Latham: The amendment might be a quiet method of killing the Bill, but it does not bind the Government to holding a referendum.

Hon. F. R. H. Lavery: A subtle method.

Hon. Sir Charles Latham: I am quite clear in my own mind that the amendment would not impose a charge or burden on the people because it will be at the option of the Government whether the measure is proclaimed or not.

Hon. E. M. Heenan: I agree that there might be room for doubt as to the effect of Subsection (2) in relation to the question before us. Clause 2 (1) of the Bill reads—

> This Act shall come into operation on a day to be fixed by proclamation.

The word used is "shall," not "may," though there may be some doubt as to when it shall come into operation. However, it shall come into operation at some time, and there is no choice in the matter. Mr. Griffith wants to provide that it shall not come into operation until it has been submited to a referendum, so there is no ambiguity about the amendment. If the amendment is passed, it will be mandatory on the Government to hold a referendum, and, by foisting that liability on the Government, it would be increasing a charge or burden on the people. For those reasons, I consider that the Chairman's ruling was sound.

The President: I have studied the ruling given by the Chairman of Committees and have listened to the points raised by members, particularly by Mr. Watson, regarding Subsection (2) of Section 46 of the Constitution Act. I rule that the decision given by the Chairman of Committees that the amendment moved by Mr. Griffith is out of order, was correct. There may be some doubt as regards Subsection (2) of Section 46 of the Constitution Acts Amendment Act, 1899, but Subsection (3) of that section leaves no doubt as to what the Council may or may not do as regards charges or burdens on the people.

Committee Resumed.

Clauses 2 and 3—agreed to.

Clause 4—Interpretation:

The CHIEF SECRETARY: I have a number of amendments to propose that are necessary to put the Bill in order following amendments that were made in another place. For instance, Clause 9 (8) reads—

> A bookmaker shall not be absent from the registered premises in respect of which he holds a licence while open for business on more than twenty-eight days in any one year without the written permission of the board.

That reads as if the bookmaker were required to be open, whereas we should specify the premises. I have mentioned that as an instance because it is necessary to make some prior alterations. I move an amendment—

That after the word "on" in line 21, page 3, the word "the" be inserted.

There are provisions to say that a bookmaker may not be away from his premises for more than 28 days; and without this and following amendments, the premises would have to be closed in his absence. The regulations give power to license a bookmaker's clerk who may carry on while the bookmaker is away.

Amendment put and passed.

The CHIEF SECRETARY: I move an amendment—

That after the word "Act" in line 21 the word "as" be struck out and the word "of" inserted in lieu.

Amendment put and passed.

Hon. C. H. SIMPSON: I move an amendment—

That after the definition of "licensing year" on page 3, the following definition be inserted:—

"metropolitan area" means and includes all land within a radius of thirty miles from the Town Hall in Perth.

These words mean nothing unless coupled with amendments which I propose to move to Clause 11; and in this regard I might say that I think totalisators would prove successful in the metropolitan area where there are good communications and a concentrated population. With the totalisator there is no personal contact between the operator and the patron—

The CHIEF SECRETARY: On a point of order, Mr. Chairman, we are here dealing with interpretations, and I would ask the hon. member to postpone this debate until we reach the relevant clause. We could recommit the Bill on this clause if necessary.

Hon. Sir Charles Latham: Would you agree to recommit?

The CHIEF SECRETARY: Yes.

Hon. C. H. SIMPSON: I believe the Committee now understands the implication of my amendments. It was necessary that members should know the purpose of the amendment I have moved.

Hon. H. K. WATSON: I think we should either have a full debate on the question now or postpone it, as later I have a similar problem where I will move for the insertion of some introductory words which are meaningless unless read in conjunction with a later portion of the Bill. I think the point should be settled now.

The CHIEF SECRETARY: I say there is no harm in leaving the clause as it is for the moment, as I will recommit the Bill if necessary.

Hon. C. H. SIMPSON: Under the circumstances, I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Clause, as previously amended, put and passed.

Clause 5—Legalisation of betting with bookmakers:

Hon. H. K. WATSON: The Bill seeks to legalise betting, but Subclause (2) provides that no bet or transaction arising out of or in connection with a bet shall be enforceable at law. How does the Chief Secretary reconcile the two positions?

The CHIEF SECRETARY: It is a poser. I think the idea of Subclause (2) is to conform with other provisions which seek to prevent persons betting beyond their means.

Hon. Sir CHARLES LATHAM: If Subclause (2) remains in the Bill, we will be licensing and registering a bookmaker and then telling him he is at liberty to welch.

The CHIEF SECRETARY: I think the betting board would require a licensed bookmaker to put up a bond. There would be a safeguard.

Hon. H. K. Watson: That should be in the legislation.

The CHIEF SECRETARY: The hon. member must not overlook the fact that if a bookmaker does not pay, he loses his licence and his livelihood. So I do not think there is any need to worry about it.

Hon. A. F. GRIFFITH: I am not sure about this as yet. A transaction has two sides; and the punter, as well as the bookmaker, could get out of paying. If we have to have this cursed Bill, let us make it so that debts are recoverable.

The Minister for the North-West: This is the law as it stands.

Hon. A. F. GRIFFITH: And the Bill will maintain it. I think we should make the debt recoverable.

Hon. E. M. HEENAN: I hope the Committee will leave this as it stands. This only adopts a principle which has been in force for centuries. There is a similar provision in the Licensing Act and hotelkeepers cannot sue for drinks that are booked up.

Hon. N. E. Baxter: But they can sue for anything else in connection with their legal business.

Hon. E. M. HEENAN: It is to prevent unscrupulous hotelkeepers from suing a person who books up drinks when he is incapable of understanding what he is doing.

Hon. Sir Charles Latham: I do not think there is any such provision in the Licensing Act.

Hon. N. E. Baxter: Yes, there is.

Hon. E. M. HEENAN: As I understand it, there are a lot of things that Sir Charles Latham does not know. I am telling him that there is such a provision in the Licensing Act, and I think we should leave this provision in the Bill well alone.

Hon. N. E. BAXTER: I certainly do not agree with this subclause. The racing clubs and the registered bookmakers on the course have means of dealing with anybody who does not pay racing debts. Such people are blacklisted and they cannot bet with any registered bookmaker. But there is nothing in this measure to stop a man having a credit transaction with one licensed bookmaker; and after refusing to pay, he could bet with any other bookmaker who might not know him.

Hon. L. Craig: But he would not give him credit.

Hon. N. E. BAXTER: No, but he could carry on betting.

The Chief Secretary: How long do you think he would be able to carry on?

Hon. N. E. BAXTER: He could carry on cash but not credit betting. We intend to legalise betting and there is a clause which provides for credit betting; but this subclause says that the bets are not recoverable at law. That is too silly for words and I move an amendment—

> That Subclause (2), page 6 be struck out.

The CHIEF SECRETARY: I draw the attention of the Committee to the fact that there is power to make regulations which may provide for the following:—

> Bookmakers being required to give security for the due observance of this Act and regulations, and of the terms and conditions of their licences.

Hon. A. R. Jones: But what about the punter?

The CHIEF SECRETARY: That is the bookmaker's worry. The betting board will be worried about the bookmaker; he is the only one who will be licensed.

Hon. L. C. Diver: Are you going to allow him to be shot at by the public?

The CHIEF SECRETARY: It is his funeral if he is silly enough to allow himself to be shot at by the public. We do not pass laws covering a person who deals with the grocer.

Hon. Sir Charles Latham: Yes, we do.

The CHIEF SECRETARY: He can be sued at law.

Hon. Sir Charles Latham: But you are preventing it in this case.

The CHIEF SECRETARY: We are leaving the position as it exists. At the moment we are concerned only with the bookmaker.

Hon. L. A. LOGAN: This provision was not in the Bill when it was first introduced; and when I first saw it, I was opposed to it. But it has the virtue that it will stop a bookmaker taking bets from some poor unfortunate who cannot afford to bet.

Hon. F. R. H. Lavery: That is why it is there.

Hon. L. A. LOGAN: I read this provision to a person who had not read the Bill, and he said that it would stop an unfortunate bettor from betting too much and would make a bookmaker careful about taking bets. I agree and I support it.

Hon. C. H. SIMPSON: I agree with the points of view put forward by the Leader of the House and by Mr. Logan. I think a bookmaker knows a good deal more about this sort of thing than the punter and is able to protect himself. There is a similar provision in the Licensing Act. As a result, I think this subclause has some merit.

Hon. A. F. GRIFFITH: After listening to the explanations about the subclause, I think it has a good deal to commend it.

Hon. A. R. JONES: I cannot reconcile the attitude of the Chief Secretary and those who support him, and I do not know how they have the hide to stand up and say that the clause is a good one. We have been told that it is terrible to bet illegally, and yet under this subclause we provide that bets shall not be recoverable at law. There is nothing to say that a bookmaker could not win £50,000 on the Melbourne Cup and then skip off with the money. He would lose his licence, but he would be quite happy to do that after having won £50,000. Also there would be nothing to stop a punter, after losing £500 or £1,000, from skipping off.

Hon. W. F. WILLESEE: I support the subclause. It is only a principle that involves betting.

Hon. N. E. Baxter: There is not much principle behind it.

Hon. W. F. WILLESEE: Bookmakers registered with the W.A.T.C. lodge a bond which is held in trust by the turf club. In the case of principal bookmakers, it is £500. If a bookmaker cannot pay, and the ticket is presented to the turf club, the club pays the money and the bookmaker loses his licence. A levy is struck on the remaining bookmakers, and they make up the amount to the turf club. If a punter defaults, nothing is done except that he is posted as a defaulter. There has been

positive proof over the years that if a punter gets into the clutches of a bookmaker he becomes unbalanced and will bet anything to try to get out of the mess. He might start in pounds and finish up in hundreds.

Hon. A. R. Jones: Yes you condone that!

Hon. W. F. WILLESEE: It is a principle that has existed in racing for years. It is a protection for the punter.

Hon. N. E. BAXTER: I trust that the Committee will give this further sound consideration—

The Chief Secretary: It has.

Hon. N. E. BAXTER: —before it agrees to allowing this subclause to remain in the Bill. Under this measure we are prepared to legalise betting throughout the State. Yet we are going to condone illegal practices and leave it open for people to take one another down. This clause is designed to allow thousands of people to escape their liability, and will only be availed of by those people.

The MINISTER FOR THE NORTH-WEST: I cannot understand those members who have repeatedly said that the Bill will encourage betting and gambling wanting to delete this clause. Its purpose is to control betting, not to throw it open. As Mr. Willesee said, if a person bets on credit all the time he will not know where to stop; he will take that risk. Knowing that a man is a person of some substance, the bookmaker will probably encourage him to take that risk. This has been in the law for many years.

Hon. N. E. Baxter: It is the unwritten law.

The MINISTER FOR THE NORTH-WEST: It is in the Police Act. I hope the amendment will not be agreed to.

Amendment put and a division taken with the following result:—

Ayes	4
Noes	22
Majority for	18

Ayes.

Hon. N. E. Baxter	Hon. Sir Chas. Latham
Hon. A. R. Jones	Hon. L. C. Diver
	(Teller.)

Noes.

Hon. C. W. D. Barker	Hon. F. R. H. Lavery
Hon. R. J. Boylen	Hon. L. A. Logan
Hon. L. Craig	Hon. J. Murray
Hon. E. M. Davies	Hon. H. L. Roche
Hon. G. Fraser	Hon. C. H. Simpson
Hon. J. J. Garrigan	Hon. H. C. Strickland
Hon. Sir Frank Gibson	Hon. J. D. Teahan
Hon. E. M. Heenan	Hon. J. McI. Thomson
Hon. C. H. Henning	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. A. F. Griffith
	(Teller.)

Amendment thus negatived.

Clause put and passed.

Clause 6—Constitution of Betting Control Board:

Hon. H. K. WATSON: I move an amendment—

> That after the word "Governor" in line 27, page 6, the words "and the Chairman being the Commissioner or one of his officers" be inserted.

This clause deals with the constitution of the Betting Control Board. The board will be one of the most responsible bodies in the State. Success or otherwise—if success is possible under this Bill—will depend on the integrity and ability of that board. I understand that the Premier, when replying to a question as to who would be the Government nominee as chairman of the board, indicated that the Under Treasurer—who is the Commissioner of Stamps—would be the chairman. That would be an excellent and desirable appointment. From past experience of the previous occupant of that office, and of the person who holds it at present, the Under Treasurer or Commissioner of Stamps is a man of ability and integrity. So that there will be no doubt about it, it should be written into the Bill that the Commissioner of Stamps will be chairman. I have used the word "Commissioner" because it is referred to in that manner throughout.

The CHIEF SECRETARY: I hope the Committee will not accept this amendment. The Government should have a free hand in the selection of the chairman of the board. I do not know whether the Premier indicated in the manner suggested by Mr. Watson, though I take his word for it that he did. I have nothing personal against the Commissioner of Stamps—indeed, I do not know who he is—but it may be possible that the commissioner would not be a suitable man for the post of chairman of a board of this description. The Government should not be hamstrung in its selection. I will not violently oppose the amendment, but I hope it will not be agreed to.

Hon. L. CRAIG: I hope the Committee will not agree to the amendment; not that I have any strong objection to it. The Government has accepted the responsibility for the control of betting, and I think we should place that responsibility right on the Government's plate. We should not stultify it in its efforts to appoint the members of the board. We should say to the Government, "You introduced this; you accept the responsibility. It is up to you to carry it out properly; we will not hamstring you in your choice of chairman. If you think one man is better than another you accept the responsibility for it." This will be a very important job until the board is able to run smoothly.

Hon. N. E. Baxter: Or otherwise.

Hon. L. CRAIG: That is so. Let us put the responsibility squarely on the Government.

Hon. H. K. WATSON: The point raised by Mr. Craig is the very reason why my amendment should be carried. Mr. Craig says we should leave it to the Government. I think I can fairly say that if we did that, the Government would carry out the time-honoured practice and wonder which union secretary or which of its political friends it would appoint as chairman of the board. For that reason, I would like to see written into the Bill who will be chairman.

Hon. C. W. D. BARKER: I hope the Committee will not agree to the amendment. If we are to have a board, the Government should have the right to appoint the chairman. The success of a board depends on a good chairman. How can we say the Commissioner of Stamps has the necessary knowledge for the post of chairman of the board? None of us wants to bring chaos into this matter. The appointment of the chairman should be left entirely to the discretion of the Government.

Hon. E. M. HEENAN: I agree with Mr. Watson when he emphasises the importance of the character of the chairman of the proposed board. For that very reason we need to leave the Government a wide choice. The Commissioner of Stamps is probably a very estimable and capable officer, but he may not know the first thing about betting or bookmakers. He may never have had a bet in his life. As a matter of fact, he may be opposed to betting; on the other hand, he may be too addicted to it. In spite of the number of estimable qualities he might possess, he may be one of the last persons who should be appointed chairman. It would be very unwise to fetter the government in any way. The chairman will have an immense responsibility. He will have to be a man of the greatest integrity; but on top of that he will require a fair amount of knowledge of racing, and will need to have a fair knowledge of various parts of the State, and will not need to be prejudiced in any way. The Government will have a difficult job to find the right man and we should not handicap it in any way.

Amendment put and a division taken with the following result:—

Ayes	5
Noes	21
Majority against	16

Ayes.

Hon. N. E. Baxter	Hon. Sir Chas. Latham
Hon. L. C. Diver	Hon. H. K. Watson
Hon. A. R. Jones	*(Teller.)*

Noes.

Hon. C. W. D. Barker	Hon. F. R. H. Lavery
Hon. L. Craig	Hon. L. A. Logan
Hon. E. M. Davies	Hon. J. Murray
Hon. G. Fraser	Hon. H. L. Roche
Hon. J. J. Garrigan	Hon. C. H. Simpson
Hon. Sir Frank Gibson	Hon. H. C. Strickland
Hon. A. F. Griffith	Hon. J. D. Teahan
Hon. E. M. Heenan	Hon. J. McI. Thomson
Hon. C. H. Henning	Hon. W. F. Willesee
Hon. J. G. Hislop	Hon. R. J. Boylen
Hon. R. F. Hutchison	*(Teller.)*

Amendment thus negatived.

The CHIEF SECRETARY: I have two amendments that require to be made to the drafting. The purpose is to divide Subclause (10) into paragraph (a) and paragraph (b). I move an amendment—

That before the word "The" in line 37, page 7, the letter "(a)" be inserted.

Amendment put and passed.

On motion by the Chief Secretary, Subclause (10) further amended by inserting before the word "The" in line 2, page 8, the letter "(b)."

Clause, as amended, put and passed.

Clauses 7 and 8—agreed to.

Clause 9—Applications for, and discretion of board to grant licences:

Hon. H. K. WATSON: I move an amendment—

That the word "July" in line 25, page 8, be struck out and the word "December" inserted in lieu.

This seems to be a necessary alteration from a drafting and administrative viewpoint. This Clause was in the Bill originally introduced in another place; but while the measure was being dealt with, Clause 33 was added, which provides that the provisions of the Act shall continue in operation until the 31st December, 1957. Inasmuch as the Act is to end in December it seemed to me to be incongruous, in the July preceding the December in which the Act expires to grant a bookmaker a licence for 12 months particularly as Clause 9, as it stands at the moment, provides that licences shall be for the year ending on the 31st July each year.

The CHIEF SECRETARY: I think that the reason for making the date the 31st July is that the 31st December is the worst time of the year to have a licence lapsing. The usual practice in racing and trotting clubs is for the renewal of a licence to take place at the end of July each year. I am not worrying about the Act ending on the 31st December. If the licence were issued on the 31st July for 12 months, and the Act expired on the 31st December, that would be the end of the licence.

Hon. H. K. Watson: No, the Interpretation Act would keep the licence alive.

The CHIEF SECRETARY: There would not be a great deal of harm done if it did. It would be unwise to alter the date. If

there are any complications, I will have a look at the matter; and it may be possible to make the expiry date on the July following the December suggested in the Bill.

Amendment put and negatived.

The CHIEF SECRETARY: Following what I told the Committee earlier, it is necessary to make some amendments to tidy up the position. I move an amendment—

That the words "only" and "personally" in line 36, page 8, be struck out.

This is necessary because the clerk could be licensed at a certain time of the year when the licensee was away.

Amendment put and passed.

The CHIEF SECRETARY: I move an amendment—

That before the word "upon" in line 38, page 8, the words "in person" be inserted.

Amendment put and passed.

The CHIEF SECRETARY: I move an amendment—

That the words "the business of bookmaker" in line 1, page 9, be struck out and the words "in person or subject to Subsection (8) of this section by his employee" inserted in lieu.

The words "business of a bookmaker" are not necessary here as they appear in paragraph (a).

Amendment put and passed.

Hon. H. K. WATSON: I move an amendment—

That after line 11, page 9 the following paragraph be added: —

(e) to a member of the Parliament of the Commonwealth of Australia or of any State, including Western Australia.

Members of Parliament can well be excluded as they are under the Queensland Act, and possibly one or two other State Acts, from holding a bookmakers's licence.

Hon. C. W. D. Barker: It would be a good sideline.

The CHIEF SECRETARY: Why should we discriminate against a member of Parliament? We get shot at by everybody; do not let us shoot at ourselves. Certain persons are to be disqualified, including the man who holds a liquor licence, but we do not debar him from being a member of Parliament.

Hon. H. K. Watson: You would not put this on the same plane, would you?

The CHIEF SECRETARY: Yes. The premises will be licensed just as hotel premises are licensed. By this amendment we will be coupled with persons who are 21 years of age. The inference is that we have only as much sense as such people. We are also to be coupled with a body corporate and an undischarged bankrupt. We will certainly be in distinguished company. I see no reason why a member of Parliament should be debarred. If a member gets a licence, he will not come here, because he will have too much work to do.

Hon. H. K. Watson: That is not in accordance with precedent.

The CHIEF SECRETARY: I cannot see any justification for the amendment.

Hon. E. M. HEENAN: Mr. Watson is diametrically opposed to the Bill. I submit, that by this amendment he is trying to be facetious; or to get even with some of his colleagues who are members of Parliament.

Hon. H. L. Roche: Are there some aspirants?

Hon. H. K. Watson: It looks like it.

Hon. E. M. HEENAN: A member of Parliament is unlikely to apply for a licence; and even if he did, I think the board would be unwise to grant him one. This puts us in an unfavourable light. We come in immediately after the undischarged bankrupt. Mr. Watson could go further and say that the board shall not grant a licence to convicted criminals or ministers of religion.

The CHAIRMAN: Order! I ask the hon. member to confine his remarks to the amendment before the Chair.

Hon. E. M. HEENAN: I think the amendment is unwarranted.

Hon. L. CRAIG: It would appear that this amendment strikes at the very foundations of our Australian democracy. It will deny the rights of the two Houses of Parliament to have their own established bookmaker. What better body have we than this Chamber with the President ideally situated to be the head bookmaker, with a clerk on either side?

The CHAIRMAN: Order! I ask the hon. member not to cast reflections.

Hon. L. CRAIG: There is no reflection; I am being complimentary. This will prevent a bookmaker from standing for Parliament unless he is willing to forfeit his right to be a bookmaker.

Hon. C. H. Henning: Call him a turf accountant.

Hon. L. CRAIG: It would be most undesirable for any member of Parliament to aspire to such a high office.

Hon. H. L. Roche: We have had them in the past, have we not?

Hon. L. CRAIG: Not registered ones. I have no objection to the intention of the amendment. It is a question of whether

it is undignified, or an aspersion on the integrity of members. It is rather a stigma on the board that it would ever appoint a member of Parliament.

Hon. H. K. WATSON: I take exception to Mr. Heenan's remark that I am facetious or unnecessarily opposed to the Bill. I have studied the Queensland measure; and had our draftsman and the Government spent a little more time on this legislation, the Bill could have been improved in several directions. I am in substantial agreement with the views expressed by Mr. Craig, and here I tender my apology to Mr. Heenan for making this paragraph (e) instead of paragraph (a) so that we should at least come in before the undischarged bankrupt.

At the same time, we have had experience in the past—it should never have arisen but it has arisen—and I for one would not like to see any action, or any extension of it, or any other provision in years to come, dependent upon half a dozen men who may be members of this Chamber. That is by no means beyond the bounds of possibility, unless the position is made perfectly clear. Mr. Heenan has mentioned that a member of Parliament is not debarred from holding a liquor licence, but again we have had experience that if we had such a provision in regard to that it might have been to the advantage of the State.

Amendment put and a division taken with the following result:—

Ayes	10
Noes	16
Majority against	6

Ayes.

Hon. N. E. Baxter	Hon. Sir Chas. Latham
Hon. E. M. Davies	Hon. L. A. Logan
Hon. L. C. Diver	Hon. H. L. Roche
Hon. Sir Frank Gibson	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. A. R. Jones
	(Teller.)

Noes.

Hon. C. W. D. Barker	Hon. R. F. Hutchison
Hon. R. J. Boylen	Hon. J. Murray
Hon. L. Craig	Hon. C. H. Simpson
Hon. G. Fraser	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. A. F. Griffith	Hon. J. McI. Thomson
Hon. E. M. Heenan	Hon. W. F. Willesee
Hon. C. H. Henning	Hon. F. R. H. Lavery
	(Teller.)

Amendment thus negatived.

Hon. H. K. WATSON: For the edification of the Committee, members may be interested to know the other provision in the Queensland Act which is similar, and which provides that if a person indicates that he intends to carry on his business while he is in gaol, he will be liable to a further term of imprisonment without the option of a fine. It is not quite clear to me how he can carry on his business while he is in prison.

The CHIEF SECRETARY: I move an amendment—

> That the letter "(a)" be inserted in line 14, page 9, before the letter "A" where it first appears.

This is only a minor amendment and is the first step towards dividing Subclause (7) into paragraphs (a) and (b).

Amendment put and passed.

On motions by the Chief Secretary, clause further amended by inserting the letter "(b)" in line 18, page 9, after the word "Board"; by striking out the word "And" in line 18, page 9; by inserting the words "the premises are" after the word "while" in line 23, page 9; by adding the words "nor permit the business of bookmaker to be carried out on the premises in the absence of the bookmaker unless by a licensed employee on his behalf" after the word "Board" in line 25, page 9.

Clause, as amended, put and passed.

Clause 10—agreed to.

Clause 11—Registration of premises:

Hon. H. K. WATSON: I do not intend to proceed with my first amendment, for the time being. It is consequential on further amendments that I propose to move to Subclause (2). Following the practice we adopted in respect of an earlier clause, I suggest that I should not proceed with this amendment until we see what happens. The amendment is purely a question of drafting.

The CHAIRMAN: If Clause 11 stands as printed—

Hon. H. K. WATSON: I will move the second amendment that appears on the notice paper in my name. I move an amendment—

> That after the word "Board" in line 1, page 10, the words "after a public inquiry held at the town in which the proposed premises are situated" be inserted.

The same principle to which I have referred applies here. I draw the same analogy that before a licence is granted, an inquiry should be held.

The CHIEF SECRETARY: I cannot support this amendment. If the purpose is to create a first-class row, then that purpose will be achieved. If the board is appointed with power to license betting-shops, we should have enough confidence to expect that it will issue licences to the right people in the right towns. I do not know of any town in this State which might not have a shop. If the public feeling were that there should not be an s.p. shop, there would be none, because the bookmaker would have no customers. I do not think it is in the public interest to hold such an inquiry in every town. I know

there is some provision on these lines in the South Australian Act. That Act has been held up as a failure, and the reason is because of the need to hold these inquiries.

Hon. C. H. SIMPSON: I would have liked to hear the mover explain the amendment more fully. I certainly disagree with the Chief Secretary's statement that a bad state of affairs in South Australia was caused by the inquiry. In fact, the inquiry was not made until the bad state of affairs manifested itself. It was then decided to hold an inquiry in each town, with the result that the shops were closed in all towns except one.

Hon. L. A. LOGAN: I do not know the reason for moving this amendment. If it is carried, the board will have to visit every town in which a person applies for a licence to conduct a betting shop. I do not know whether that will cost some expenditure to the Crown. It would be impossible for the board to carry out this function.

Hon. F. R. H. LAVERY: When I voted for the second reading, I had in mind that the board would be the focal point on which the success or failure of the intentions of Parliament would be determined. I believe that if this amendment were passed, some power would be taken away from the board. If we decided to appoint the board on a high plane, then, irrespective of what else we do, we must leave it to carry out the job delegated by Parliament. I cannot support the amendment.

Hon. Sir CHARLES LATHAM: The amendment does not require the board to go to all the towns. Authority could be delegated to the secretary or a member to visit a town. There might be a great deal of public opposition to a betting shop in a town. Surely the board should not grant a licence where the people are against it.

Hon. R. F. HUTCHISON: The amendment is the surest way to engender bad feeling among the inhabitants of small towns, and I cannot see any merit in it. In every town there are people consciously opposed to betting and there are others who do not mind it. To deliberately start out to create bad feelings is something which I cannot support. This amendment should not be carried. The Government is attempting to do something constructive and we should give the legislation a trial. If weaknesses are found they can be considered when they arise.

Hon. C. H. SIMPSON: Now that I am beginning to understond the purport of the amendment, I regard it very favourably. It will give a community the right to decide whether a betting shop shall or shall not be established in its town. The same provision was included in the South Australian legislation as a result of the recommendations of the Royal Commission, and the board was sent to each town to ascertain the reaction of the community. It cannot be said that this is an undemocratic method. Some safeguard should be provided to give expression to the wishes of the majority.

Amendment put and a division taken with the following result:—

Ayes	9
Noes	17
Majority against	8

Ayes.

Hon. N. E. Baxter	Hon. Sir Chas. Latham
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. Sir Frank Gibson	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. A. F. Griffith
Hon. A. R. Jones	*(Teller.)*

Noes.

Hon. C. W. D. Barker	Hon. L. A. Logan
Hon. L. Craig	Hon. J. Murray
Hon. E. M. Davies	Hon. H. L. Roche
Hon. G. Fraser	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. D. Teahan
Hon. E. M. Heenan	Hon. J. McI. Thomson
Hon. C. H. Henning	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. R. J. Boylen
Hon. F. R. H. Lavery	*(Teller.)*

Amendment thus negatived.

Hon. C. H. SIMPSON: I now come to those amendments at which I hinted when moving the definition of "metropolitan area" in Clause 4. I move an amendment—

> That after the word "community" in line 5, page 10, the words "(a) outside the metropolitan area" be inserted.

I later propose to move a further amendment to add the following words after the word "licences" in line 7, page 10:—"and (b) within the metropolitan area upon such terms and conditions and in such manner as may be prescribed in the regulations as premises in which betting through and by means of the instrument known as the totalisator may be carried on during the days of any race meeting."

This would permit of three kinds of betting being carried on—namely, on the racecourse, in any registered premises outside the metropolitan area, and by means of the totalisator within the metropolitan area. One of the arguments against the totalisator system was distance and lack of communications, but that could not apply to the metropolitan area. No one would deny that totalisators on the racecourse are efficient and popular, and they could be equally popular if situated at strategic points in the metropolitan area.

Totalisators would not establish a personal contact between operator and punter, but would provide all the facilities needed for betting. Further, the transactions would be in cash. The Chief Secretary said it would be impossible to operate totalisators here, but they have worked successfully at country meetings.

The Chief Secretary: That is a poor comparison.

Hon. C. H. SIMPSON: It has been said that 98 per cent. of the punters might be on one horse, but with a totalisator, one can see what horses are being backed. I have not known of a horse with a monopoly of the backing that did not pay the punter more than he invested. The totalisator is a fair means of investment and I suggest that my proposition is worthy of consideration.

Hon. L. A. LOGAN: It would be impossible to have a totalisator in every small place in the metropolitan area.

Hon. C. H. Simpson: I said at strategic points.

Hon. L. A. LOGAN: Apart from this system being a charge on the Crown, the installation of totalisators would be impossible. My desire is to see people prevented from cluttering up the streets on Saturday afternoon. If we had totes for the metropolitan area, even with an agency business, I cannot see how these could be successfuly worked on Eastern States racing on account of the time differences.

Under a system of legalised shops, people would not have to go near the premises on Saturday afternoon; but with a totalisator, they would have to be on the spot all the time, because a tote cannot work except from race to race. Members might consider, too, that the tote would be merely socialised legal betting. Today the totalisator is a monopoly, and if all betting is to be done by totes, a still bigger monopoly will be built up. The tote system is not quite as simple as some people imagine. To adopt it would be quite out of the question and I hope the amendment will not be accepted.

Hon. L. C. DIVER: I consider that there are more acceptable amendments on the notice paper than the one before us. I cannot understand the opposition to the proposal to experiment with the totalisator agency system. Mr. Logan contends that the effect would be to clutter up the streets with people on Saturday afternoon. In that respect, there would not be any difference as compared with legalised betting shops. If a person desired to bet on a number of races, he could lodge details of his investments and the money with the agent in the same manner as an s.p. bookmaker lays the money off prior to each race. Therefore I see no reason why there should be any cluttering up of streets by people on Saturday afternoon.

Mention has been made of the great number of race-books, but I have seen blackboards in s.p. shops with one section set aside for Eastern States races and one for local races. The starters and riders are posted up; and for the trots at night, the starters and drivers are posted up. I think I have eliminated the argument about the race-books. The fact is that people can decide to bet on a horse s.p. in the country hoping the money will not drift back to the course and the s.p. agent on the course probably gets notice to offer a bribe to the jockey.

Hon. E. M. Davies: Surely that does not happen on racecourses!

Hon. L. C. DIVER: That is the sort of improper practice that those administering racing all over the world are trying to eliminate. Even if totalisator agencies cannot be installed immediately throughout the State that system is necessary to reduce the incidence of improper practices now carried on on the racecourse to the disadvantage of the punter. I cannot understand members who profess to look after the interests of the workers not giving them a run for their money. For those reasons I cannot support the amendment, but I will support one proposed to be moved later on the same subject.

The CHIEF SECRETARY: I was sorry to hear the threat that we are to go over all this again on a later amendment. Cannot we settle the question now? This is a debate on whether there shall be totalisators.

Hon. N. E. Baxter: It is not.

The CHIEF SECRETARY: The amendment deals with other matters also, but the main point is the question of totalisators. I was surprised at the hon. member making reference to a jam tin tote in the country. What a ridiculous comparison!

Hon. C. H. Simpson: I took up your claim about everyone being on Raconteur.

The CHIEF SECRETARY: I was speaking of Raconteur in the metropolitan area. I thought members would make inquiries about the position—

Hon. L. A. Logan: I told you.

The CHIEF SECRETARY: The hon. member knows as little about the tote as the man in the moon, judging from what he says. Last night I gave an example of a race held last Saturday in Victoria to illustrate my point. Punters would have lost 2s. 6d. out of every 5s. on a place bet.

Hon. Sir Charles Latham: They would never do that.

The CHIEF SECRETARY: This was an actual happening.

Hon. N. E. Baxter: That is all you know about the tote.

The CHIEF SECRETARY: I have followed racing for many years and think I know something about it.

Hon. N. E. Baxter: You have given a supposed example.

The CHIEF SECRETARY: I can challenge the hon. member on that and can give him proof. Does he say I am lying to the Committee?

Hon. N. E. Baxter: I said it is not an actual example.

The CHIEF SECRETARY: It is.

The CHAIRMAN: Order! Mr. Simpson's amendment is the question before the Chair and members must not depart too far from it.

Hon. F. R. H. Lavery: Earlier in the evening I thought it was agreed that the two points should be taken together as far as the totalisator is concerned.

The CHAIRMAN: If the Chief Secretary is prepared to go on with the debate I am happy about it.

The CHIEF SECRETARY: I thought you would take the view—

The CHAIRMAN: The amendments are tied up with one another, but I would like them dealt with separately as far as possible.

The CHIEF SECRETARY: It is useless trying to talk on the first amendment because there is nothing in it.

The CHAIRMAN: I am content to let the Minister proceed.

The CHIEF SECRETARY: If you, Mr. Chairman, would close your eyes for a moment—

The CHAIRMAN: I cannot very well do that.

The CHIEF SECRETARY: But you must allow the amendments to be discussed together.

The CHAIRMAN: Very well; but we do not want a dress rehearsal two or three times.

The CHIEF SECRETARY: And you will not get it from me.

The CHAIRMAN: The way things are going I am inclined to think that I might.

The CHIEF SECRETARY: Last night I quoted an actual example. Mr. Simpson doubted my word when I said that if the tote had been operating here and, on the money that was invested in a place bet on the particular horse I mentioned, the punters would have got a return of 2s. 6d. for every 5s. they invested.

Hon. C. H. Simpson: A place bet is always at short odds.

The CHIEF SECRETARY: But it is betting just the same, and that is what will happen with the tote. As in Tasmania, the betting on the Eastern States races is almost twice as much as on local events. Most of the money in this State is invested on two or three horses in a race. The tote can pay out only what it gets in less a 13½ per cent. dividend, and if most of the money is invested on two horses, and either one wins, there is no money coming in on the other horses to pay the dividend.

Hon. C. H. Simpson: In the ordinary way what is the lowest amount paid on the local races that you can recall?

Hon. Sir Charles Latham: Have you ever heard of any where they have paid less than 5s. for a place?

The CHIEF SECRETARY: Yes.

Hon. Sir Charles Latham: In this State?

The CHIEF SECRETARY: There have been many instances. At times I have collected 4s.

Hon. Sir Charles Latham: But not on the first placed horse.

Hon. C. W. D. Barker: But you can on the trots at any time.

The CHIEF SECRETARY: I have collected a 4s. return for a 5s. bet on the tote on the course.

Hon. N. E. Baxter: About 20 or 30 years ago.

The CHIEF SECRETARY: No, not so long ago. That is happening on racecourses where people can look up and see the dividends before they invest their money. On the tote it will be betting on the blind and they will have no idea what the dividends will be.

Hon. N. E. Baxter: They have none now.

The CHIEF SECRETARY: With betting on the Eastern States events it would be impossible to run a tote.

Hon. L. Craig: They all know that.

The CHIEF SECRETARY: Of course they do! I suggest to members that they investigate the position; the s.p. bookmakers will give them all the information they want. When Raconteur was competing in Eastern States races, 99 people out of 100 in this State invested their money on him. What would have happened if we had had a tote in the metropolitan area? It would not have been able to return the amount invested. Members started talking about totes all over the State, but now they are inclined to the idea of s.p. shops in the country and totes in the metropolitan area.

Hon. N. E. Baxter: You did not listen to my speech on the second reading.

The CHIEF SECRETARY: The hon. member ought to know something about betting. He knows that everything I have said is true and connot be contradicted. Inquiries have been made by Royal Commissions in Queensland, Tasmania and this State, and all of them have recommended that it was impracticable to operate totalisators. Therefore the position is the same everywhere; and yet members will not face up to the facts. If they are using this method to defeat the Bill, they are entitled to do so; but if they are genuine in their efforts to have a totalisator established in this State, they should examine the position carefully. Should they be successful in their efforts, they will be responsible for the public being robbed. All I ask members to do is to let us have a Bill that is workable. To amend the Bill to establish totalisators would be to make it unworkable.

Hon. N. E. BAXTER: I do not agree with the amendment moved by Mr. Simpson for the reason that it confines the establishment of a totalisator to the metropolitan area. We have just had a discourse from the Chief Secretary about the impossibility of establishing a totalisator system in Western Australia. Like the horse Raconteur, to which he has referred, he is a raconteur, and everyone knows that the meaning of that word is a story-teller.

In New Zealand they did not establish the totalisator in one hit. They worked from a central point. The suggestion by Mr. Simpson that the totalisator system should be started in the metropolitan area is practicable, but I consider that totes could be operated even beyond the metropolitan area with the telecommunications that we have today. All we are proposing is that a totalisator should be established in a central area and s.p. betting shops could operate outside that area. I doubt whether I can support the amendment, because it is questionable whether it is in order. But the Committee could consider such a suggestion at a later stage.

Hon. Sir CHARLES LATHAM: I have here the fourth report on the totalisator scheme in Queensland; and judging by the increase in the volume of betting under that scheme, there is no doubt that it has been a success, and that State has no better facilities than we have.

Hon. F. R. H. Lavery: I thought your idea was to cut down betting and not to increase it.

Hon. Sir CHARLES LATHAM: Does the hon. member credit me with that suggestion? It is amazing the interjections that one has to listen to. I am merely pointing out the possibilities of the totalisator scheme. If the system in Queensland could operate within 25 miles of the town hall, it could operate here. It could be done through agencies. I am sure that that would prove to be the most profitable scheme to the Government, and also to the bettors. They would get full returns for their money, because today the bookmakers always limit the odds they pay, and they will do the same under a Government scheme. The proposal submitted by Mr. Simpson could be tried. I know it would not fail and it would not cost the Government anything to put it into operation, because I understand the W.A.T.C. and the W.A.T.A. are prepared to put up the money to establish these totalisators.

Hon. R. J. Boylen: They never suggested that at any time.

Hon. Sir CHARLES LATHAM: I say they made that suggestion. They have informed people that they are able to do it and will do it.

Hon. R. J. Boylen: There has been no concrete proposition.

Hon. Sir CHARLES LATHAM: Nevertheless, those clubs have said that they could do it. The totalisator scheme has been a success in New Zealand, and I do not see why it should not be a success here.

Hon. E. M. HEENAN: I do not want to prolong the debate, because we are only dealing with Mr. Simpson's amendment to define the metropolitan area as being within a radius of 30 miles of the town hall and to provide that a totalisator system should operate within that radius. Outside that area he is prepared to agree to the establishment of betting shops. We would be unwise to agree to his amendment. When we voted for the second reading, I am sure the majority of members envisaged that the principle of legalised betting being done on registered premises throughout the State was to be put into practice.

The Bill proposes to restrict the period of trial to three years. The board will have an immense job to do in framing its policy, and if we saddle it with inaugurating a totalisator system in the metropolitan area and betting premises outside, its task will be an impossible one. We want this to be a success. A lot has to be done within three years. We do not want a shandy-gaff arrangement. If a totalisator system were practicable all over the State, I agree it might have some merit, but it is impracticable. Let us have one system all over the State. I oppose the amendment.

The CHIEF SECRETARY: When speaking about New Zealand, Sir Charles Latham, like other members, gave only one quarter of the story.

Hon. Sir Charles Latham: It would take too long to tell.

The CHIEF SECRETARY: Why has there been an increase in New Zealand?

Hon. Sir Charles Latham: Because of its popularity.

The CHIEF SECRETARY: To some extent. But also because of the fact that when the tote started operating in New Zealand there were illegal betting shops all over the country; indeed, there are still some there. One of the greatest increases in the tote investment in New Zealand has been due to the gradual closing down of illegal betting. The other part of the story is that the position in New Zealand is entirely different from what it is here. The same applies to Tasmania. In New Zealand the Government that runs the totes, owns the telephones and the telegraphs, and can focus all the facilities on to the totalisators on betting days.

Hon. Sir Charles Latham: The totalisators pay them for the use of those facilities.

The CHIEF SECRETARY: It is not possible to get the same tie-up here.

Hon. Sir Charles Latham: You can in the metropolitan area.

The CHIEF SECRETARY: We do not own the telephone and the telegraph systems. Another factor is that the people in New Zealand bet on the races in that country, but the people in Western Australia do not confine their betting to this State; they also bet on the Eastern States races. We lack the facilities to get the bets to the racecourse, and the conditions in New Zealand are not comparable with those here.

Hon. C. W. D. BARKER: We find the Royal Commissioner making reference to the totalisator system as it affects New Zealand and Western Australia. He says that the geographical situation of New Zealand is vastly different from that of Western Australia. He says that New Zealand is far more compact and the communications are good, and that justifies the establishment of the totalisator system. He goes on to say that in New Zealand the telegraph and telephone channels can be used by the Government to get bets to the course, but the same would not be possible in Western Australia. He further pointed out that the lines were open and subject to the influence of thunderstorms and winds which would prevent communications. If communications could not be used, it would not guarantee a flow to and from the tote.

One interesting aspect is that the totalisator system encouraged people to bet who would not do so in a betting shop. We would find that on race days the women who do not normally patronise the bookmakers would place their bets on the tote. If there was a race in Melbourne at 12 o'clock and one in Sydney at 12.5, how could we work that out? The totalisator could not be worked around the metropolitan area. Members are merely putting up these arguments to obstruct the course of the Bill.

Amendment put and a division taken with the following result:—

Ayes	7
Noes	19
Majority against	12

Ayes.

Hon. Sir Frank Gibson	Hon. Sir Chas. Latham
Hon. A. F. Griffith	Hon. C. H. Simpson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	*(Teller.)*

Noes.

Hon. C. W. D. Barker	Hon. F. R. H. Lavery
Hon. N. E. Baxter	Hon. L. A. Logan
Hon. R. J. Boylen	Hon. J. Murray
Hon. L. Craig	Hon. H. L Roche
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. L. C. Diver	Hon. J. D. Teahan
Hon. G. Fraser	Hon. J. McI. Thomson
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. R. F. Hutchison
Hon. C. H. Henning	*(Teller.)*

Amendment thus negatived.

Hon. L. A. LOGAN: I move an amendment—

That after line 26, page 10, the following paragraph be inserted:—

(c) A bookmaker who is convicted of an offence against the provisions of paragraph (b) of this subsection is liable to a fine not exceeding one hundred pounds or imprisonment for six months, and the board shall in any case permanently suspend the licence of the bookmaker so convicted and shall permanently disqualify him from obtaining a licence under this Act.

Subparagraph (ii) deals with the authority of the board to license premises. The idea of this amendment is to make the penalty severe for a bookmaker who endeavours to operate more than one shop. Bookmakers should not be encouraged to set up more than one shop. A penalty is already provided in the Bill, but that is not severe enough. Where there is no specific penalty, the penalty is a maximum of £100. But if the minimum fine of £20 were imposed for an offence under this clause, then the penalty would not be severe enough.

The CHIEF SECRETARY: I cannot see the point raised by the mover in trying to achieve the objective of preventing a bookmaker from operating more than one shop. I cannot dovetail the wording with the intention. Further, the penalty appears to be too severe. We must remember that this is experimental legislation, and I would prefer to leave severe fines of this description until a later stage when things have been established. After a transitionary period, this penalty might be justified, but not at present. I hope the Committee will not agree to the amendment.

Hon. L. A. LOGAN: The amendment is perfectly clear. Paragraph (b) means that a bookmaker can carry on business in one premises only. The penalty provided further in the Act is not sufficient. The Minister said we should not be hard to start with. I contend that is where we should make a start, by making the penalty hard so as to establish effective control. If severe penalties are left until things get out of control, how shall we be able to control them later?

Hon. H. K. WATSON: Paragraph (b) simply provides that where premises are registered a bookmaker may carry on business. Ten premises could be licensed from Perth to Fremantle and one bookmaker could run them all. That paragraph does not say that one bookmaker shall be entitled to be registered for one premises only, and I cannot see the point of the amendment. This Bill permits all the rackets in the world to be created, including a monopoly of a chain of shops from Perth to Midland Junction. I feel

sure that three years' experience will prove me to have been right. I think Mr. Logan has misunderstood paragraph (b) if he thinks it would restrict a bookmaker to one shop.

Hon. E. M. HEENAN: I think Mr. Logan is right and that a bookmaker would be restricted to one shop. However, this legislation is experimental, and on the question of the penalty, I agree with the Chief Secretary that it should not be made too severe at the outset.

Amendment put and passed.

Hon. L. A. LOGAN: I move an amendment—

That after line 24, page 11, the following subclause be inserted:—

(7) Except as provided by this Act, a person shall not directly or indirectly engage in or be concerned in the carrying on of the business of a bookmaker.

Penalty for a first offence, a fine not exceeding one hundred pounds; for a second offence imprisonment for 12 months.

Unfortunately, too many men have been acting as stooges or dummies for bookmakers, and I have moved the amendment in order that these people may be kept within strict limits. I have purposely made the penalty severe. If a bookmaker can afford to pay a stooge £5 when he is prosecuted and pay a fine of £20, he can afford to pay a heavy penalty under this provision.

The CHIEF SECRETARY: I did not know before that we had such a savage member. The hon. member asks for a penalty up to £100 for a first offence. Much more serious offences than illegal betting are committed and the penalties for them do not measure up to this one. What about drunken driving?

Hon. Sir Charles Latham: Have you stopped that?

The CHIEF SECRETARY: No law will prevent a drunken man from driving a motorcar.

Hon. C. H. Simpson: Try delicensing him.

The CHIEF SECRETARY: For drunken driving, we have increased the penalties considerably. Mr. Logan proposes for a second offence under his amendment 12 months' imprisonment and no option, and so he would make this one of the worst possible offences. That is a ridiculous attitude to adopt. The hon. member would be wise not to go on with his amendment.

Hon. L. A. LOGAN: The Bill has been introduced to legalise betting so that we can get away from the shambles that exist today. We must include a penalty so that the present position will not continue. What is the good of having legal betting if illegal betting goes on at the same time? The only way to stop illegal betting is to provide a severe penalty.

Amendment put and a division taken with the following result:—

Ayes	12
Noes	14
Majority against	2

Ayes.

Hon. L. C. Diver	Hon. L. A. Logan
Hon. Sir Frank Gibson	Hon. H. L. Roche
Hon. A. F. Griffith	Hon. C. H. Simpson
Hon. C. H. Henning	Hon. J. McI. Thomson
Hon. J. G. Hislop	Hon. H. K. Watson
Hon. A. R. Jones	Hon. N. E. Baxter
	(Teller.)

Noes

Hon. C. W. D. Barker	Hon. R. F. Hutchison
Hon. R. J. Boylen	Hon. Sir Chas. Latham
Hon. L. Craig	Hon. J. Murray
Hon. E. M. Davies	Hon. H. C. Strickland
Hon. G. Fraser	Hon. J. D. Teahan
Hon. J. J. Garrigan	Hon. W. F. Willesee
Hon. E. M. Heenan	Hon. F. R. H. Lavery
	(Teller.)

Amendment thus negatived.

Hon. A. R. JONES: I would like to move an amendment to come in after Subclause (7) page 11, as follows:—

Except as provided by this Act, a person shall not directly or indirectly engage in or be concerned in the carrying on of the business of a bookmaker. Penalty: First offence, fine not exceeding £50; subsequent offence, imprisonment for six months.

The CHAIRMAN: I am inclined to think this is out of order because we have just negatived the first portion—really the whole lot—of this suggested amendment.

Hon. A. R. JONES: I consider the Committee negatived the amendment because it thought the penalty was too high. I am suggesting now that we reduce the penalty by half.

The CHAIRMAN: The hon. member had the opportunity to move in that direction while the amendment was under discussion. He can still move in this way on recommital.

Hon. H. K. WATSON: I wish to move the amendment standing in Mr. Hearn's name on the notice paper. This amendment comes in at line 9.

The CHAIRMAN: We have gone beyond that point.

Clause, as amended, put and passed.

Clauses 12 and 13—agreed to.

Clause 14—Payment of tax by bookmakers on bets made at registered premises:

Hon. H. K. WATSON: I move an amendment—

That the word "ten" in line 18, page 14, be struck out and the word "twenty" inserted in lieu.

At present the Bill provides that racing clubs shall receive 20 per cent. of the tax on the course and 10 per cent. off the course. I think the figure should be the same in each instance, as the clubs must have reserves out of which to provide amenities, and so on.

The CHIEF SECRETARY: I oppose the amendment. There is a vast difference between the percentage they receive for bets on the course and that for bets off the course. The reason why the clubs were granted the 20 per cent. originally was partly to cover their expenditure in the collection of the tax. They would still get that 20 per cent. in addition to an extra 10 per cent. of money that they do not handle at all.

Hon. A. R. Jones: It could be 10 per cent. on a much greater turnover.

The CHIEF SECRETARY: That is so.

Amendment put and negatived.

Clause put and passed.

Clauses 15 to 21—agreed to.

Clause 22—Bookmakers must accept only money as consideration for bets:

Hon. N. E. BAXTER: I want the Chief Secretary to give me some explanation of this clause, because it does not seem to tie up with the interpretation of "to bet."

Clause put and passed.

Clauses 23 to 33—agreed to.

New clause:

Hon. L. A. LOGAN: I move—

That the following be inserted to stand as Clause 8:—

> It shall be a duty of the Board to investigate and enquire as to whether the establishment of a system of betting through, or by means of, the instrument known as the totalisator is possible and advisable and the Board shall within twelve months after the commencement of this Act report to the Minister the result of such investigation and enquiry.

Mr. Baxter also has a proposed new clause on the notice paper and it seems to clash with mine. My amendment will give the board 12 months' grace in which to investigate the ramifications of a totalisator system; and if the board's findings are that the system will work, it will report to the Minister. Under Mr. Baxter's new clause, no premises would be licensed for at least three months after the board had been appointed. During such period the board would confer with the committees of the turf club and the trotting association with a view to ascertaining if they would be willing to enter into an agreement to provide and pay for the installation of a totalisator system.

The Chief Secretary: Yours is preferable.

Hon. L. A. LOGAN: Under the circumstances it might be better to give the board 12 months in which to investigate the position, because the Royal Commission did not favour the system and neither did the Governments of Queensland or Tasmania.

Hon. E. M. HEENAN: I propose to support the amendment moved by Mr. Logan. It seeks to direct the board, during the first 12 months of its operation, to inquire into the advisability of installing totalisators throughout the State and to report to the Minister. I cannot see anything wrong with that. Many members have tried to point out the advantages of the totalisator system; and, if it can be efficiently worked all over the State, it would be a good thing. But how it could be implemented in places like Wiluna, Laverton, Salmon Gums and so on, I do not know. Nevertheless, we owe it to the minority to insert this new clause.

Hon. J. McI. THOMSON: I support the amendment. During the period the board will operate, it will have on it members capable of inquiring into the establishment of totalisators throughout the State, and it will be required to submit its report within four months of commencing operation. The amendment has much to commend it from the point of view of ascertaining the advantages and disadvantages of the totalisator system.

New clause put and passed.

New Clause:

Hon. N. E. BAXTER: I move an amendment—

That the following be inserted to stand as Clause 9:—

> The Board shall not grant any licenses nor register any premises under this Act until after the expiration of three months after the appointment of the Board.
>
> During such period of three months the Board shall confer with the Committees of the Western Australian Turf Club and the Western Australian Trotting Association with a view to ascertaining if the said committees or either of them are willing to enter into an agreement with the Board to provide and pay for the installation of a totalisator in such places in the metropolitan area as defined by the Traffic Act, 1919-1954, as the Board may decide and also at such places outside the said metropolitan area as the Board and the said committees may agree.

If the said committees or either of them enter into such agreement with such reasonable guarantees for the due performance thereof as the Board may require it shall be lawful for the totalisator to be installed or provided at all such places and the Board shall not license any bookmakers or register any premises at any of such places but the powers of the Board in respect of such licensing and registration shall apply only to places outside the said metropolitan area other than those agreed upon as hereinbefore in this section mentioned and the provisions of this Act shall thereafter apply only to such last mentioned places.

The provisions of the Totalisator Regulation Act, 1912, shall apply to all places where a totalisator is to be installed or provided as aforesaid as if the totalisator were installed or provided upon a racecourse. The word "totalisator" has the same meaning as that given to it by Section 2 of such last mentioned Act.

No portion of the cost of installing or providing any totalisator shall be paid for by the Board.

This amendment seeks to obtain a solution to off-the-course betting in Western Australia by commencing a totalisator system. We have been told that it is impossible. However, the people who hold that opinion think it is the intention to establish totalisator agencies throughout the State. We all know it is not practicable at present because of telecommunications. But it is possible to establish within a limited area of the State totalisator agencies which operate to the main totalisators controlled by the trotting association and the turf club. That cannot be denied. The new clause gives the board, when formed, the power to confer with the trotting association and the W.A. Turf Club with a view to arriving at agreement where those clubs, or one club, is prepared to install agencies in the State, or in that part of the State in which they decide agencies should be established.

Totes did not exist in New Zealand from one end of the country to the other when first established. They started gradually and extended when premises were available. By doing so they gradually wiped out the s.p. bookmaker, and the money that had previously gone through the bookmaker then went to the tote. Mr. Lavery told us that the proof of betting being extended on the tote in New Zealand was shown in a copy of the records before all members.

The money that came to the tote had originally gone to the s.p. bookmakers. The Government did not believe it was handling £25,000,000 a year, and today approximately £19,000,000 is going through the tote which previously went through the bookmakers. The new clause will also help to keep racing clean and to keep graft out of it. If the board finds it is better to do all betting by the totalisator system betting can be taken from the bookmakers in Western Australia.

Hon. E. M. Davies: What difference is there? Whether it is the tote or the bookmakers, it is still betting.

Hon. N. E. BAXTER: No member would tell me that jockeys and owners have never been bought. If the Government persists in licensing bookmakers throughout this State it is apparent the Government is determined to have them. Racing in this State will reach a low level. The only answer is the totalisator system and that is proposed in the new clause.

The CHIEF SECRETARY: I hope the Committee will not agree to this new clause because it conflicts with the Bill already agreed to. It is not an amendment or a clause, but a short story. I have not been able to discover its meaning.

Hon. N. E. Baxter: It is written in plain enough English.

The CHIEF SECRETARY: If it is, then I have to learn English. The main point mentioned in this new clause has already been covered by Mr. Logan; and it seems to be a duplication with additions which will get us nowhere.

Hon. N. E. BAXTER: I take umbrage at the implication of the Chief Secretary that he cannot understand the proposed new clause. It is plain enough although it is lengthy, which it needs to be on a subject such as this. This is a rather shrewd move by the Government. It agreed to the amendment moved by Mr. Logan. I have nothing against that; but the Chief Secretary was shrewd enough to see that if he agreed to that and the board were given the power to investigate and report to the Minister, nothing need be done about the report. Why was Mr. Logan's amendment not opposed? The reason was to prevent this new clause from going through.

The Minister for the North-West: Rot!

Hon. N. E. BAXTER: No opposition was put up by the supporters of this Bill. I say again that they want nothing else than the establishment of s.p. bookmakers throughout the State, and they are not prepared to consider anything reasonable. I appeal to my colleagues here to support the new clause. If it is not agreed to, then Western Australia will rue the day that this Bill passed through Parliament.

Hon. F. R. H. LAVERY: The remarks of Mr. Baxter are out of order in that he challenges those who supported Mr. Logan's amendment. The new clause directs the board to arrange a totalisator

system with the trotting association and the turf club. I would point out that this Bill has been introduced to authorise, regulate and control bookmaking and horse-racing, and for other purposes. It has nothing to do with totalisators.

Hon. L. C. DIVER: As this Bill is framed to authorise, regulate and control betting and bookmaking on horse-racing, I am in agreement with the proposed new clause. Without traversing the ground again, I say there is only one way to regulate betting and horse-racing in this State and that is through a totalisator. The amendment of Mr. Logan will allow the board to inquire into the practicability of a totalisator system. There is nothing wrong with it, but the only trouble is that it does not go far enough. I hope the Committee will agree to this new clause. If the board in its wisdom considers it advisable to install totalisators, even of an experimental nature, after discussion with the turf club and the trotting association, surely we are entitled to have them! What is there to fear? It is left to the discretion of the board, but the whole point is that the time factor is important.

The MINISTER FOR THE NORTH-WEST: My fears regarding totalisators concern the impersonal aspect of them. A police force would be needed to prevent children from purchasing betting tickets.

Hon. N. E. Baxter: The Act provides that children shall be prohibited.

The MINISTER FOR THE NORTH-WEST: This amendment seeks to take away the jurisdiction of the board in districts where a totalisator operates. This is a move to thwart the regulation and I am surprised at Mr. Baxter trying to put it through the Committee. I am sure that he did not frame the new clause.

Hon. J. G. Hislop: Why is it so plain to you when the Chief Secretary said he could not understand it?

The MINISTER FOR THE NORTH-WEST: The reason why the Committee accepted Mr. Logan's amendment is because it was reasonable; but this new clause is not. If this new clause is agreed to it will absolutely take betting out of the control of the Government in districts where a totalisator operates.

Hon. L. C. Diver: The totalisators would be run by the board.

The MINISTER FOR THE NORTH-WEST: They would be run by the turf club, because that is what the last few words of the third paragraph say. If the new clause were agreed to these totalisators would be dragged around the countryside, opened up and plugged on to the electricity, and anyone could be served. Anyone may buy a tote ticket, whereas the Bill provides for an age limit to prevent betting by minors. I intended to keep out of this controversy, but when I was accused of attempting to put something over the hon. member, I had to take exception to it.

My fear of totalisators is very real, because the people who own and run them do not care to whom they sell tickets, whether to a drunken man or to a child. Members must have seen youths and girls buying tickets at the tote window. That is the sort of thing Mr. Baxter wants to wheel into the street. I sincerely hope that the new clause will not be accepted.

Hon. E. M. HEENAN: The board will need to apply itself diligently to the principles laid down in the measure; and if we require it to make such an investigation, we shall not be helping it or ourselves. If the board at the end of 12 months submits a report in accordance with Mr. Logan's proposal, it might have a revolutionary effect. However, I still think that a system of totalisators would be impracticable.

Hon. N. E. BAXTER: The intention is that the board should start in the metropolitan area and work outwards as the scheme was found to be practicable. There is no suggestion that totes should be provided at Wyndham, Leonora, Wiluna and such-like places. It is ridiculous of the Minister for the North-West to say that this proposal would throw the whole thing right open. I have not seen children buying tickets at the tote.

The Minister for the North-West: Have you been in the leger?

Hon. N. E. BAXTER: If it happens there, action should be taken. A bookmaker is to be prohibited from betting with a minor, and why could not that provision be applied to the tote?

The Minister for the North-West: Your new clause would exempt the tote.

Hon. N. E. BAXTER: No, the tote would still be under the control of the board, except that it would be operated by one or both organisations. The board would supervise it and see that it was conducted properly. The Totalisator Act provides for the making of regulations dealing with all matters necessary to give effect to the Act. The regulation of the totalisator in this State is entirely in the hands of the Government, even though it gives the clubs a licence to run it. The new clause will provide something decent in the way of off-the-course betting. It will be a credit to this Chamber and not a disgrace as the proposed Bill will be.

Hon. L. A. LOGAN: Someone has been accused of circumventing something, and as I was the mover of the previous new clause, apparently I am the guilty one.

Hon. N. E. Baxter: No.

Hon. L. A. LOGAN: I moved it because I was not satisfied that the totalisator system could work in Western Australia immediately, or within three months. That is why I moved that the board should have 12 months in which to consider the position. It will be open to anyone to move an amendment to the Bill if it becomes an Act. If the W.A.T.C. or the W.A.T.A. can prove that the totalisator will work, Parliament can give permission for it to be introduced.

New clause put and a division taken with the following result:—

Ayes	6
Noes	18
Majority against	12

Ayes.

Hon. N. E. Baxter	Hon. Sir Chas. Latham
Hon. L. C. Diver	Hon. C. H. Simpson
Hon. A. R. Jones	Hon. H. K. Watson *(Teller.)*

Noes.

Hon. C. W. D. Barker	Hon. F. R. H. Lavery
Hon. R. J. Boylen	Hon. L. A. Logan
Hon. E. M. Davies	Hon. J. Murray
Hon. G. Fraser	Hon. H. L. Roche
Hon. J. J. Garrigan	Hon. H. C. Strickland
Hon. Sir Frank Gibson	Hon. J. D. Teahan
Hon. E. M. Heenan	Hon. J. McI. Thomson
Hon. J. G. Hislop	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. L. Craig *(Teller.)*

New clause thus negatived.

Schedule, Title—agreed to.

Bill reported with amendments.

Recommittal.

On motion by the Chief Secretary, Bill recommitted for the further consideration of Clause 11 and a new clause.

In Committee.

Hon. W. R. Hall in the Chair; the Chief Secretary in charge of the Bill.

Clause 11—Registration of premises:

Hon. H. K. WATSON: I move an amendment—

> That at the end of line 9, page 11, the following words be added:—"and not later than 1 p.m. on any day upon which a race meeting in the State is held unless such premises are more than twenty-five miles from the General Post Office, Perth, if the racecourse upon which such meeting is held is within a radius of twenty-five miles of the General Post Office, Perth, or unless such premises are more than ten miles from the racecourse if such meeting is held elsewhere.'

The purpose of the amendment is to prevent the opening of the shops after 1 p.m. on race days. The 25-mile radius would not apply to country areas, where the radius would be 10 miles.

The CHIEF SECRETARY: I hope the Committee will not agree to the amendment; because if we closed the betting shops at 1 p.m., we would simply perpetuate present-day conditions. I repeat that the greatest interest in racing in this State is on Eastern States races, which often do not finish until 2.45 p.m. The amendment would force those who wanted to bet to go to the racecourse where, instead of betting just a few shillings, they would be tempted to wager far more heavily—

Hon. A. R. Jones: You said you were not a betting man.

The CHIEF SECRETARY: I said I had followed races ever since I left school. We all know that the average punter bets just before the race and follows his programme through, so the amendment would simply provide loopholes for illegal betting to flourish. People will not refrain from betting just because we close the betting shops.

Hon. A. R. JONES: I believe that betting shops should be closed when races are held in the metropolitan area—

Hon. C. W. D. Barker: To preserve racing?

Hon. A. R. JONES: Yes. Prosperous times have carried the racing game for the past four or five years, but the clubs are now already feeling the pinch; and if we allow the betting shops to remain open, fewer people will go to the racecourses, and so the sport of racing will decline. Mr. Heenan told me that when the Kalgoorlie round was held and the s.p. bookmakers operated, the race meetings were a flop, and those in charge had to appeal to the bookmakers to close their shops while the round was held. Is that correct?

Hon. E. M. Heenan: More or less.

Hon. A. R. JONES: If the shops are allowed to remain open while race meetings are in progress, particularly in the country areas, it will affect the sporting and social activities in those districts. I ask members to support the amendment.

Hon. F. R. H. LAVERY: I do not think members have stopped to think of the effect of this amendment. People do not bet only on the races; they bet on trotting meetings as well.

Hon. H. K. Watson: Do you think the shops should be kept open until the last trotting race?

Hon. F. R. H. LAVERY: As I said a couple of years ago when we dealt with a tax on those who were fortunate enough to win money, I do not support sectional legislation. Therefore, I cannot support this amendment. Why should those who wish to bet on race meetings be allowed to do so while those who wish to bet on trotting meetings are denied the privilege? I think all this talk about totalisators, or at least four-fifths of it has come from the trotting association. We all had a letter

from the members of the blood horse breeders' association and the racing, owners and trainers, but they did not tell us about the people connected with trotting. Let us be factual about this matter. It is not possible to close the shops at one o'clock.

Hon. C. H. SIMPSON: I wonder whether the Government is sincere in its effort to try to reduce the volume of s.p. betting, or whether it considers that it should be encouraged on Saturday afternoons. The report of the Royal Commission into betting in Western Australia indicated that race meetings in Kalgoorlie had to be suspended during the war because the betting shops were operating and people would not go to the course. The same thing happened in Adelaide. After action was taken to stop s.p. shops in Adelaide the racecourses, because of the increased patronage were able to reduce entrance fees.

Hon. C. H. HENNING: If the Bill is to control and minimise betting an amendment such as this will go a long way towards achieving that end. The Chief Secretary said that if people go to the races they bet more heavily. If the betting shops remain open on Saturday afternoons the same thing will happen. Some members have said that this amendment will be a loophole for those illegal bookmakers. That will happen in any case, but if the police can control one side they should be able to control the other. The Minister for the North-West said that this legislation was in the nature of an experiment. Therefore I believe that we should include this amendment on that basis. The Chief Secretary said that he wanted a workable Bill; the Bill will still be workable if this amendment is agreed to and it will do a lot to minimise betting.

Hon. E. M. HEENAN: What we are all anxious to have is an Act of Parliament that will be adhered to and abided by the community. An Act of Parliament must be such that people will not flout it. For years people have been betting more or less openly on Saturdays. There are a number of old people, invalids and poor people who cannot play sport and cannot afford to go to the races. They have been accustomed to having a few small bets. If we are going to close down on that state of affairs we are only inviting that large section of the people to evade the law.

Hon. C. H. Henning: How many races are held in Kalgoorlie in a year?

Hon. E. M. HEENAN: I will deal with Kalgoorlie later. If this legislation is defied and we have another problem of illegal betting on Saturday afternoons, the whole set-up will break down. On the Goldfields there was divided opinion on s.p. betting having an effect on racecourse attendances. The racecourse is an attractive place and the racing clubs will no doubt have to reduce their admission charges in order to increase attendances. Under the regulations the board will be able to implement the provisions contained in this amendment, if necessary. Therefore, if the board considers that a betting shop in a particular centre should be closed at a certain time it could take action under the regulation.

Hon. J. McI. THOMSON: If we carry this amendment it will defeat the purpose of the Bill that we have been prepared to accept up to this stage. If we close the betting shops at 1 p.m. the bettors will retire from the shop and bet illegally somewhere else, and that which we now are seeking to stamp out will again flourish. As Mr. Heenan has said, the board will be able to define the hours of operation of these s.p. betting shops by regulation. By the time we have tried out this experiment we will know how many amendments to the Act are necessary; but if betting shops are closed at 1 p.m. illegal betting will be encouraged.

Hon. Sir CHARLES LATHAM: In South Australia the betting shops were closed at 1 p.m. and there was a penalty of a £100 fine if anyone opened his premises after that hour. However, illegal betting is still flourishing in that State despite the heavy penalties imposed.

Hon. H. K. WATSON: A similar position obtains in Hobart. On race days all betting shops in the city close at 1 p.m.

Amendment put and a division taken with the following result:—

Ayes	10
Noes	16
Majority against	6

Ayes.

Hon. N. E. Baxter	Hon. J. G. Hislop
Hon. L. C. Diver	Hon. Sir Chas. Latham
Hon. Sir Frank Gibson	Hon. C. H. Simpson
Hon. A. F. Griffith	Hon. H. K. Watson
Hon. C. H. Henning	Hon. A. R. Jones
	(Teller.)

Noes.

Hon. C. W. D. Barker	Hon. F. R. H. Lavery
Hon. R. J. Boylen	Hon. L. A. Logan
Hon. L. Craig	Hon. J. Murray
Hon. E. M. Davies	Hon. H. L. Roche
Hon. G. Fraser	Hon. H. C. Strickland
Hon. J. J. Garrigan	Hon. J. McI. Thomson
Hon. E. M. Heenan	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. J. D. Teahan
	(Teller.)

Amendment thus negatived.

Hon. A. R. JONES: I move an amendment—

That after line 24, page 11, the following subclause be added:—

> (7) Except as provided by this Act, a person shall not directly or indirectly engage in, or be concerned in the carrying on of, the business of a bookmaker.
>
> Penalty: For the first offence a fine not exceeding fifty pounds; for a subsequent offence imprisonment for six months.

The general penalty provided in Clause 28 is £100. This reduces the penalty by half. Even the Chief Secretary should concede that the amendment is reasonable.

The CHIEF SECRETARY: I agree to the first part of the amendment, but I think imprisonment without the option of a fine as provided in the latter part is not warranted. I oppose the latter portion of the amendment.

Hon. L. CRAIG: Clause 28 provides a general penalty not exceeding £100, and Mr. Jones's amendment reduces that to £50. For a second offence his amendment provides six months' imprisonment without the option of a fine. I think we should at least leave the penalty of £100 as it is. It is a maximum penalty, just as the £50 proposed is a maximum penalty. I think what we should debate is whether a man should be sentenced to gaol without any option of a fine for a second offence.

Amendment put and negatived.

Clause, as previously amended, put and passed.

New clause:

Hon. H. K. WATSON: I move—

That the following be inserted to stand as Clause 9:—

> The board shall prepare and submit to the Minister not later than the 30th day of September in each calendar year a report on the exercise and performance by the board of its powers, functions and duties under this Act during the 12 months ended on the preceding 30th day of June. A copy of such report shall be laid before both Houses of Parliament.

The CHIEF SECRETARY: I cannot see any objection. Whether or not this new clause is included, a report will be presented to Parliament each year.

Hon. L. CRAIG: I wish to query the date mentioned, the 30th June. In some other provision of the Bill the date, the 31st July, is used. Would the mover consider amending the new clause?

Hon. H. K. WATSON: I ask leave to amend the new clause by striking out the the words "30th day of June" and inserting the words "31st day of July," in lieu.

Leave granted.

New clause, as altered, put and passed.

Bill reported with a further amendment and the report adopted.

House adjourned at 2.16 a.m. (Friday).

Legislative Assembly

Thursday, 2nd December, 1954.

CONTENTS.

The SPEAKER took the Chair at 2.15 p.m., and read prayers.

BILL—STATE TRANSPORT CO-ORDINATION ACT AMENDMENT.

Introduced by the Minister for Transport and read a first time.

QUESTIONS.

FREMANTLE RAILWAY BRIDGE.

As to Reconstruction and Costs.

Hon. J. B. SLEEMAN asked the Minister for Railways:

(1) What amount has now been expended under all headings on the reconstruction of the Fremantle railway bridge?

(2) How much more will it cost before it is completed?

(3) How long will it take to complete?

(4) What will then be the estimated safe working life of the bridge?