

miss him; and I am sure we hope that in the future he will come along and visit us occasionally, because we always like to see our old friends back with us. I also join in expressing the hope that Mr. Wood will be speedily restored to health and strength and will be able to carry on the parliamentary work in which he is so keenly interested. To the "Hansard" typists, too, we are very grateful. What the strain of that work is, I think only those who have seen them at work year after year can appreciate.

To the "Hansard" staff—both those who take down our remarks and those who have the typing of them afterwards—we are very grateful. The Controller and his staff have done their duties in the efficient and cordial way that has always characterised their activities. I want to thank members for the standard they have established and maintained in this House. Our work has been carried out with that dignity and decorum which have always distinguished the sittings of the Legislative Council; and while we may not have occupied the usual amount of time in our work, it has at any rate been accomplished efficiently and speedily.

To those members who are retiring we extend our best wishes and the hope that they will survive the appeal to their constituents and will join us in the year that is to come. I believe the State is on the verge of a period of great prosperity. We must realise that the expansion this country is undertaking cannot but be reflected through the whole community, and I wish to close on that note of optimism. I hope that members, during the few months of the recess, will enjoy good health and will see the future blossoming in prosperity.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban): I move—

That the House at its rising adjourn to a date to be fixed.

Question put and passed.

House adjourned at 9.58 p.m.

Legislative Assembly.

Friday, 30th September, 1949.

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The SPEAKER took the Chair at 3.30 p.m., and read prayers.

MOTOR VEHICLES, DISTRIBUTION.

As to Urgency Motion.

Mr. SPEAKER: I have received from the member for Irwin-Moore a letter of today's date, and reading as follows:—

Dear Sir,

I have a matter of public urgency which I ask your permission to place before the House this afternoon.

As you know the Government has decided to discontinue the control of American cars from today and the Premier has made an announcement that the distributors of American cars have given him an assurance that they will continue to allocate the cars they have for sale at a similar proportion as between city and country as has been done under Government control.

I have reason to believe this is not going to be enforced in all instances and should like an opportunity to place the facts of a case that has come to my notice to the Premier and the House and ask your permission for an opportunity to do so.

Yours faithfully,
J. H. Ackland.

As this is the last day of the sitting, permission is granted to the hon. member provided that he does not take too long to submit his case to the House.

The MINISTER FOR LANDS: Mr. Speaker, there is a question on the notice paper dealing with that subject and I propose to answer it today.

Mr. SPEAKER: Will seven members rise in their places?

Hon. J. B. SLEEMAN: Mr. Speaker, I think it is time we took action to prevent this sort of thing—

Mr. SPEAKER: The hon. member will resume his seat. As seven members have not risen in their places, permission is not granted to the member for Irwin-Moore.

The MINISTER replied:

1.	2,753, comprising 2,264 males and 489 females.			
2.	Industry.	M.	F.	Total
Administrative, Clerical and Professional—				
Government	....	5	2	7
Private	....	....	3	3
Building Materials—				
Clay Products, including earthenware	....	48	....	48
Pipes	....	....	....	....
Cement and Cement Products, including cement pipes, asbestos sheets, roofing, piping, etc., and plaster sheets	....	22	....	22
Other building materials, including glass, paints, etc.	....	1	....	1
Building Construction—On Site Labour	....	1	....	1
Clothing and Textiles, including footwear manufacture	....	7	14	21
Domestic Service—				
Private Household	....	2	70	72
Hotels and Guest Houses:	....	....	....	....
Government	....	8	10	18
Private	....	23	104	127
Hospitals and Institutions:	....	....	....	....
Public	....	46	183	229
Private	....	13	37	50
Farms and Stations	....	9	38	47
Food Processing	....	18	3	16
Hospitals—Nurses and Trainees—Government				
....	....	....	8	8
Iron and Steel Production, including wire netting and wire and smelting, rolling, etc.	....	6	....	6
Mining and Quarrying—				
Coal	....	1	....	1
Gold	....	2	....	2
Others	....	23	....	23
N.E.I. Industries	....	118	12	130
Public Utilities—				
Rail Construction, Maintenance and Operation	....	528	2	528
Road Construction and Maintenance	....	169	....	169
Water Storage and Reticulation	....	79	1	80
Electricity (Hydro and coal fired)	....	15	....	15
Commonwealth Works	....	391	....	391
Others	....	103	....	103
Rural—				
Dairying and Pig—Permanent	....	5	....	5
Wheat—Permanent	....	11	2	13
Pastoral—Permanent	....	40	....	40
Fruit and Vegetables—Permanent	....	11	....	11
Fruit and Vegetables—Seasonal	....	17	....	17
Mixed and Miscellaneous—Permanent	....	54	....	54
Timber—Afforestation	....	57	....	57
Timber Getting and Milling	....	438	....	438
Total in Employment	....	2,264	489	2,753

MOTOR VEHICLES.

(a) As to Distribution of North American Cars.

Mr. LESLIE asked the Minister for Lands:

(1) In view of the announced intention of the Government to terminate the control of the distribution of North American motor cars at the end of this week, will he inform the House whether any approach was made to the distributing agents for a continuance of the policy of a substantial proportion of these cars being allotted to purchasers in country districts, as it applied whilst the distribution was under Government control?

QUESTIONS.

MIGRANTS.

As to Employment of Displaced Persons.

Mr. LESLIE asked the Minister for Labour:

(1) What was the total number of new Australians (displaced persons) in employment in Western Australia at the 19th September, 1949?

(2) In what industries, and in what occupations were they employed, and what were the numbers employed in each industry and occupation, respectively?

(2) Has any assurance been received from the distributing agents in this regard?

(3) If such an assurance has been received, what is the percentage proportion of each shipment which will be available to country purchasers?

The MINISTER replied:

(1) Yes.

(2) Yes.

(3) The same as when under control.

(b) *As to Re-introduction of Control.*

Mr. ACKLAND (without notice) asked the Premier:

If evidence can be produced to show that the distribution of American cars is not being carried out in accordance with the promise made to the Government by the distributors, will he give the House an assurance that control of these cars will be re-introduced?

The PREMIER replied:

The Act continues until the end of December. We have an assurance from the distributors in conformity with the answer already given by the Minister for Lands. Owing to the devaluation of the pound, it is likely that fewer American cars will be coming into this country, and of course it is highly probable that they will be dearer. The demand for American cars is very great; I do not know how many times more than the number available, but there is no chance of satisfying all those who require American cars, or of satisfying more than a very small number of them.

Mr. Ackland: That is not the point. We are asking for a reasonable proportion.

The PREMIER: I do not think the hon. member need have any fear on that score.

Hon. F. J. S. Wise: I think he has ground for fear.

The PREMIER: I believe that the members of the trade, having given an undertaking, will carry out their promise.

Hon. A. R. G. Hawke: The fewer the cars, the more the need for control.

AGRICULTURE.

As to Supply of Harvesting Machinery.

Mr. LESLIE asked the Honorary Minister for Supply and Shipping:

(1) Is she aware that a very considerable number of farmers are becoming increasingly worried at their inability to obtain suitable new harvesting machinery for use in the approaching season?

(2) What efforts have been made, and what are the prospects of a sufficient number of such machines arriving in the State to meet the large number of outstanding orders in time for the coming harvest?

The HONORARY MINISTER replied:

(1) I am aware that some farmers require machinery for the coming harvest.

(2) Every request for assistance to obtain agricultural machinery is followed up by the Department of Supply and Shipping until it arrives in Western Australia.

Agricultural machinery and spare parts arrive on practically every vessel to Fremantle and a small quantity by rail. Receipt of machinery is only limited by production. One agricultural machinery firm has informed me that every harvester allocated to Western Australia is in the State, and that 60 per cent. are assembled and ready for despatch. The other 40 per cent. will be ready for this harvest and allotted to those applicants whose needs are considered most urgent.

ELECTRICITY SUPPLY.

(a) *As to Supervisor of Frequency Change-over.*

Mr. GRAHAM asked the Minister for Works:

(1) Has an engineer recently been appointed to supervise the change-over of frequency from 40 to 50 cycles?

(2) What is his name?

(3) What is his salary?

(4) Where was he previously employed, and in what capacity?

(5) Were there other applications received?

(6) Were any from people in this State?

(7) If so, how many?

(8) Did any of them possess the necessary qualifications?

(9) Were any of the applicants interviewed?

The MINISTER replied:

(1) Yes.

(2) Mr. LeSouef. Bachelor of Engineering, a graduate of the University of Western Australia.

(3) £1,147 per annum.

(4) With Electrolytic Zinc Company Limited, Tasmania (Assistant Chief Engineer).

(5) Yes.

(6) Yes.

(7) Four.

(8) No.

(9) Yes.

(b) *As to Generator Overhauls and Loading.*

Mr. GRAHAM asked the Minister for Works:

(1) Was a full and complete overhaul of the 25,000 K.W. generator made in December-January last?

(2) Was the generator subsequently put on full load under instructions notwithstanding certain engineers' protests that it was incapable of carrying it?

(3) Was the repair work unnecessarily rushed in order to be completed by a certain date rather than completed in proper order?

(4) Is it a fact that men in the power station have urged that Mr. W. Taylor be recalled to supervise the re-winding of the generator?

(5) What steps were taken to see that the generator was not overloaded following the recent lifting of the winter light and power restrictions?

(6) Since December last has the generator been completely re-wound or only patched?

The MINISTER replied:

(1) No.

(2) The position stated did not arise.

(3) No.

(4) No.

(5) Routine steps prevent any undue overloading.

(6) Neither.

(c) *As to Power Production Engineer.*

Mr. GRAHAM (without notice) asked the Minister for Works:

(1) When was Mr. Gillies, power production engineer at the East Perth power house, appointed?

(2) Where was he previously employed?

The MINISTER replied:

(1) From memory, I should say that he was appointed three or four weeks ago, but of that I cannot be sure.

(2) I am not in a position to give the details, but will have the information in regard to both questions looked up and sent to the hon. member on Monday.

ARGENTINE ANT.

As to Combating in Metropolitan Area.

Mr. SHEARN asked the Minister for Health:

(1) In view of his press statement last Friday that officers of the Health and Agricultural Departments were arranging an experiment at Bunbury in co-operation with the local authorities, to determine the possibility of exterminating Argentine ants, does he propose similar action in the metropolitan area where many homes last year were infested by these ants, with consequent great inconvenience and cost to those concerned?

(2) If not, why not?

The MINISTER FOR LANDS (for the Minister for Health) replied:

(1) Yes. Methods are being tested at Bunbury to determine the best means of eradication.

Meantime, to assist householders, tenders have been called and accepted for half-gallon containers of 20 per cent. D.D.T. for purchase by householders through local authorities at lowest cost.

(2) Answered by No. (1).

RAILWAYS.

(a) *As to Protection at Maylands Crossing.*

Mr. SHEARN asked the Minister for Railways:

(1) In view of numerous minor accidents and a recent fatality at the Caledonian-avenue, Maylands, railway crossing, and the long delay in acceding to many requests for protection at this crossing, will he give a definite assurance of early action in the direction indicated?

(2) If a practical method of warning signals is still being investigated, will he state exactly what the difficulties are, and the reason for the prolonged delay in resolving any such technical difficulties where human life is concerned?

The MINISTER FOR WORKS (for the Minister for Railways) replied:

(1) Early action is not possible owing to the difficulty in procuring material for flashlight warning signals, orders for which are now outstanding for over 18 months.

(2) The close proximity of goods sheds at Maylands, with shunting lines, where standing trucks will actuate the mechanism, is the difficulty which has yet to be overcome.

Investigation covering this type of crossing has proceeded as far as possible without a practical test, which is dependent upon receipt of the requisite materials.

(b) *As to Siding at Whatley Park.*

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

(1) Will he give some indication as to when it is expected the railway siding will be established at Whatley Park?

(2) Until such time as a siding is established, will he give consideration to making a stopping place for passenger trains in the vicinity of Hardy-road, Whatley Park?

The MINISTER FOR WORKS (for the Minister for Railways) replied:

(1) A stopping place for Perth-Belmont trains is already provided at Whatley Park, but the traffic possibilities rule out any provision of a platform at present.

(2) Hardy-road is approximately 400 yards from the present stopping place and an additional stop within such a short distance is not justified.

DRAINAGE.

As to Cannington-Wongong Survey.

Mr. WILD asked the Minister for Works:

(1) Has the survey been completed of the large drainage scheme which it is hoped will be instituted between Cannington and the Wongong?

(2) Has any provision been made in the Estimates for the current financial year for such work. If so, what amount?

The MINISTER replied:

(1) The first major section of the Comprehensive Metropolitan Land Drainage Scheme between the Swan and Canning Rivers from Welshpool to the hills has been contour-surveyed and designs are now in hand.

The survey of the balance of the area is proceeding.

(2) Yes. £8,500 for surveys.

SANITARY PADS.

As to Supplies.

Mr. GRAHAM (without notice) asked the Honorary Minister for Supply and Shipping:

(1) Is she aware that there is at the present time an acute shortage of women's sanitary napkins?

(2) Is she aware that this situation is one of considerable concern to women, especially those working in business and industry?

(3) Will she take immediate steps to rectify the position?

The HONORARY MINISTER replied:

If the hon. member had given me notice of the question I would have ascertained the facts of the position. As far as I know at present I have not been approached by wholesalers, retailers, or representatives of women's organisations upon this question and if the shortage is such as the hon. member states I am sure that it does create concern amongst the women. If it is so, I will endeavour to take steps to immediately rectify the position as far as I am able.

PETROL.

As to Emergency Supplies.

Mr. BRADY (without notice) asked the Minister for Industrial Development:

Pending the Commonwealth's exercising control, has the Minister been able to arrange with the petrol companies for emergency supplies to be made available to business firms and private people for use in their motor vehicles?

The MINISTER replied:

I am advised that every effort will be made to supply petrol for such essential purposes when it is established that petrol is not obtainable readily.

PRICES CONTROL.

As to Stationing Official at Kalgoorlie.

Mr. STYANTS (without notice) asked the Premier:

(1) During the court proceedings against certain tradespeople for overcharging, yesterday in Kalgoorlie, it was stated by the defendants' counsel that the cause of overcharging in many instances was brought about because there was not a representative of the Prices Control Branch stationed in Kalgoorlie from whom certain information could be obtained.

(2) In view of this statement and the requests from consumers, will he give favourable consideration to the desires of all parties and replace the Prices Control officials in Kalgoorlie?

The PREMIER replied:

(1) and (2) I will have immediate consideration given to the suggestion made by the hon. member.

ELECTORAL ACT.

As to Consolidation.

Mr. RODOREDA: (without notice) asked the Premier:

Seeing that many important amendments have been made to the Electoral Act in the past two years, will he arrange to have a consolidated Act printed at the earliest possible moment for the use of candidates at the forthcoming elections?

The PREMIER replied:

It is desirable that we should have a consolidated Act, as suggested. I shall take the matter up with the Attorney General as soon as he returns with a view to seeing whether something can be done.

Mr. Rodoreda: It will need to be done quickly.

CROWN PROSECUTIONS.

As to Costs Against Defendants.

Mr. FOX (without notice) asked the Premier:

Will he consider paying the costs of defendants when departments take action against persons and the cases are dismissed? I may mention that in some cases persons whose cases have been dismissed have been involved in costs amounting to £40 or £50.

The PREMIER replied:

The matter is one on which I cannot commit myself at this stage. I do not think that prosecutions are instituted against people unless there are reasonable grounds for so doing. Consideration will be given to the hon. member's suggestion, and I shall have inquiries made as to whether prosecutions have taken place without justification and, if so, whether the defendants have been called upon to pay costs.

JUSTICES OF THE PEACE.

(a) As to Appointment.

Mr. YATES (without notice) asked the Premier:

Will the Premier give an assurance that the matter of the appointments of justices of the peace will be investigated so that the names of those who have been nominated, which have been in the hands of the department for a considerable period, may be finalised?

The PREMIER replied:

I think the question of the appointment of justices of the peace—

Hon. A. R. G. Hawke: The country badly needs many more of them.

The PREMIER: —requires some reconsideration.

Hon. F. J. S. Wise: Could you make them all sit on the Bench?

The PREMIER: No. I would ask members to keep down their list of recommendations in regard to the appointment of justices of the peace to the smallest possible number. Justices of the peace should not be appointed unless they are prepared to do court work.

Mr. Fox: And also have the qualifications.

The PREMIER: Yes. All documents today—or just about all—can be signed by commissioners for declarations and they are to be found all over the country—Government employees, schoolmasters, postmasters, clergymen and others.

Hon. F. J. S. Wise: Members of Parliament.

The PREMIER: Yes. There is no necessity for this continuous pressure to have justices of the peace appointed. I do not think that the need exists which is claimed.

There may be a hold-up in the Premier's Department in regard to appointments. I will take full responsibility, and when I have time I will see what can be done about it.

(b) *As to Witnessing Court Documents.*

Mr. PERKINS (without notice) asked the Premier:

Is he not aware that there are certain important documents which other than justices of the peace cannot witness? Any documents required by the Supreme Court for the purposes of probate have to be signed before a justice of the peace and the Supreme Court will not accept the signature of a commissioner for declarations. I am perfectly sure of that. I have had legal advice and a ruling from the Attorney General. Will the Premier make further inquiries concerning the appointment of sufficient justices of the peace to provide a reasonable service for the signing of such declarations or, alternatively, provide that commissioners for declarations can witness signatures required by the Supreme Court?

The PREMIER replied:

I have had inquiries made as to the powers of commissioners for declarations and the information I obtained was that they can sign just about every document that a J.P. can sign. But if there are cases of hardship inflicted upon people because of the absence of a justice of the peace in a particular district, favourable consideration will be given to an appointment.

Mr. Perkins: Ask the Attorney General; he can tell you.

PERSONAL EXPLANATION.

Mr. Bovell and Sussex Electorate.

Mr. BOVELL: I wish to make a personal explanation. When I rose in my place last evening to speak on the third reading of the Loan Bill, I did so for one reason only. Under the Redistribution of Seats Act, the Sussex electorate will disappear. This electorate has been in existence since Responsible Government was inaugurated in 1890, and I wish to pay a tribute to the former members. They are Mr. J. Cookworthy, Mr. E. C. B. Locke, Mr. H. J. Yelverton, Hon. Frank Wilson, C.M.G., Mr. W. G. Pickering, Mr. G. W. Barnard, Mr. E. V. Brockman, and Mr.

W. H. F. Willmott. With the exception of Mr. Pickering, all those gentlemen have passed on. I think it only fitting that a tribute should be paid to those gentlemen who served so well the Sussex electorate and the State of Western Australia.

BILL—WHEAT INDUSTRY STABILISATION ACT AMENDMENT.

Second Reading.

THE MINISTER FOR LANDS (Hon. L. Thorn—Toodyay) [3.48] in moving the second reading said: This Bill has been dealt with in another place.

Point of Order.

Hon. J. T. Tonkin: On a point of order! I do not want the Minister to proceed if this Bill is out of order, and there is a possibility that it is. The purpose of the measure is to provide that on the advisory board there shall be four producers elected by the producers instead of what applies at present, there being three persons who have been selected from a panel submitted to the Minister. When the matter was under discussion earlier this session—meaning at the beginning of last year—I moved an amendment to a similar Bill for the very same purpose that this Bill now provides for. The amendment is to be found at page 3203 of Vol. 2 of "Hansard" for 1948. It is as follows:—

That paragraph (a) of Subclause (3) be struck out with a view to inserting a new paragraph as follows:—

(a) four shall be growers elected by a ballot of growers to be conducted by the State.

That amendment had for its purpose the elimination of the provision which is now in the Act and which was then in the Bill, and the substitution of a provision which would ensure that there would be four growers elected by a ballot of growers. As I read this Bill, in connection with which the Minister now proposes to speak, it is a proposition to appoint four growers as the result of a ballot of growers. I submit, therefore, that it is substantially if not exactly the same as the amendment moved by me this session, and under Standing Orders it is not competent for the Minister to proceed with the Bill.

Mr. Speaker: In 1948 the hon. member moved—

That paragraph (a) of Subclause (3) be struck out with a view to inserting a new paragraph as follows:—

(a) four shall be growers elected by a ballot of growers to be conducted by the State.

The hon. member failed to have paragraph (a) struck out and did not get the opportunity of moving to insert his new paragraph. So he cannot contend that his new paragraph was rejected. The provision in the Bill is as follows:—

four persons who shall be elected by the Farmers' Union of Western Australia (Inc.) are appointed to represent the interests of wheat growers.

It is true that four growers are mentioned in each instance but there are other differences. I therefore rule that the Bill is in order.

Hon. J. T. Tonkin: So long as you are satisfied, I am.

The Minister for Lands: This ballot will not be conducted by the State.

Hon. J. T. Tonkin: It does not matter who conducts it.

The Minister for Lands: It will be conducted, but not by the State. There is a difference in the wording.

Hon. A. H. Panton: The Speaker has ruled the Bill in order, so go on!

Debate Resumed.

The MINISTER FOR LANDS: The object of this Bill is to provide for the election of the growers' representatives on the Western Australian Agency Board of the Australian Wheat Board, and to make the number of growers' representatives four instead of three, and to provide for one person, the manager of Co-operative Bulk Handling, to represent the receivers, instead of two. Under the Wheat Industry Stabilisation Act, provision is made for the appointment of a State board to act in an advisory capacity to the Australian Wheat Board. Provision was also made for the State board to appoint one of its wheat-grower members as this State's representative on the Australian Wheat Board.

The State Board, which is known as the "Western Australian Agency Board of the Australian Wheat Board" is comprised of seven members. Three represent the wheat-growers; one of the W.A. Flourmill Owners' Association; one the Commissioner of Railways; and the other two the licensed re-

ceivers, being the chairman of directors and the manager of Co-operative Bulk Handling Ltd., all members to hold office for three years as from the 9th February, 1949. The Act provides that the Minister shall select the three wheatgrower representatives from a panel of names submitted by the Farmers' Union, these at present being Messrs. J. S. Teasdale, G. Simpson and W. Huxley. Mr. Teasdale was appointed as this State's representative on the Australian Wheat Board.

The Farmers' Union has advised that its constitution provides for majority grower representation on the State board and for their representatives to be elected by ballot. Therefore, they desire the Act to be amended to conform with their constitution. The growers actually have a majority on the board. In addition to their three representatives, the chairman of directors of Bulk Handling Ltd. is a farmer. This position must be occupied by a farmer in accordance with the company's constitution. The present chairman of directors, Mr. W. J. Russell, is also general treasurer of the Farmers' Union. Although the union realises this, it has asked for four direct representatives. The Government has agreed to that request and the Bill provides for the present three growers' representatives to remain in office until such time as four persons shall be elected by the Farmers' Union to represent the wheatgrowers. The two representatives of Co-operative Bulk Handling Ltd. will hold office until the provisions of the Bill come into operation. The licensed receivers will then be represented by the manager of Co-operative Bulk Handling Ltd. only.

Provision is made for any of the wheat-growers' representatives to be re-nominated at the end of his term of office, and any reconstitution of the State board will not affect this State's representation on the Australian Wheat Board until such time as the reconstituted State board makes another appointment to the Australian board. No regulations have been made under the parent Act but, as it may be necessary to do so in the future, provision has been made that any offence against the regulations may be subject to the same penalty as an offence against the Act, which is summary prosecution and a fine not exceeding £100, or six months' imprisonment, or both. I move—

That the Bill be now read a second time.

HON. J. T. TONKIN (North-East Fre-mantle) [4.2]: Had the Government taken the course that I suggested earlier this session, in connection with this matter, there would have been no need for this Bill.

The Minister for Lands: That is agreed.

Hon. J. T. TONKIN: Not only did the Government not take the course I suggested, but also its supporters put up reasons why it should not do so. I pointed out at the time that the Wheat Stabilisation Bill the Government had brought before the Chamber was a breach of faith on the part of the Government and the Minister; also that as the result of a conference of State Ministers with the Federal Minister for Agriculture, at which conference the State Ministers had agreed to introduce uniform legislation, whilst there was no prohibition against any State setting up a State board, if it so desired, it was not obligatory, and the scheme visualised the possibility of its functioning without State boards at all, in which case the Wheat Board would do the work. It was agreed that if the States desired to set up State boards, they could do so, but upon a certain very definite principle.

That principle, to which all the Ministers agreed, was that if State boards were set up, on those boards there was to be a majority of growers, elected by the growers. The Minister for Agriculture in this State agreed to that and must have so reported to his Government, but this Government did not honour that agreement or undertaking and brought down the Bill which is now an Act and which did not provide for a majority of growers, elected as the result of a ballot of growers, to take their place on the board! At that time I sought to amend the Bill to make it conform to the agreement that had been reached, but my attempt to do that was defeated, due to the attitude of the Government and its supporters. The member for Irwin-Moore sought to justify the action of the Government by saying that the men to be appointed were growers. Nobody argued against that, but they were not growers elected as the result of a ballot of growers, as the member for Irwin-Moore well knew. I am wondering what explanation he will now give.

Hon. A. H. Panton: He will have one ready.

Hon. J. T. TONKIN: I am wondering what explanation he will give to enable him to support what is being done now and what he should have agreed to earlier this session. The member for Mt. Marshall also came into the debate and attempted to argue that what was being done was quite the right thing, and that there was no need to worry about the undertaking that had been given, to the effect that a majority would be growers elected as the result of a ballot of growers. The present Minister was under no misapprehension as to what he was doing, because he said, "The Government has given serious consideration to the matter." After the Government had given serious consideration to the matter it was not prepared to honour the undertaking that had been given at the Agricultural Council. Now it comes along with this measure, to do the very same thing that I suggested was right and proper for the Government to do when the Wheat Stabilisation Bill was first introduced. It is easy to see what has happened.

When the growers became aware that the Commonwealth had promised them that they would be entitled to have on the board a majority elected by a ballot of growers, they started to press for that to which they were entitled and the pressure has been on right from the commencement. The result is that the Government has now been forced to introduce this Bill, in an endeavour to do something that it was not prepared to do previously, after it had given the matter serious consideration. I am wondering whether the Government can succeed in doing what the Bill purports to do, owing to the action that it took previously. Even if it does so succeed, it cannot do so without injustice to certain persons.

In his second reading speech the Minister said it was intended that the present grower-members of the board and a representative of the licensed receivers would continue to occupy office until such time as the Bill—if it becomes an Act—is given effect, and that then, when the new growers' representatives were elected they would take the places of those already on the board. I am wondering whether it is possible to do that. Subsection (5) of Section 3 of the Wheat Stabilisation Act, alongside the marginal note "tenure of office" states—

Subject to the provisions of this Act a person appointed to the office of member of the State board shall hold that office for such term being of not less duration than three years as the Governor shall determine at the time of the person's appointment and upon expiration of any term of appointment shall be eligible for reappointment.

The men at present on the board were appointed at the beginning of this year and, according to the Act under which they were appointed, they were appointed for a term of not less than three years, which takes them to the beginning of 1952. I would like to know how we can now provide that they shall not remain in office for three years but that they shall cease to be members of the board when the new members are elected—if the Bill is passed. If the new members, when elected, are to take their places immediately on the board, the result must be that those who were appointed at the beginning of this year have been appointed for a lesser term than three years, although the Act under which they were appointed states that they could not be appointed for a term of less than three years. Has the Minister had that point examined?

The Minister for Lands: That is so, unless Parliament decides otherwise, I suppose. Is not Parliament supreme?

Hon. J. T. TONKIN: Yes, but Parliament does not usually do that sort of thing.

The Minister for Lands: But it is their own organised body that is asking for this to be done. It is the body to which the three present members belong.

Hon. J. T. TONKIN: Yes, but certain individuals have been given rights of appointment under a statute which states clearly that they cannot be appointed for a period of less than three years. That was decided during this session and that is why I raised the point of order earlier. Can this Parliament, having already decided during this session that members of the board shall be appointed for a period of not less than three years—and after they have been so appointed—now reverse that decision and provide that they shall be appointed for a lesser term? It seems an extraordinary way of doing things. I admit that this is unfortunate. If I had had my way the grower-representatives to be elected would have been appointed at the beginning of this

year. It is not my fault if there are now obstacles preventing the Government from doing what it seeks to do.

Any one of these board members who has been appointed for a period that cannot be less than three years—if the terms of the Act are complied with—would in my opinion have a right of action against the Government for breach of contract if the Government did what is suggested in the Bill. The question arises as to whether, after these men have been appointed by Executive Council under the terms of the Act for a period of not less than three years, we can in the same session introduce a Bill which lays down that their appointment shall be for a lesser term. Just imagine what the position would be if we were dealing with the Commissioner of Railways in that way! Assume that he was appointed for a certain term under a statute and that whilst he was in the performance of his duties during his term of office we introduced an amendment to the Act appointing a successor. What would his position be and what would be our position? Would he not have a right of action for the recovery of salary for the balance of his term?

Mr. Marshall: Without any doubt whatever.

Hon. J. T. TONKIN: That is the position of the members of the board.

The Minister for Lands: I have no doubt about that in the case of a Commissioner of Railways, but this is not comparable.

Hon. J. T. TONKIN: That is exactly the position of the members of the board.

The Minister for Lands: They meet only about once a month.

Hon. J. T. TONKIN: I am concerned with the principle, and not the amount of money involved. If we start doing things of this kind with boards of the nature of that with which we are now dealing, we can expect such things to be done in all sorts of cases, because reference will be made to the precedent laid down. Of course the Government has got itself into this mess, but I cannot help that. I am endeavouring to point out the situation, and it is a most remarkable position to say the least of it. Earlier this session when we were considering the constitution of this board the Government declined to do what

it is doing now, or what it seeks to do now, and it took another course. That course has resulted in there being in the Act, as I have already said, a provision that the persons appointed could not be appointed for a lesser term than three years.

In the same session, Parliament is being asked to say that those persons who were so appointed for a period which could not be less than three years, will not continue in office for three years but that their places will be taken by growers elected as a result of a ballot by the growers themselves. I told the Government that it should have provided that in the first place, but the Government declined to do it. You, Mr. Speaker, and other members of this House, have given some study to the procedure of Parliament and the practice in this Parliament and in the House of Commons. We have given attention to the particular provisions regarding motions and Bills which deal with substantially the same matter and there is very good reason why there is a Standing Order against asking Parliament to reverse a decision, on a certain matter, in the same session. It is true that it is possible to alter, repeal or amend laws passed during the same session, but the Standing Orders do not provide that we can do things of this kind at least I do not think so. But we can determine to appoint persons for a definite period and we can, in effect, have them appointed under the statute and in the same session we can ask Parliament to determine something else with regard to their terms of office.

I submit that when this question was under consideration earlier this session, Parliament determined that the board would be constituted as set out in the Act and that those appointed would be appointed for a certain definite term. We cannot now say that the persons so appointed shall be appointed for some other term than the term we decided upon. We were quite definite in that. If this were a different question, I might take a different view, but my ideas with regard to the abrogation of that contract would be the same. Surely we cannot follow a line of conduct which enables us to use a statute to make certain appointments for a definite term and then, as the whim takes us, pass another statute to enable us to alter the term irrespective of the rights of the individual who has been so appointed.

Mr. SPEAKER: It would apply equally even if this were a different session.

Hon. J. T. TONKIN: Of course it would, and it is highly improper, in my view, to take such action. We have members on the Milk Board, members on the Onion Board, and Commissioners for Railways; all of those persons are appointed as a result of the provisions of statutes and the provisions are definitely set out. When those persons are first appointed they have a reason to anticipate, so long as they do not contravene any specific provisions set out which will result in their disqualification, that they shall be enabled to continue for the full period of office. Mr. Speaker, this Act provides the conditions under which those appointed shall retire. I refer to Subsection (6) of Section 4, which states—

Subject to the provisions of this Act, the office of member of the State Board shall become vacant by reason of the occupant—

(a) becoming of unsound mind, or being declared, under the provisions of any law for the time being relating to mental infirmity, incapable of managing his affairs;

(b) becoming bankrupt or availing himself as a debtor of any law for the relief of bankrupt debtors;

(c) resigning or dying;

(d) ceasing, in the opinion of the Minister, to represent the interests which he is appointed to represent;

(e) being removed from office on the ground of misbehaviour or incapacity.

Those are the provisions under which members of the board can be obliged to retire. But, none of those provisions is operative at present with regard to the members and the only way, in my view, in which the proposed action of the Government can be taken is if the members, who are on the board, voluntarily resign. We have had no information from the Minister that they are prepared to do that. The only assumption that I can come to on the facts at present is that they will be forced to do so, whether they like it or not, if this Bill is passed—that is if they can be forced out by a Bill of this kind after they have been appointed by His Excellency the Governor in accordance with the terms of another Act. But, I do not know that.

The Minister for Lands: I think the member for Irwin-Moore will explain that point.

Hon. J. T. TONKIN: Of course, if the members who are there are prepared to resign that leaves the way open for ap-

pointments in their places, but then, I think, only for the balance of the term. I would not be sure of that but I fancy that I read it in the Act. Of course I have not had the time that is necessary to study these matters properly. Does the Minister know?

The Minister for Lands: No, I do not. I do not know whether it can be for the balance of the term.

Hon. J. T. TONKIN: I quote from Sub-section (7) of Section 4—

When any of the offices of member of the State Board becomes vacant, otherwise than by expiration of the term for which the occupant was appointed, the Governor may appoint to the vacant office, a person to represent the appropriate interests concerned for the remainder of that term—

I thought so.

—and at the expiration of that remainder that person shall be eligible, subject to the provisions of this Act, for reappointment.

So that in any event, if these members can be induced to resign, all that the Government can do is to appoint somebody in their stead for the balance of their term.

The Minister for Lands: That is what it looks like.

Hon. J. T. TONKIN: I am not opposed to what the Government is seeking to do but it is 12 months late. The Government could have done this at the beginning of the year had it listened to me—

Hon. A. H. Panton: That is not unusual.

Hon. J. T. TONKIN: —and had it been prepared to support the action which I took at the time to amend the Government's Bill to provide that there would be a majority of the growers on the board elected by a ballot of growers. But, the Government would have none of that at the time. Even after giving the matter serious consideration the Government would have none of it. Now, it is obliged to come along, in the same session and seek to amend the Act to give effect to the policy which it should have followed in the first place, but which it did not follow. The Government even went to some pains to defend the action it was taking at that time. This Government does some truly remarkable things.

The Minister for Lands: That is the way you make history.

Hon. J. T. TONKIN: No, that is the way you make fools.

The Minister for Lands: No, I would not say that.

Hon. A. H. Panton: Say foolish history; that sounds better.

Hon. J. T. TONKIN: The provisions of this Bill will confer a benefit upon the growers because it will give them the major say on the Advisory Board. It will also ensure that they themselves will have the right to make their selection and not be obliged to submit a panel of names from which the selections will be made. I understand that a statement has been made by a member of the Government that the reason why the board was set up in the way it was originally was because the Farmers' Union misled the Minister by telling him that it was in accordance with the Union's constitution to submit a panel of names from which the selection could be made. I do not think that is right, but the statement has been recorded and it will be there for all to see. The Minister knows that statement has been made by one of his colleagues and I consider it to be just "passing the buck."

I do not think the Farmers' Union misled the Minister when this Bill was being introduced, but, for some reason, somebody prevailed upon the Government to introduce the Wheat Stabilisation Bill in the form in which it did, which form was contrary to that agreed upon at the conference of Ministers. Nobody outside the Government is in a position to say what the reasons were for the line of action which was followed, nor does it matter much now. The important thing is that at last the Government is obliged to take the course of action that was right and proper for it to take in the first place and which I suggested it should take. Members on this side of the House endeavoured to induce the Government to take this action but without success on that occasion. This Bill is a vindication of the attitude of the Opposition in connection with this matter earlier this session and represents a complete climb down on the part of the Government with regard to it. I support the measure.

MR. ACKLAND (Irwin-Moore) [4.29]: I am very pleased to hear that the member for North-East Fremantle intends to support the Bill and he can be given some assurance that the Government, in introducing this Bill, is not acting contrary to

any of its promises that have been made, or were made at any time. I say that there has been no breach of faith either with the conference of Australian Ministers for Agriculture referred to, or the wheat-growers of Western Australia. Under the Commonwealth legislation—I am sorry I did not bring a copy into the Chamber—there are two alternatives. One is that the State should elect the members of the State Wheat Board and the other is that they should elect their representative to the Commonwealth Wheat Board by direct ballot of the growers and that their representative should not be merely one selected from the State board. There are four major wheatgrowing States in the Commonwealth and the growers in two of them adopted one course and those in two other States another course. New South Wales has a board similar to the one set up in Western Australia.

Hon. J. T. Tonkin: That is not true.

Mr. ACKLAND: On each of those boards there are four wheatgrower-representatives.

Hon. J. T. Tonkin: Not elected as they will be here.

Mr. ACKLAND: I admit that three of the four representatives of the wheat-growers were selected from a panel of names submitted by the Farmers' Union and the fourth was appointed by the Minister. The fourth is Mr. W. J. Russell, who is the managing director of Co-operative Bulk Handling Ltd. The wheatgrowers elected that gentleman to his present position. I maintain that on the Western Australian Wheat Board, of the seven members four are wheatgrowers and the other three comprise representatives of the Commissioner of Railways, the Flourmillers' Association and Co-operative Bulk Handling Ltd.

When the board was to be appointed the Honorary Minister for Agriculture approached the Farmers' Union. I do not know the exact number of growers who belong to the wheat section of that organisation but it represents 90 per cent. of all the wheatgrowers of Western Australia who sell wheat either in bulk or in bags. It is a body that should reasonably be expected to represent the wheatgrowing interests. It submitted a panel of names and was agreeable to the Minister's

choosing from that panel the three representatives who have been on the board. Although I have not seen the list that was presented, I have been told that the Minister selected the first three names that appeared on the panel. The member for North-East Fremantle has suggested—I assume he referred to a Minister—that someone in the Government had made the statement that we had "passed the buck."

The Minister for Lands: He said the Minister had been let down by the union.

Hon. J. T. Tonkin: No, that he had been misled.

Mr. ACKLAND: I have seen a copy of the letter sent by the union to the Minister and I am willing to make it available to the member for North-East Fremantle. I certainly wish I had it with me at present in the House.

Hon. J. T. Tonkin: Are you prepared to say they misled the Minister?

Mr. ACKLAND: No. They did not mislead the Minister.

Hon. J. T. Tonkin: The Minister said they did.

Mr. ACKLAND: Not by any means. The Minister gave effect to the contents of the letter. The Minister said he fully agreed with the names taken from the panel that was submitted.

The Minister for Education: Not the Minister for Agriculture.

Mr. ACKLAND: No, he was in hospital; I refer to the Minister who was acting in his place.

The Minister for Education: I want that to be made clear.

Mr. ACKLAND: I am willing to hand over the letter to the member for North-East Fremantle.

Hon. J. T. Tonkin: Not to me but to the Minister; he wants to see it.

Mr. ACKLAND: The Minister gave me the letter.

Hon. J. T. Tonkin: He did not say that himself.

Mr. ACKLAND: I say the Minister gave effect to the contents of the letter in making the appointments he did.

Hon. J. T. Tonkin: Do you say the union suggested the type of board the Government should appoint?

Mr. ACKLAND: I did not say it did.

Hon. J. T. Tonkin: The Minister did what you had in mind.

Mr. ACKLAND: I think the Minister was in consultation with the union throughout.

The Minister for Lands: That is right; he was.

Hon. A. H. Panton: How do you know?

Hon. J. T. Tonkin: That was a shot in the dark!

Hon. F. J. S. Wise: Yes, the Minister for Lands had better keep out of it.

The Minister for Lands: I know all about it.

Mr. ACKLAND: At a later date some of those connected with the Farmers' Union looked through that organisation's constitution and found that the appointments to the board were not made in accordance with that document, which set out clearly how they should have been elected. I can inform the House that no-one will be displaced when the new election is held because the three men who were selected from the panel and also the fourth appointed by the Minister, have signified their intention to resign before the end of this year so that the board that will be elected will be appointed in accordance with the provisions of the Bill.

The Minister for Lands: That clears up that point.

Mr. ACKLAND: I do not know, but it may be that the Farmers' Union already has the resignations of those four members in hand at this stage. I know that it was stated by them publicly at a conference of union delegates that their resignations would take effect as from the 31st December next. It will be necessary to appoint their successors and that is the reason for the introduction of the Bill. As to the suggestion that the Government has not kept faith with the provisions of the wheat stabilisation scheme, I say that is not a fact. The Government has done its utmost in that respect.

I am willing to admit that the Honorary Minister for Agriculture and I tried hard to persuade the wheatgrowers of Western Australia that they would be better served by a State stabilisation scheme, but the growers decided by an overwhelming majority that they wanted a Federal scheme.

Before the referendum was held, we and the Country Party as a whole gave an assurance that we would implement whatever decision was arrived at by means of the vote of the growers. There were one of two methods open to us in dealing with the situation and we adopted the same procedure as was followed by the New South Wales Government—

Hon. J. T. Tonkin: No, you did not.

Mr. ACKLAND: —inasmuch as we have a State board here.

Hon. J. T. Tonkin: But elected differently.

Mr. ACKLAND: Now we are to have them elected by the growers themselves.

Hon. J. T. Tonkin: And so make the board similar to the New South Wales board.

Mr. ACKLAND: I hope the House will pass the Bill—

Hon. J. T. Tonkin: Which should have been done 12 months ago.

Mr. ACKLAND: —so as to meet the wishes of the union, which represents 90 per cent. of the wheatgrowers of the State.

MR. CORNELL (Avon) [4.39]: I was pleased to hear the member for Irwin-Moore express the wish that the House would pass the Bill because when similar legislation was introduced last session he said he hoped members would not agree to it. It is good to know that the hon. member has seen the light of day in the interim, or else is making a virtue of necessity.

Hon. A. H. Panton: He has seen the red light.

Hon. J. T. Tonkin: And has turned a somersault.

Mr. CORNELL: I rose mainly to make a personal explanation, as it were. The member for North-East Fremantle takes credit, rightly so, for having fathered a similar amendment in connection with the Bill proposed last year in the earlier part of this session. He also remarked that on that occasion the Government opposed it strongly, as a result of which it was defeated. In addition he mentioned that Government members supported that attitude.

Hon. J. T. Tonkin: I should have said you were the only exception.

Mr. CORNELL: That is the point I wanted to make. I supported the member for North-East Fremantle because I re-

garded what he proposed, as I do now, as in accordance with the policy of the Country Party, which is in favour of grower-control. I am pleased to see that this legislation puts the Country Party engine back on the rails, because it has on some occasions run off them.

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—MARKETING OF EGGS ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the previous day.

MR. WILD (Swan) [4.43]: We listened last evening to the member for North-East Fremantle spreading himself in the way he usually does and appealing to the House for fair play in his customary histrionic manner, but I felt that, in view of some of his observations, he was rather misinformed. I am glad to have an opportunity to say something in defence of the Armadale branch of the Poultry Farmers' Association, which he said controlled the poultry-farmers of Western Australia. It is rather interesting to note that in this State there are just over 4,000 people who deliver eggs to the board, and if they like to take the trouble to make application they can exercise a vote when it comes to choosing their representatives on the Egg Board. Last year only 508 of those 4,000 egg producers took the trouble to make themselves eligible to exercise such a vote,

Hon. A. H. Panton: That is typical of most organisations.

MR. WILD: I agree. It is very typical. The Armadale branch at present comprises just over 70 financial members. For the information of the House, I point out that at the last election held for the board, when Mr. J. J. Ellis was the successful candidate, only 11 members of the Armadale branch exercised their vote. Therefore, out of a total poll of 356 voters—

Hon. J. T. Tonkin: I thought you said 508.

MR. WILD: There are 508 on the roll, but only 356 exercised their votes, and of that number only 11 were members of the Armadale branch. Therefore, it cannot be said that the Armadale branch—although I entirely agree with the member for North-East Fremantle that it is a live branch—can be said to control this industry. I only wish it did.

Hon. J. T. Tonkin: You wish it did!

MR. WILD: The hon. member also mentioned a recent meeting at Geraldton, when it was decided to have a floor there.

Hon. J. T. Tonkin: To establish a floor.

MR. WILD: Yes. He mentioned that the secretary of the board, together with the Government producer-representative, Mr. Love, went to Geraldton. That is so, but they were accompanied by the new member, Mr. Ellis. The three gentlemen made the trip to Geraldton, and I am informed that at the meeting of producers in Geraldton, the Government nominee, Mr. Love, barely opened his mouth. Had it not been for the producer-representative, Mr. Ellis, making himself heard at the meeting, there was a possibility it would not have been proceeded with. The board at present is constituted of a chairman nominated by the Government, two consumer-representatives nominated by the Government, two producer-representatives and one producer-nominee. If all the producers held together, they would constitute half the board; but I refer the House to Section 15 (3) of the Act, which provides—

The chairman shall have a deliberative vote only, and if the numbers are equally divided on any question, such question shall be deemed to be resolved in the negative.

Therefore, I suggest that even had the producers been in the position I mentioned, the voting would have been equal and consequently they would have achieved nothing.

Hon. J. T. Tonkin: Surely you are not serious in making that statement.

MR. WILD: A very large fund has been built up, and we must not lose sight of the fact that it was built up of the producers' money. I can assure the House that the producers themselves are not satisfied with the administration of the board. Only a few days ago I asked a question in this House as to how much it cost to put a 30-dozen case on the floor and I was informed that the cost was 13s. 9d. At a subsequent meeting of the board held, I think, on the

same day I asked the question, the producer-representatives made themselves heard and the stabilisation fund rate was reduced to 1d. But today it still costs 11s. 3d. to put a 30-dozen case on the floor. One producer, who lives not far from me and who has a flock of 2,000 birds—admittedly the flush season is coming on—is paying in the vicinity of £7 per week towards the maintenance of this board. If we have three producer-representatives nominated by the growers or by the producers, I cannot for the life of me see how the board, as the parent Act stands, can possibly get out of hand.

I have nothing whatever against the Government nominee, except to say that, although he has been a producer, he is only himself maintaining the minimum 150 birds in order to constitute him a producer. He is a retired man and although he may understand the industry I suggest that many of his actions of recent date have not been in the interests of producers.

Hon. J. T. Tonkin: Could you name one?

Mr. WILD: Yes, the recent purchase of a car for £800 for the chairman of the board which I, as a private member of the Armadale branch, say was entirely unjustifiable. However, I leave the Bill to the House, but I assure members that the producers in my district—of whom there are many, as well as others outside my district—are very much in favour of three producer-representatives, all nominated by themselves. I have much pleasure in supporting the Bill.

HON. E. H. H. HALL (Geraldton) [4.50]: I have here a publication entitled "Egg and Fowl." The issue is dated the 3rd September, 1949. It is the official organ of the Poultry Farmers' Association of W.A. I desire to make a brief quotation from it, as it refers to something that happened at Geraldton. I quote from page 26, as follows:—

It had been decided to establish a grading floor at the Central Ice Works in Geraldton. The Board's financial statements had been completed and are now in the hands of the auditors. Mr. Hampton asked if the Egg Board members could state why his company's offer made to the Egg Board, which was a very generous one, had not been accepted. There were 17 permit-holders in Geraldton who would lose their licenses. His company was prepared to foster the poultry industry in that district and make it worth while. The company was prepared to

erect a building and to lease it to the board at a nominal rental. Mr. Stocker stated that the producers in Geraldton did not want the floor, and that both he and Mr. Hoops were opposed to the establishment of the Geraldton floor.

I do not know any of the gentlemen named in that article, but the statement is incorrect. The producers in Geraldton do want a floor established there. They have been asking for one for some considerable time, so I cannot let the article go without a contradiction. I have ascertained who Mr. Hampton is, the man who appears to know so much about the matter. He is a producer, because he has advertised in this journal. The Central Ice Works are prepared to provide facilities for the Egg Board and this would obviate the unnecessary expense of erecting a building. It would serve the purpose as well as the building mentioned by Mr. Hampton. Having listened to the member for North-East Fremantle and bearing in mind what this board has accomplished, and taking into consideration the fact that there is no time for further inquiries if we wanted to satisfy members how they should vote, and knowing what I do, I must oppose the Bill.

MR. REYNOLDS (Forrest) [4.54]: I listened last night to the member for North-East Fremantle voicing his opposition to any alteration in the constitution of the Egg Marketing Board. I realise why he opposes the alteration, because I think he was the Minister who, in 1945, introduced this legislation. The objections which he raised last night were possibly the same as those he raised when the egg producers of this State asked for control on the board. I have always advocated the principle of grower-control and at this stage of my career I am not going to change my view. The member for North-East Fremantle said he would be recreant to his trust as a member of Parliament if he did not voice his opposition to the alteration. Of course, he has had years of experience and possesses a great knowledge of the industry. However, I feel I would also be recreant to my trust if I voted against the alteration.

Hon. J. T. Tonkin: The Bill does not make any increase in grower-representation.

Mr. REYNOLDS: It will give them control, which I feel is good. If the producers were asking for financial assistance to con-

duct the industry, then I would object to grower control, as in that case I think it should be ministerial control.

Hon. J. T. Tonkin: You have to be clear on this point. The present Act provides that there shall be three growers. The amending Bill provides that there shall be three growers, the only difference being that the amendment provides that the three growers shall be elected, instead of two being elected and one nominated. The representation will be the same.

Mr. REYNOLDS: I realise that. At present the Minister has the control through his nominee. There are two consumer-representatives and a chairman appointed by the Minister, as well as two producer-representatives appointed by the Minister. That makes four against two representatives elected by the growers. I can see, however that there could be a possible stalemate. Personally, I would like to have three producer-representatives, two consumer-representatives and a chairman. One reason advanced by the member for North-East Fremantle against the alteration was that in Victoria, where some years ago the producers had control of the board, it proved a failure.

Hon. J. T. Tonkin: It is still a failure.

Mr. REYNOLDS: It does not follow that it would be a failure in Western Australia. The hon. member advanced another argument. He said that in South Australia a Liberal Government had resolutely refused a request to give producers majority representation on the Egg Board of that State. I think we should get away from the influence of the Liberal Government in South Australia. We should have reasons of our own and I cannot see any objection to our producers controlling the marketing of their own products. That is something I have advocated over the years, and still advocate. Another argument raised was in connection with the Armadale branch. That might be, as the member for Swan said, a very active branch, but I think he said it had 70 financial members out of a total of 580.

Mr. Wild: Five hundred and eight.

Mr. REYNOLDS: It therefore seems to me that that branch could not get control. In any case, what harm would be done if it did, so long as its members were competent and capable? I hold the view that farmers

are just as capable of controlling the marketing of their products as are any other sections of the community. I see no reason why producers should not have this control. For that reason, I have great pleasure in supporting the Bill.

THE MINISTER FOR LANDS (Hon. L. Thorn—Toodyay—in reply) [4.59]: I would like, in view of the fact that this is the last day of the session, to start in a light vein by saying that when I was in France we used to sing a little song called "The Blackbird and the Thrush"—

As they hopped from bush to bush.

It seems to me that we are hopping from bush to bush in our policy regarding boards, because we have just had the member for North-East Fremantle supporting the Wheat Stabilisation Act Amendment Bill. He lectured the House and put forward an excellent case. If there is one member of the House that has an understanding of this legislation, it is the member for North-East Fremantle. He was the Minister who introduced it, and he knows what he is talking about. He is also very clever in the way he puts his case. If he were in the legal profession, and I were in trouble, I would engage him.

Hon. A. R. G. Hawke: What to do?

The MINISTER FOR LANDS: To defend me.

Hon. A. R. G. Hawke: You admit you would be the defendant.

The MINISTER FOR LANDS: He gave support for grower-representation on the Wheat Board and said that if we had taken his advice earlier in the session this would not have been necessary. I agree with him. I wish we had taken his advice. It would have saved all the trouble. Now we are asking for the same thing in respect of the Egg Board, and he raises objections. I wish to deal with only one or two points. I want to say, first of all, that the member for Swan blew out the statement that if we agreed to the Bill, the Armadale branch would elect the board, because there are over 4,000 poultryfarmers in this State and if they like to show a keen interest in the industry—

Hon. J. T. Tonkin: Which they do not.

The MINISTER FOR LANDS: —the matter is in their hands. If they do not, they have no squeal coming.

Hon. J. T. Tonkin: Less than 400 out of 4,000 voted.

The MINISTER FOR LANDS: That is so. The claim that the Armadale branch would elect the board has been dealt with efficiently.

Hon. J. T. Tonkin: How is it that the two elective members are from the Armadale branch?

The MINISTER FOR LANDS: Because that branch is showing an interest in the industry. Is not Hoops on the board?

Hon. J. T. Tonkin: No.

The MINISTER FOR LANDS: That is so. He was replaced by Ellis at the last election. I know Hoops very well. He is a poultryfarmer in the Swan View district, so it looks to me as though the Armadale branch does not rule the roost.

The other point I want to deal with is, that last evening the member for North-East Fremantle made out a strong case for the present set-up because of the mess that was made in Victoria by the Victorian Egg Board which consisted of grower-representatives elected by the growers. I point out that there are still three growers on the board. The only difference is that one grower, an elderly retired poultryfarmer in Mr. Matt Love, whom I have known nearly all my life, has been reappointed as the Government appointee.

Hon. J. T. Tonkin: Make it clear that your Government reappointed him even though he was appointed by the previous Government.

The MINISTER FOR LANDS: Yes, I make that clear, because it is on record. The point is that there are three poultryfarmers on the board, so how is it that they are doing a good job in this State if the Victorian board made such a mess? I say, without reflecting on the Western Australian board, that it is an expensive one as far as control is concerned. Nevertheless, if it is doing a good job and the grower is getting satisfactory returns—probably I had better not complain too much about that. All the poultryfarmers are asking for, and I think they are justified, is to be allowed to elect their representatives.

Hon. J. T. Tonkin: Would the same apply to the Milk Board?

The MINISTER FOR LANDS: I would be out of order if I discussed the Milk Board. I would like to step right in on that subject; there is a story there. We have just agreed to allow the wheatgrowers to appoint their representatives to the Wheat Board, so why not extend the same terms to the poultryfarmers and egg producers? I strongly suggest that we allow those who are keenly interested in their industry to appoint their own representatives to the board.

The reference to the Armadale branch carries no weight with me because if that branch shows sufficient interest to rally its members and be a live organisation, it is just too bad. It can do what it has done because of the neglect of the rest of the poultryfarmers. I suppose I would be quite truthful in saying that in my electorate, in Parkerville, Mt. Helena, Sawyers Valley and Mundaring, there would be as many poultryfarmers as there are at Armadale, and if they show an interest in their industry, they will have just as big a say. This Assembly should allow the poultryfarmers to appoint their own representative. The control and conduct of the board will be just as efficient as before. How can there be less efficiency because the growers elect their own representative instead of the Government electing him?

Hon. J. T. Tonkin: There cannot be any great demand for this if less than 10 per cent. of the growers are prepared to vote.

The MINISTER FOR LANDS: Wherever we make provision in an Act for the appointment of a board we say, "A grower or his representative." If the Minister preferred to do so, he need not fill the third position with an egg producer. He could appoint a man commercially interested in the industry; a person on the other side of the fence.

Hon. J. T. Tonkin: Where does the Act say that?

The MINISTER FOR LANDS: It says that he shall be a grower or a grower's representative. It does not say he must be a grower.

Hon. J. T. Tonkin: It provides for a grower.

The MINISTER FOR LANDS: That is not the provision in the Dried Fruits Act.

Hon. J. T. Tonkin: The provision here is—

One shall be a person nominated by the Minister, and who is a commercial grower whose main source of income is derived from poultry farming.

The MINISTER FOR LANDS: I stand corrected. I withdraw what I said.

Hon. F. J. S. Wise: Did you see the picture, "The Egg and I"?

The MINISTER FOR LANDS: In conclusion, I hope we shall grant this small privilege to the men concerned; the men who have furnished the £. s. d. to run the board. Let us allow them to have the majority control.

Question put and a division taken with the following result:

Ayes	..	..	..	22
Noes	..	..	..	22
A tie				0

AYES.

Mr. Ackland	Mr. Murray
Mr. Bovell	Mr. Nalder
Mrs. Cardell-Oliver	Mr. Nimmo
Mr. Cornell	Mr. Nulsen
Mr. Doney	Mr. Perkins
Mr. Grayden	Mr. Reynolds
Mr. Hill	Mr. Thorn
Sir N. Keenan.	Mr. Watts
Mr. Leslie	Mr. Wild
Mr. McDonald	Mr. Yates
Mr. McLarty	Mr. Brand

(Teller.)

NOES.

Mr. Brady	Mr. Needham
Mr. Coverley	Mr. Oliver
Mr. Fox	Mr. Panton
Mr. Graham	Mr. Read
Mr. Hall	Mr. Shearn
Mr. Hawke	Mr. Sleeman
Mr. Hogney	Mr. Styants
Mr. Hoar	Mr. Tonkin
Mr. Kelly	Mr. Triat
Mr. Marshall	Mr. Wise
Mr. May	Mr. Rodoreda

(Teller.)

Mr. SPEAKER: In order to allow of further discussion, I vote with the Ayes.

Question thus 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—LIQUID FUEL (EMERGENCY PROVISIONS).

Returned from the Council with amendments.

BILL—FISHERIES ACT AMENDMENT.

Council's Message.

Message from the Council received and read notifying that it did not insist on its amendments.

Sitting suspended from 5.17 to 7.30 p.m.

BILL—LOAN (No. 2), £11,720,000.

Returned from the Council without amendment.

BILL—LIQUID FUEL (EMERGENCY PROVISIONS).

Council's Amendments.

Schedule of three amendments made by the Council now considered.

In Committee.

Mr. Brand in the Chair; the Minister for Industrial Development in charge of the Bill.

No. 1. Clause 6, Subclause (2): Substitute for the words "Supply and Shipping" in lines 5 and 6, the words "Shipping and Fuel."

The MINISTER FOR INDUSTRIAL DEVELOPMENT: This amendment is to alter the name of the Commonwealth Minister referred to in the Bill with whom the Governor is to act on recommendations in regard to the amendment of the regulations. The proper name is not "Supply and Shipping" as mentioned in the Bill, but "Minister for Shipping and Fuel." I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 2. The Schedule, page 12, line 16: Substitute for the words "Supply and Shipping" the words "Shipping and Fuel."

The MINISTER FOR INDUSTRIAL DEVELOPMENT: This is a consequential amendment on amendment No. 1. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 3. The Schedule, page 13: Add after item 14, an item to stand as item 14A, as follows:—

14A. Regulation 34.—Add the following sub-regulations:—

(3) Where the Board decides to revoke a license pursuant to the provisions of this Regulation, the Board shall cause written notice of its decision to be given to the license holder.

(4) Within seven days of receipt of the notice, the license holder may appeal to the magistrate of a local court against the decision.

(5) The magistrate may confirm, reverse, or vary the decision, and make such order as to the costs of the appeal as he shall consider just, and his determination shall be final.

The **MINISTER FOR INDUSTRIAL DEVELOPMENT**: This is the amendment which was on the Assembly notice paper and which I said I would ask to be inserted in another place. This has been done and it provides for an appeal against the summary cancellation of a license by a fuel board. The appeal is to a magistrate and must be made within seven days of receipt of the notice of cancellation and provides that the magistrate's decision shall be final. The amendment is exactly as we desired it, and I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

Resolutions reported, the report adopted and a message accordingly returned to the Council.

Sitting suspended from 7.35 to 9.38 p.m.

BILL—APPROPRIATION (No. 2).

Returned from the Council without amendment.

COMPLIMENTARY REMARKS.

The **PREMIER**: This concludes the business of the session. I would like to take the opportunity to thank you, Mr. Speaker, for the way you have presided over the deliberations of this Chamber during the session. Also I would like to express my appreciation to the Chairman of Committees, and the Deputy Chairmen, for the efficient manner in which they have carried out their duties. I must also thank the officers and the members of the "Hansard" staff. If we look back over the pages of "Hansard" for many years we find that appreciation has always been expressed for the services that have been rendered to

us by our officers and members of the "Hansard" staff. There is no doubt that those expressions have been made with all sincerity. We are fortunate in our officers and we know that they carry out their duties efficiently and cheerfully. I have not heard a member of this Chamber during the time I have been in it, complain of any discourtesy so far as the members of our staff are concerned. I would take this opportunity to express to them, not only my appreciation, but also the appreciation of the Government members generally. From all those who are employed at Parliament House we have received courtesy, and every effort has been made to carry out our requirements. We are indeed fortunate in our staff right throughout Parliament House.

I must express, too, my deep appreciation of the help I have received from my colleagues and for the loyalty they have given to me. It is with extreme regret that I have received the resignation of the Minister for Housing. I take this opportunity to express to him my sincere appreciation of the help he has given to me and his unselfishness generally. Time did not mean anything to him no matter the hour, day or night. He is one of the most hard worked Ministers and I know I am on safe ground when I say that not only has he the respect of members on this side of the House but also the respect of every member in this Chamber, both here at present and those who have served with him.

Members: Hear, hear!

The **PREMIER**: We have our political differences and members have the right to give expression to their feelings when they feel so inclined. But I do know that all members have a very high personal regard for the Minister for Housing, and that they will wish him well when he does completely sever his association with this public life. He came into Parliament as the successor to the late T. A. L. Davy, who was known to many of us some 16 years ago, and he immediately made his mark in this Chamber. From the very start he impressed members and obtained their respect and has maintained it ever since. I very much regret the loss from the Cabinet of a very valued colleague.

I also express my sincere appreciation of the loyalty of members who have sat behind the Government this session, and the

help that they have given to me. I also want to say a few words to my friends, or about my friends in Opposition. When I say "friends" I use the term in the true sense of the word. I feel that other members have the same views that I have. The sharp political differences and clashes which may occur at times, do not create in us any personal feelings of bitterness.

Hon. A. H. Panton: Hear, hear!

The PREMIER: When I look across the Chamber I cannot bring myself to feel any personal dislike for any member over there who has criticised me. If that were not the case in political life, I think we would be better out of it. We would certainly be better out of it if we did not have those good feelings that exist amongst us when we get away from the purely Party-political spirit. Before we meet again, we shall probably have faced a general election.

Hon. A. H. Panton: Why bring that up?

The PREMIER: I hope all my friends here will come back again and, if I may borrow the famous remark made by the late Philip Collier, I would wish my friends opposite just that amount of political luck that one in my position can wish those who sit opposite. Whatever the fate of members may be, both on the Opposition and the Ministerial sides of the House, I certainly hope their future will be happy, that they will be blessed with good health, and that they will always have sufficient of this world's wealth to keep them in the reasonable standard of comfort that each man and woman has the right to enjoy today.

The Leader of the Opposition, as we know, was away the whole of last session when he went to England to fulfil an important mission. I was glad he was able to make that trip, and I have already expressed the Government's appreciation of the valuable information he collated during his absence abroad. I have had many discussions with him and received advice that he tendered to me, advice which perhaps I have not always taken though it has always been appreciated. I desire also to thank the Press for their services to Parliament. It is through that medium that the public learn of what we are doing and, of course, they publish abbreviated accounts which include the interesting features so that people are able to form some idea of what is happening in the Legislature.

I desire also to mention one other member who is to retire from politics at the end of this session. I refer to the member for Brown Hill-Ivanhoe. Mr. F. C. L. Smith was elected to this Parliament in 1932 in succession to the late Mr. J. T. Lutey. The hon. member rapidly made his mark in this House. I can only say that he has the respect of all members and I am sorry that he is to retire from public life. I am sure we all wish him well whatever his future may be. Two other members who are retiring from this side of the House, the member for Mt. Marshall and the member for Middle Swan, will continue with their political career, and I thank them for their co-operation and the assistance which they they have rendered to the Government.

I think that covers all that I desire to say. If I have missed out some who have rendered service to Parliament—I do not think I have—I assure them that their efforts have been appreciated. Although it is rather early to convey the wishes that one usually expresses at Christmas time, I nevertheless will take advantage of this opportunity to wish you, Mr. Speaker, the officers of Parliament and the members of the House generally, as well as all others to whom I have referred, a Merry Christmas and a Happy New Year.

Hon. F. J. S. WISE: It is usual, when we have reached this stage of a session, to find ourselves offering felicitations very close to the festive season. Although we are still some distance from that season, I think our attitude is one of goodwill towards all men. That is the spirit in which I am sure all members desire that Parliament should end. I share in the compliments that have been paid to you, Mr. Speaker, and to your staff, to the Chairman and Deputy Chairmen of Committees, to "Hansard" and the Press, all of whom were eulogised by the Premier in most appropriate terms. As I said, this Parliament is ending at an unusual time and perhaps there will be a record period in the State's history before another Parliament meets again. In the meantime we shall have an election, which undoubtedly will result in many changes.

There will be many new faces looking at each other from different seats, but that is what usually happens. The 50 members who constitute this Legislative Assem-

bly must each be typical of the people whom they represent. If they are not, they will not hold their seats long. Of this I am certain, all of us are imbued with the feeling that we have met in this House men whom we hold in the highest respect, despite sharp differences of political opinions from time to time. Although we may be the greatest of opponents politically, we are all actuated by the same motives.

The Premier has announced that the Minister for Housing has resigned from the Cabinet. He will leave this Chamber with the respect of all and their great admiration not only for his sense of responsibility but also for the service that he has rendered to the community. I know from my own experience in public life the toll that hard work and application to duty can take. I feel I am expressing the wish of us all when I say that we hope the Minister for Housing will have a long and happy life in whatever sphere he chooses to enter.

I wish particularly to thank the members on this side of the House who have been such loyal mates to me. They have served me without question and naturally I could wish that their numbers would not be diminished, and that all of them who are contesting seats will again be in this Chamber. The worst I could wish the Premier would be that the numbers of my mates are increased to such an extent as to give less satisfaction to him than he anticipates.

We hope this Parliament has, as far as a parliamentary institution is concerned, set an example of which many of the other States are jealous. Although sometimes we do approach the borderline of feeling which could, if pursued, cause a breach in the feelings between opponents, up till now that point has not been reached, so that with the greatest respect and goodwill towards those who are opposed to us, I too, echo the sentiments of the late Philip Collier, but hope that, whatever happens, there will be a Government returned with a majority sufficient to carry on the work of this Parliament for the good of the country. I wish to all of those who, I repeat, have been such mates to me, and those who have opposed me and differed from me in many respects—those who sit opposite—good health and all the things they would wish for themselves in the future.

Mr. READ: May I offer to you, Sir, and all members of the House felicitations on behalf of the member for Maylands and myself. We have passed through a most difficult session, which is the last of this Parliament. Before we meet again, we have to go before our electors to give an account of our stewardship. On all matters we have endeavoured to vote honestly and without Party bias. As Independents, we have no argument with the Government, nor with the Opposition. During my two terms in this Parliament, I have learned that for the good government of the country it is equally necessary for those in Opposition, as well as those on the Treasury bench, to play their part. On major issues we were faced with the tremendous responsibility of enabling the elected Government to function for the period for which it was elected, or to take the easier course of plunging the country into a general election, with all its costs, before the allotted time. So we were quite prepared to leave the issue to the sane judgment of the electors.

I say to the Leader of the Opposition that after the next election it is possible that his Party will be in power with a small majority, as is the case with the present Government and if we are re-elected we shall extend to his Government the same fair and impartial treatment that we have to the one now in office. To you, Mr. Speaker, to the Premier, the Leader of the Opposition and to all other members of Parliament, we wish the best, and offer greetings for the festive season when it comes along. We thank the officials of the House and "Hansard" for their assistance at all times. They have not only been efficient but also pleasant and obliging in the discharge of their respective duties. Whether we are returned as individuals, or not, I sincerely wish one and all everything of the best.

Mr. CORNELL: As an obscure backbencher, Mr. Speaker, I wish to make a small contribution to the last "Hansard" of this session. Like other members, I will face the electors before Parliament re-assembles. It has been said that a carpenter is not much good without wood or an artificer without metal, and a member of Parliament is no good at all without a seat. That is how I am situated at the present time. The guillotine, about which we have heard so much recently, fell with particular vigour in my case and, like the member for

Mt. Magnet and one or two other members on both sides of the House, I am without a seat. I have therefore, in the forthcoming election, to break a good deal of new ground and I face the prospect with a great deal of trepidation. Up to the present the Labour Party has not seen fit to oppose me and in that regard I am keeping my fingers crossed. Nevertheless, he is a super-optimist who expects to be unopposed after such a short time in Parliament.

I am sorry that my mercurial friend, the member for Beverley, is not with us this evening, because I made reference to him recently when he changed horses in the middle of the political stream, and said that, whatever happened, I hoped he would continue to sit in the back bench with me, as I would feel awfully lonely without him. He has continued to sit there, theoretically, anyhow. I have not seen a great deal of him, nor has the rest of the House. Whether he has seen fit to return to his electorate in anticipation of repercussions yet to come, I do not know. He has been described as a political pervert. I do not know whether that description suits the gentleman, but I read somewhere recently that although Oscar Wilde was regarded 50 years ago as a pervert he is today regarded more as a pioneer.

In 50 years from now the member for Beverley may be regarded as a pioneer in the matter of changing one's Party. I think there should be printed a pamphlet with the title, "Wise's Form Guide." I have heard certain rumours this evening but do not propose to discuss them at the moment. I feel sure that in tomorrow morning's paper we will read of an atomic explosion having occurred somewhere in the region of Beverley. Nevertheless, I, too, would like to add my felicitations, congratulations and thanks for the very excellent work that has been done for me by the members of the staff, particularly members of the dining-room staff. At least, I have proof positive that the meals at Parliament House are, shall we say, super.

To the Opposition, I give my thanks for the kind and considerate way they have treated me during my parliamentary apprenticeship. It has been said also that Parliament is the greatest club in the world—in Australia anyhow—and I think there is a lot to be said for that that being so. It is the only club I know where you get paid for being a member. To you, Sir, I wish

to extend my thanks for your guiding hand in directing me along the intricate ways of parliamentary procedure. I trust that as many as possible will return and I among them. If I fall by the political wayside I shall go out of politics with pleasant recollections of three years well spent.

Mr. SPEAKER: May I thank the Premier, the Leader of the Opposition, the member for Victoria Park and the member for Avon for the very kindly references to myself. I would like to endorse their remarks concerning the officers, the staff, members of the "Hansard" staff and the Press. I am sure that all those remarks are perfectly justified. My position is somewhat different from that of most members, although for many years I was on the floor of the House myself. These all-nighters have been coming along too frequently of late and, whereas members generally were able to get some respite, in my position that was not possible and I had to keep awake. That became quite difficult during the long nights although I did manage to do so fairly well even though I may have been in a fantasy or dream. Even the member for North-East Fremantle called to one's mind that members were snoring out of tune.

On one occasion I was in a fantasy or dream and believed that the Premier had turned the House into a large pressure cooker. I was only hoping that when we were served up on the hustings we would at least go down well with the electors. At that point I suddenly revived, became conscious again and saw the Minister for Housing gesticulating and postulating and trying to explain to me that the House had been misled and I had made a decision which was questionable. By then I was thoroughly awake. It has been a pleasure to me to be here and I thank members for the great support I have received and especially for overlooking the many faults that may have occurred. I wish all members a happy respite from their long labours.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. D. R. McLarty—Murray-Wellington): I move—

That the House at its rising adjourn to a date to be fixed by Mr. Speaker.

Question put and passed.

House adjourned at 10.9 p.m.