to Perth after a little while. No mill was ever erected there. That officer also held the opinion that the area would be cut out by a small spot mill in a very short period.

As to any scheme for increasing beef production in that part of the State, the Premier should give very close consideration to such a proposal. We know he cannot control the expenditure that goes on in the Northern Territory, but the State works under an excellent Land Act and he should give serious consideration to action under that heading before the session ends. Something has been said about erosion and that was quite true. It is getting worse year by year. Unless some serious attempt is made immediately to destroy the vermin—particularly kangaroos—and to see that either the pastoralists or the Government take steps to provide water and fencing, we cannot hope for the success of the proposed scheme.

The Premier: I am told that some of the stations are making a determined effort to get rid of the kangaroos.

Hon. A. A. M. COVERLEY: I do not know of any station, other than KP1 or Mt. Anderson, that has taken steps to get rid of the kangaroos, and this effort has only been made in the last season or so. When I first went to the North, every station employed a man at 50s. a week and keep—the ruling rate at the time—to shoot hawks and kangaroos and trap dingoes. At one time there were many old-age pensioners camped alongside the Fitzroy River who were kangaroo shooting. There is none today and consequently the vermin have had an open go. They have multiplied to such an extent that the position is much worse today than it was 20 years ago.

I hope that the Premier, when replying to this debate, will give the Committee some indication of what he intends to do for our pastoral areas in the North. Is he prepared to alter the existing law or to have an inquiry made to advise the Government on all matters relating to pastoral leases? If so, I would remind him that we do not want any hole-in-the-corner method. Further concessions should not be given to absentee leaseholders, nor should the pastoralists be permitted to continue in the ruinous way they have during the past 40 or 50 years. We would be on safe ground in continuing the experimental station at the Ord River plantation, but we should drop the idea of growing rice, cotton and peanuts in that district.

The Premier: We should have both irrigated and dry pastures.

Hon. A. A. M. COVERLEY: Yes. I was in the North recently and inspected the experimental area sown to rice. It was covered in like a bird cage. The area was fenced with an oval fence and covered in to keep out the cockatoos and finches. The finches, however, got through and ate the rice. Yet this is a proposal which some members think should encourage migrants to settle in the North. I do not want any more failures in the North; we have had enough of them and they were the result of over-enthusiastic people advocating a policy about something which they did not understand. The Government itself has been receiving wrong advice from people personally interested in the North. I hope my remarks will be taken into consideration by the Premier. There are one or two other matters on which I could touch, but I shall deal with them on the departmental Estimates.

Progress reported.

House adjourned at 1.16 a.m. (Wednesday).

Legislative Council.

Wednesday, 31st August, 1949.

CONTENTS.

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

QUESTION.

HOME FOR AGED WOMEN.

As to Cost, etc.

Hon. A. THOMSON asked the Chief Secretary:

(1) What is the estimated cost of buildings now being erected at Canning Bridge making provision for the housing of aged women?

(2) How many buildings are being erected, and for what individual purpose are they to be used?

(3) Is provision being made for women able to look after themselves to have separate and individual rooms?

(4) Are separate cottages being provided to enable married couples to end their days together?

(5) Is it the policy or intention of the Government to make similar provision in country areas, thus avoiding aged people having to sever themselves from friends and relations?

The CHIEF SECRETARY replied:

(1) £175,000.

(2) (a) Nine. (b) (1) Nurses' quarters. (2) Hospital for the bedridden and those requiring constant supervision. (3) Block for those capable of attending own needs. (4) Three duplex cottages. (5) Administration quarters and kitchen. (6) Recreation hall, and (7) laundry.

(3) Yes.

(4) Yes.

(5) Not at present.

BILL—BRANDS ACT AMENDMENT (No. 2).

Introduced by the Honorary Minister for Agriculture and read a first time.

BILL—LAND SALES CONTROL ACT AMENDMENT (CONTINUANCE).

As to Restoration to Notice Paper.

HON. E. H. GRAY (West) [4.36]: I move—

That the Chief Secretary be requested to take the necessary action to have the Land Sales Control Act Amendment (Continuance) Bill restored to the notice paper at the second reading stage.

I take this unusual course because of the circumstances that arose when this measure was being debated last week. In support of the motion I intend to quote a similar case in which a ruling was given by Sir John Kirwan, as President, in 1927. On page 911 of Volume 1 of "Hansard" of 1927 appears the following—

> I have carefully studied the contention that the Bill has not been disposed of finally and that the House, in effect, then decided only that the Bill should not be read a second time on that particular day, and that it is open to reinstate it as an Order of the Day at a future date. In order to arrive at a decision on this point, it is necessary to consider the Standing Orders of this House and the procedure of the House of Commons, as set out in May's "Parliamentary Practice." Our Standing Order No. 120 provides as follows:—
>
> > Subject to Standing Order No. 178, no question or amendment shall be proposed which is the same in substance as any question or amendment which, during the same session has been resolved in the affirmative or negative, unless the order, resolution or vote on such question or amendment has been rescinded. This Standing Order shall not be suspended.
>
> It is unnecessary to refer to Standing Order No. 178 therein mentioned, as it does not, in any way, affect the question now under discussion. The question may be asked, "Is the reinstatement, as an Order of the Day, of the second reading of the Bread Act Amendment Bill, the reinstatement of a question that is the same in substance as a question which, during the present session has been decided by the House in the negative?" It will be observed that the question previously discussed and decided was that the Bill should be now read a second time, which, in effect, means that it should not be read a second time on that particular day. Recognised authorities—May and Blackmore particularly—clearly lay it down that a negative vote on the question, "That the Bill be now read a second time," does not finally dispose of the Bill. May, 13th edition, page 390, says—
>
> > The opponents of the Bill may vote against the question "That the Bill be now read a second time," but this course is rarely adopted because it still remains to be decided on what other day it "shall" be read a second time, or whether it shall be read at all; and the Bill therefore is still before the House, and may afterwards be proceeded with.
>
> In Denison and Brand's "Decisions," page 40, it is stated—
>
> > A Bill is not disposed of by the House declining to "now" read a Bill a second time . . . ., but it is competent to ask the House to name another day for the second reading thereof.

Blackmore's "Practice of the Legislative Council," page 134, reads—

> The opponents of the Bill may simply vote against the question for "now" reading the Bill a second time. But this course, even if successful, is less commonly adopted. For it still remains to be decided on what other day the second reading shall be taken, or whether it shall be read at all, and the Bill is still, therefore, before the Council.

Blackmore's "Practice of the House of Assembly," page 239, reads—

> The question "That the Bill be now read a second time" may be simply negatived. This course, however, does not settle the fate of the Bill, as it still remains to be settled on what other day the Bill shall be read, or whether it shall be read at all. Notice of motion may be given for the second reading on a subsequent day.

All the authorities are in accord that if the House desires to finally determine the fate of a Bill, the word "now" must be deleted, and "three months" or "six months" added. Our Standing Order 183 provides for "six months." The distinction between the practice and the Standing Orders (that no question shall be offered twice) lies in whether it is the same question. Going to the genesis of the matter, the House, after the first reading, "orders" that the Bill be made an Order of the Day for a subsequent sitting. It is, therefore, not a "question" (in the ordinary interpretation of the word) which is propounded from the Chamber. It is the carrying out of the previous order, namely, that the second reading of the Bill shall be placed upon the notice paper for a particular day. The House may not be disposed to read the Bill on that particular day. In practice this frequently occurs, as debates are adjourned and Bills are not read on the days on which they are set down for various readings. The House impliedly decides that on some other day the Bill shall be read. If this can be, why may not the House say that the Bill shall not now be read a second time, but shall be read on some future date? May, 13th Edition, page 390, states—

> The ordinary practice (to finalise the riddance of a Bill) is to move an amendment to the question by leaving out the word "now," and adding the words "three months," "six months," or any other term beyond the probable duration of the session. The postponement of a Bill in this manner is regarded as the most courteous method of dismissing a Bill from further consideration, as the House has already ordered that the Bill shall be read a second time, and the amendment, instead of reversing that order, merely appoints a more distant day for the second reading. The acceptance by the House of such an amendment, being tantamount to the rejection of the Bill if the session extended beyond the period of postponement, a Bill which has been ordered to be read a second time on that day three months is not replaced upon the notice paper of the House.

The order of the House to read a Bill is an order, not a resolution, nor a question, and is not capable of being rescinded except by an absolute majority and after seven days' notice. I would refer hon. members to Standing Order 121. It will, of course, be suggested that the proceedings would be interminable if members, time after time, could move in respect to a Bill on which a negative vote had already been cast. Such, however, could not happen. At any time the matter could be finalised by adding the words "six months." On the other hand, the practice laid down by May and Blackmore provides a remedy if, through some error, an important Bill be negatived on its second reading on a particular day without its being possible to restore it, except after a week's notice and an absolute majority vote. The possibility of a second or even a third attempt to carry a second reading would appear to be a lesser evil than the inconvenience that might jeopardise the passing of an urgent and far-reaching measure. If the House were being trifled with, short shrift would be given by a "this day six months" motion. On the other hand, important business might be facilitated by allowing a negatived Bill in such circumstances to be restored to the notice paper. Having regard to the phrasing "That the Bill be 'now' read a second time," there is a clear implication that if not "now", some other time is contemplated. Having in mind that the "this day six months" procedure for finalisation forms part of "Parliamentary Practice," I am convinced that a member is within his rights if the House negatived the second reading on a particular day—that is "now"—to substitute another day that might commend itself to the House. I rule that the motion is in order.

It was quite by chance that I came on that ruling, which was given a long time ago. The Bill, with which my motion deals, is far more important than that on which the ruling was given. On that occasion, a division had been taken but, notwithstanding that, the then President ruled that the Bill could be restored to the notice paper, and that was done. The Bill to which the motion refers was defeated on the voices, in a comparatively thin House, nine or 10 members being absent. If the measure were allowed to die, without an attempt being made to revive it, that would be a serious reflection on this Chamber for the following reasons:—

Firstly, it was a Government measure embodying Government policy; secondly, the Act had been investigated closely by a Select Committee of another place and important recommendations had been made for its amendment. Because of that report,

only three members besides the Chief Secretary made short speeches supporting the Bill, it being expected that the Chief Secretary would, in the course of his reply, make an important announcement on the policy of the Government regarding the recommendations of the Select Committee on the land sales control legislation. Thirdly, there was only one short speech, by Mr. Baxter, against the Bill; fourthly, the Honorary Minister for Agriculture was not present; fifthly, the Bill was first introduced into this Chamber on Tuesday, the 9th August, by the Chief Secretary and on the same day the Select Committee reported its recommendations on the legislation to another place.

Hon. H. K. Watson: How many members do you say were not present?

Hon. E. H. GRAY: Nine or 10. I believe that the Chief Secretary, in order to give Cabinet an opportunity of considering the recommendations of the Select Committee, placed the Bill well down on the notice paper, and in that he showed good judgment. The Bill did not come before the House until last week. I am concerned because it is freely rumoured in both Perth and Fremantle, particularly by interested persons who were glad to see the Bill rejected, that its defeat in this House was engineered by the Government and that, instead of the Government deciding not to carry the legislation on, it was left to this Chamber to dump the measure. I do not believe any Minister would be guilty of such tactics. If it were so, it would be a subtle way of defeating important legislation. I believe the Chief Secretary took it for granted that when the adjournment of the debate was moved by Mr. Hall, and defeated on the voices, members who had not spoken against the Bill were prepared to support it. Therefore, the Chief Secretary proceeded with his reply in the belief that the Bill would pass the second reading. I thought that myself.

The Chief Secretary: I had no option; members refused an adjournment.

Hon. E. H. GRAY: I do not think members did that deliberately. The Chief Secretary could have secured an adjournment of the debate and resumed it on Tuesday.

The Honorary Minister for Agriculture: I hope no-one suggested that I was away on purpose.

Hon. E. H. GRAY: No, that was not suggested. I did not suggest that at all.

The Honorary Minister for Agriculture: I know that you would not.

Hon. E. H. GRAY: I am only telling the Minister what has been freely mentioned in the city. Another important point is that there were several members away in the country.

Hon. H. K. Watson: Quite a few were at the Kalgoorlie races.

Hon. E. H. GRAY: I do not inquire where members spend their time when they are absent from the House; but they were away, and it is a generally understood thing that if there is important legislation on the notice paper, every opportunity is allowed members to express their opinions on it.

Hon. W. J. Mann: Give us the true reason why you want the Bill to be put back on the notice paper.

Hon. E. H. GRAY: I am giving the true reason. I have been a member of this House for 25 years this month.

Hon. W. J. Mann: Is that the reason?

Hon. E. H. GRAY: During the whole of that time I have never seen an important Bill treated in the way this one has been—and without a division being called. I have never seen an important Bill defeated without several members speaking against it, even when the Bread Act amending legislation was introduced.

Hon. G. W. Miles: That was brought on about three o'clock in the morning.

Hon. E. H. GRAY: In view of all the circumstances, we cannot afford to dispense with this legislation and I think Government supporters in this Chamber—of course, I am not a Government supporter—

Hon. Sir Charles Latham: What!

The Honorary Minister for Agriculture: You are the best supporter we have.

The DEPUTY PRESIDENT: Order!

Hon. E. H. GRAY: Government supporters should not be prepared to allow rumours of this character to spread through the city and they should have some regard for the traditions of this House. We cannot afford to have the Bill defeated in this manner. It is not a question of whether we support or oppose it, but on important

measures of Government policy, no matter which Party is in power, every member is entitled to express his opinion either against or for them. They should express their opinions in a proper manner if they are against any measure but in the debate on this Bill only one member expressed his opposition to it, and it was defeated without a division being called for.

In view of these circumstances I hope the motion will be carried and it will then be the duty of the Chief Secretary to accede to it or give reasons why he should not. I hope the Chief Secretary will be only too pleased to replace the Bill on the notice paper so that every member of this Chamber who was absent last week and every member who was in the House then but did not speak, will have an opportunity of telling the people of this State why this legislation is necessary or otherwise.

THE CHIEF SECRETARY (Hon. H. S. W. Parker — Metropolitan-Suburban) [4.55]: It is quite obvious that I have no say in this matter as it is a question purely and simply for the House to determine. What Mr. Gray has said is quite correct, that a defeat of a Bill on the vote at the second reading stage is not finality, if the House wishes to reinstate it on the notice paper. If the House desired that it be finally defeated there were two means by which it could have done so and that was to amend the motion by striking out the word "now" and inserting the words "six months hence" so that the motion would have read "That this Bill be read six months hence." Then again a member could have moved: That the previous question be put. Neither of those alternatives were resorted to, and therefore Mr. Gray is quite within his rights in asking that this measure be replaced on the notice paper.

Obviously, if the House carries the motion that will be done; but, of course, if it is not, that procedure cannot be followed. I certainly shall support the motion if a vote is necessary. I would like to point out that the debate on the Bill was first of all adjourned because of the absence of the Premier at the Premiers' Conference in the Eastern States. Other Ministers were also absent and the matter could not be discussed at that stage. Other business then came ahead of it and when the Bill was brought forward again, members may recall that someone moved that the debate be adjourned. On the voices the adjournment was overwhelmingly refused and therefore there was no option but to go ahead with the debate on the Bill. On the voices it was quite obvious that there were only three or four members who voted for the adjournment and therefore a division was simply a waste of time. I support the motion.

HON. E. M. HEENAN (North-East) [4.57]: I rise to support the motion. It was unfortunate that a measure of such great importance was dealt with in such a manner. I have to admit that I was absent on the occasion when it was discussed, but there was a sort of understanding that nothing of importance would be dealt with during that week which, of course, was the Kalgoorlie Racing Carnival week. I do not make any apologies for being present in my electorate on that occasion because that carnival is not simply a matter of the running of the Kalgoorlie and Boulder Cups. We have visitors from places as far North as Wiluna, Laverton and inter-lying towns.

There was a big contingent from Esperance, Norseman and Southern Cross and it gives Goldfields members a rare opportunity to meet their constituents. I attended two very important deputations during that period and I know other Goldfields members did likewise. We, of course, never raise any criticism when other members attend shows and other similar functions. I would have thought that, in deference to our unavoidable absence and in view of the fact that it was our duty to take part in the debate, this measure would have been held over until a fairly full House had had an opportunity of debating it. I understand that my friend, Mr. Hall, moved for an adjournment of the debate and that it was refused. No great harm could ensue if the motion were carried. When all is said and done, it would only have the effect of giving those who so desire the opportunity to state their reasons for supporting or opposing the Bill. I think there are special circumstances which should warrant the House in passing the motion.

HON. SIR CHARLES LATHAM (East) [5.1]: I seconded the motion because I thought members should be given an opportunity to express themselves on this procedure. I cannot remember its having been

followed in another place during the years I was a member of it. I accept the information tendered by Mr. Gray that in 1927 a ruling was given by the then President on this point. Whether the ruling is right or wrong I do not know; but I have always accepted it as a hard and fast rule that if a Bill is rejected in the way the Bill in question was, it could not be reintroduced. However, we should follow the ruling given in 1927 until the House itself decides against it.

What will be the fate of the Bill if it is reintroduced? Will it meet with the same fate as the Bill in which Mr. Gray was interested, because I notice that on the very next day it was reintroduced and defeated? I like full discussions on Bills. I sometimes think Ministers are not keen on such debates, but I have no objection to a person disagreeing with my view. It would perhaps be advisable to give members the opportunity to express themselves upon this suggested procedure.

Hon. A. Thomson: It is a rather dangerous one.

Hon. W. J. Mann: If followed, we would never get through our business.

Hon. Sir CHARLES LATHAM: If it were intended to defeat a Bill, all that would be necessary would be for some member to move that it be read at a time when Parliament was not in session, or that it be laid aside. If the procedure we are now discussing were adopted, a measure could be reintroduced four or five times in the same session.

Hon. W. J. Mann: That could be done with every Bill that comes before the House.

Hon. Sir CHARLES LATHAM: I was not present when the Bill was defeated. I am not intending to explain why I was absent, but I was not at Kalgoorlie. To be truthful, I do not like the motion. In my opinion it is wrong, but I am supporting it because I found it necessary to second it.

The Chief Secretary: It was not necessary. Other members seconded it.

Hon. Sir CHARLES LATHAM: Then I am free so far as the motion is concerned, unless I was accepted as the seconder.

The DEPUTY PRESIDENT: I accepted Hon. G. Bennetts as the seconder.

Hon. Sir CHARLES LATHAM: In those circumstances I shall not feel I am letting Mr. Gray down, which is something I would hate to do. Once I have given an undertaking, even though it be against the views that I might hold, I feel impelled to honour it. The motion is not to be treated lightly and I hope members will give it the consideration which its importance demands, but at the same time vote according to their judgment. I am prepared to let the matter be decided by a majority of the members.

HON. W. J. MANN (South-West) [5.6]: I shall speak wholly on Mr. Gray's motion, without going into the merits of the Bill. I suggest that the House should hasten slowly in this matter. The principle is a dangerous one. If we accept it, there is nothing to prevent any aggrieved member from holding up the business of the House by moving for the restoration of a Bill to the notice paper, although he may be convinced that he will not succeed. Such a procedure is highly undesirable. I would not dream of questioning the rulings quoted by Mr. Gray, although I think that probably if we had time to study them we might change our viewpoint.

If the motion is carried, I can easily visualise a member at any time using it as a precedent in order to reintroduce a Bill that had been definitely defeated. Had I been in the same position as our Goldfields members I would have acted exactly as they did; I make no bones about that. I would have been in Kalgoorlie last week. Even supposing the House was not fully representative when the Bill was defeated, nevertheless it was fairly well represented and the vote on the voices, so far as I could judge, was very emphatic. I think Mr. Gray has drawn a long bow in endeavouring to point out that, but for the absence of some members, the result might have been different.

Hon. E. H. Gray: I did not say that.

Hon. W. J. MANN: That was the inference. I shall vote against the motion, which I consider is dangerous. The circumstances surrounding the Bill do not warrant its reintroduction.

HON. G. FRASER (West) [5.8]: I am in rather a quandary. Naturally, I want another decision taken on the measure, if possible, as I would like the decision to be

emphatic one way or the other. Consequently, I shall support the motion. At the same time, I must agree that we have arrived at a ridiculous stage because I consider the rulings quoted are wrong. If I had to arrive at a decision on them, I would vote against the motion. However, we have always accepted the rulings of "May" and "Blackmore" and I shall observe them until such time as we decide they are wrong or our Standing Orders are altered. I invite members to study Standing Order 120, as to the interpretation of which there can be no doubt. It says—

> . . . no question or amendment shall be proposed which is the same in substance as any question or amendment which, during the same session, has been resolved in the affirmative or negative, unless the order, resolution, or vote on such question or amendment has been rescinded.

That Standing Order is capable of but one meaning.

Hon. E. M. Heenan: This motion is not the same in substance.

Hon. G. FRASER: But if the Bill is restored to the notice paper, it will be the same as the Bill which was defeated.

The Chief Secretary: The motion that it be read a second time was defeated, not the Bill.

Hon. G. FRASER: That is so. Suppose the Bill is restored to the notice paper, at what stage shall we continue with it; at the second reading stage? There can be no further debate at that stage.

Hon. E. H. Gray: The second reading debate would be continued.

Hon. G. FRASER: But the Leader of the House had replied and that closed the debate.

The Chief Secretary: It would be a continuance Bill.

Hon. G. FRASER: It would have to be, because once the debate is closed, a vote must be taken, so we shall reach a ridiculous stage if the Bill is restored to the notice paper. This motion emphasises the necessity for the motion recently passed by this House to revise our Standing Orders. I hope that when the Standing Orders Committee makes the revision it will give special attention to Standing Order 120, so that there will be no possible doubt once a decision is arrived at, otherwise we shall be pestered with reintroductions of defeated measures. We do not want to reach that stage.

Hon. A. Thomson: I hope not.

Hon. G. FRASER: When a measure is before us, our desire should be to debate it thoroughly and arrive at a decision. Once that decision is taken, that should be the end of the matter. We do not want any win, tie or wrangle.

Hon. E. M. Heenan: This surely is a special circumstance.

Hon. G. FRASER: I do not care what the circumstance is. Let us have rules of debate that we can follow. Once we have dealt with a question, that should be the end of it. We should then proceed with something else.

Hon. E. M. Heenan: You can vote against the motion.

Hon. G. FRASER: No. I bow to the rulings that this House has followed for years past. We have been guided by them and, although in my opinion they are wrong, we should abide by them. But we do not want to have continual arguments and interpretations of Standing Orders. Let us have something that every member can understand and about which there can be no quibbling. I support the motion.

HON. L. CRAIG (South-West) [5.15]: The principle of reintroducing a Bill that has been lost is a bad one. Let us accept that, and also that what "May" says is correct that a Bill can or may be reintroduced. But the real question is: Should it be reintroduced? What is the object of the motion? It is to bring back a Bill which the mover thinks the House rejected unwisely and which it would not reject if it were reintroduced. Is that a good thing?

Hon. G. W. Miles: Do you think that is his reason, or is it propaganda?

Hon. L. CRAIG: Let us assume that is his reason. If the House is still of the opinion that it would not pass the Bill, it should vote against the motion, irrespective of what "May" says. Mr. Gray claims that the House as constituted today would pass the Bill irrespective of what was done before; or he hopes it would. If the House would vote

against the Bill if reintroduced, it should vote against the motion in spite of what Mr. Gray says.

HON. E. H. GRAY (West—in reply) [5.17]: I wish to reply to the remarks of Mr. Mann and Mr. Fraser. Mr. Mann said that this would be very dangerous. Well, this ruling was given 25 years ago, and a situation to which it could apply has not cropped up since until today. That disposes of the argument that it is a dangerous procedure. I only wish to clear the Chief Secretary in connection with the rumours that are going about. I am also anxious to maintain the prestige of the Chamber. Seeing that a continuance Bill of vast importance was defeated on the voices, I think that every member should be given an opportunity of taking part in a division in connection with the matter.

I repeat that we have never defeated an important Bill for 25 years, to my knowledge, without a division. It is the practice for every member who desires to do so, to state his case and take part in a division on a Bill. That is all I am after. I want, first of all to protect the Government from the insidious propaganda and rumour going about that the supporters of the Government in this Chamber are used as tools to defeat legislation, and that the Government has not the courage to reintroduce legislation in another place and, secondly, to uphold the prestige of the Chamber.

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

Ayes	8
Noes	15
Majority against ..	7

AYES.

Hon. G. Bennetts	Hon. E. M. Heenan
Hon. E. M. Davies	Hon. H. S. W. Parker
Hon. Sir Frank Gibson	Hon. G. B. Wood
Hon. E. H. Gray	Hon. G. Fraser
	(Teller.)

NOES.

Hon. C. F. Baxter	Hon. A. L. Loton
Hon. L. Craig	Hon. W. J. Mann
Hon. H. A. C. Daffen	Hon. G. W. Miles
Hon. R. M. Forrest	Hon. A. Thomson
Hon. H. Hearn	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. F. R. Welsh
Hon. Sir Chas. Latham	Hon. C. H. Simpson
Hon. L. A. Logan	*(Teller.)*

Question thus negatived; the motion defeated.

BILL—ADOPTION OF CHILDREN ACT AMENDMENT.

Third Reading.

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

That the Bill be now read a third time.

HON. G. FRASER (West) [5.26]: Last evening we were towards the end of the Committee stage at tea time, and the few remarks I had to make would have meant the House sitting afterwards, so I did not say anything. I shall not at this stage attempt to answer everything that was put forward then, but I cannot let pass the substance of the objections that were raised against my amendment by various members who spoke, because when we analyse what they said, it boils down to this, that a person under 21 years is not able to make a will and, as a result, some persons who could get some financial gain, would be deprived of it. I think that is a poor excuse for making the age 21, in connection with the adoption of children.

The Chief Secretary: It does not alter the age, but the wording of the Act.

Hon. G. FRASER: That is the point I am making. Members who opposed my amendment said that people under age could not make a will. That is a poor excuse for extending the age to 21. Mr. Heenan quoted the case of someone who lost £2,000 because the person who died was not 21 years of age and could not make a will, and because the age for adoption was 15.

The Chief Secretary: He had no relatives.

Hon. E. M. Heenan: Yes, he was an illegitimate child.

Hon. Sir Charles Latham: His mother would have been entitled to it.

Hon. E. M. Heenan: She would have been if the child had been adopted.

Hon. G. FRASER: She did not have to wait until after the boy was 18 years of age to adopt him. The only complaint was that because the child left some money they were sorry they had not adopted him. That is a poor old excuse to put up for raising the age. I have been through the speeches, and the whole essence of the objection is that a will could not be made. Well, they

still would not have been able to get the £2,000, because the Act would not allow them to adopt anyone after he had died. Another point is that most of the opposition came from the two legal gentlemen here.

The Chief Secretary: The support.

Hon. G. FRASER: I mean, the objection to my amendment. They quoted cases and made a big song about the matter. I say they have been neglectful of their duty all these years, because the Act was first put on the statute book in 1896.

The Chief Secretary: Your amendment would knock it.

Hon. G. FRASER: There was an interpretation of the word "child" then and another in 1915. There has been no amendment to the section since 1915, yet it has been said that it is vital.

The Chief Secretary: Your amendment would be vital.

Hon. G. FRASER: My amendment would increase the age that has been on the statute book since 1915, from 15 to 18.

Hon. E. M. Heenan: Surely you are the one who is making the song about it.

Hon. G. FRASER: I am dealing with the argument that has been put up in connection with raising the age to 21. If there have been many cases, why has the age been left since 1915? I point this out to members to illustrate how red herrings can be drawn across the trail when some members are endeavouring to make out cases.

The Chief Secretary: Have you brought yours from Fremantle?

Hon. G. FRASER: So much for the urgency of this legislation that the age must be brought up to 21. This provision might have gone back as far as 1896, but to my knowledge it has been there for at least 34 years from the last alteration of that particular section. Since 1915, at least, the age has been 15 years. It is strange that some member of the legal fraternity has not made an attempt to alter it during those 34 years. I support the third reading.

Question put and passed.

Bill read a third time and *passed.*

BILL—BEES ACT AMENDMENT.

Reports of Committee adopted.

BILL—INCREASE OF RENT (WAR RESTRICTIONS) ACT AMENDMENT (No. 4).

Assembly's Message.

Message from the Assembly notifying that it had disagreed to amendment No. 1 made by the Council and had agreed to amendment No. 2 subject to a further amendment, now considered.

In Committee.

Hon. G. Fraser in the Chair; the Chief Secretary in charge of the Bill.

No. 1. Clause 3, proposed new Section 18F—Delete the word "partly" in line 27, page 2, and substitute the word "substantially".

(Consequent on the foregoing amendment, the word "substantially" was substituted for the word "partly" where same appears in lines 31 and 36 on page 2, lines 6 and 26 on page 3, lines 13, 18 and 30 on page 4 and lines 7 and 14 on page 5).

The CHAIRMAN: The Assembly's reason for disagreeing is—

The amendment might unduly prejudice a protected person.

The CHIEF SECRETARY: I move—

That the amendment be not insisted on.

This matter has been thoroughly thrashed out in another place as well as in this Chamber and it arises out of an amendment moved by Sir Charles Latham.

Hon. SIR CHARLES LATHAM: We should not pass over this matter too lightly. It does not refer to a widow only, or a mother, but to any female person to whom a deceased soldier may have made some small contribution. In this case I do not suppose two persons would receive a pension but it also provides for a person who is receiving medical treatment from the Commonwealth of such a nature as to prevent him either wholly or partly from engaging in his occupation. When we ask people to make sacrifices we ought to give them some protection as well as the soldiers and their dependants. I hope the Committee will insist upon the amendment.

Hon. C. H. SIMPSON: I have discussed this matter with the Minister for Housing and he advised me that it would be difficult to interpret the word "substantially".

Hon. Sir Charles Latham: What does "partly" mean?

Hon. C. H. SIMPSON: It means any part, but the word "substantially" means a considerable portion. It would rest with the judgment of the individual. The Minister for Housing referred to the case of a soldier who might be prevented from following his particular occupation because of some disability. Therefore the Minister for Housing thought that a man of this type should receive some consideration from, say, a magistrate.

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

Ayes	15
Noes	7
Majority for	8

AYES.

Hon. G. Bennetts	Hon. G. W. Miles
Hon. R. J. Boylen	Hon. H. S. W. Parker
Hon. L. Craig	Hon. C. H. Simpson
Hon. H. A. C. Daffen	Hon. H. K. Watson
Hon. E. M. Davies	Hon. F. R. Welsh
Hon. Sir Frank Gibson	Hon. G. B. Wood
Hon. E. M. Heenan	Hon. E. H. Gray
Hon. J. G. Hislop	*(Teller.)*

NOES.

Hon. R. M. Forrest	Hon. W. J. Mann
Hon. H. Hearn	Hon. A. Thomson
Hon. L. A. Logan	Hon. Sir Chas. Latham
Hon. A. L. Loton	*(Teller.)*

Question thus passed; the Council's amendment not insisted on.

No. 2. Clause 3, proposed new Section 18G—Insert a new subsection after Subsection (9) to stand as Subsection (10) as follows:—

(10) Notwithstanding the provisions of Subsections (3) to (8) inclusive, of this section, the Court may make an order against a protected person, or may give leave to enforce an order against a protected person (as the case may be), if the Court, after taking into consideration all the circumstances of the case, is satisfied—

(a) that the protected person has not made any or reasonable efforts to obtain other accommodation or

(b) that the refusal by the Court to make an order, or to give leave to enforce an order, (as the case may be), would cause greater hardship to the person applying for such order or leave than to the protected person.

The CHAIRMAN: The Assembly's amendment is as follows:—

Delete all words after the word "insert" in line 1 and insert in lieu the words:—

In Subsection (6) the following:—

1. (a) Insert at the end of paragraph (b) in line 4 on page 13, the word "or":

(b) Add at the end of Subsection (6) a further paragraph to stand as paragraph (c)—

(c) That in the case of an application under paragraph (f) of Subsection (3) of this section—

(i) the lessor has been the legal or equitable owner of the dwellinghouse for not less than three years immediately preceding the date of the application and does not own any other dwellinghouse; and

(ii) the protected person has received not less than three months' notice requiring possession of the dwellinghouse to be given to the lessor provided such notice was given after the coming into operation of the Increase of Rent (War Restrictions) Act Amendment Act, 1949, and such protected person fails to show that subsequent to the receipt of such notice he has made reasonable efforts to obtain other accommodation; and

(iii) a refusal by the Court to make the order would cause greater hardship to the lessor than to the protected person.

2. In proposed new Section 18G Subsection (7), page 13—

(a) In line 11 of the subsection after the word "satisfied" insert the letter in brackets "(a)":

(b) At the end of the subsection in line 18 add the word "or":

(c) Add a further paragraph to the subsection as follows:—

(b) That in the case of an application under paragraph (f) of Subsection (5) of this section—

(i) The lessor has been the legal or equitable owner of the dwellinghouse for not less than three years immediately preceding the date of the application and does not own any other dwellinghouse; and

(ii) the protected person has received not less than three months' notice requiring possession of the dwellinghouse to be given to the lessor provided such notice was given after the coming into operation of the Increase of Rent (War Restrictions) Act Amendment Act, 1949, and such protected person fails to show that subsequent to the receipt of such notice he has made reasonable efforts to obtain other accommodation; and

(iii) a refusal by the Court to give the leave would cause greater hardship to the lessor than to the protected person.

The CHAIRMAN: The better way to proceed with consideration of the Assembly's amendments to the Council's amendment will be to deal with them by sections. The first to be considered will be—

Delete all words after the word "insert" in line 1 and insert in lieu the words:

In Subsection (6) the following:—

1. (a) Insert at the end of paragraph (b) in line 4 on page 13, the word "or".

The CHIEF SECRETARY: I move—

That the Assembly's amendment be agreed to.

Hon. C. H. SIMPSON: In order to understand the implications of the Assembly's amendment, it is necessary to study the whole of the amendment suggested by another place. It will be noted that the reaction of the Assembly was not rejection of the Council's amendment but a rearrangement of the wording with some minor additions that were suggested by myself in consultation with the Minister and the R.S.L. I trust the Committee will accept the Assembly's alternative amendment as a whole. There are two small amendments that I shall submit, and the particulars have been circulated.

Hon. Sir Charles Latham: We have only just received them.

Hon. C. H. SIMPSON: I will explain their effect. Dealing with the Assembly's amendment as a whole, in the first place the Minister for Housing, who is a competent legal authority, considered that the Council's amendment as drafted dealt with the wrong section, and the redrafted amendment applies now to Subsections (6) and (7) of proposed new Section 18G., and the amendment applies to the two subsections in identical terms. Proposed Subsection (6) applies in the case where the court makes an order under certain conditions, and Subsection (7) concerns the granting of leave to enforce an order already made.

This refers to paragraph (f) of Subsection (5) of the proposed new section, which really sets out the conditions under which an owner of a dwellinghouse may apply for repossession or, if it is not a dwellinghouse, it may be premises connected with a trade, profession or occupation. To that extent the scope of the amendment that we sent to the Assembly has been extended. Generally speaking, the effect of the Assembly's amendment is the same as that which the Council proposed, with certain minor additions. The following qualifications have been added:—(1) the applicant must be the owner; (2) the man must have been the legal or equitable owner for not less than three years; (3) he must require the house for his own accommodation; (4) he must have no other dwelling place, and (5) the owner must give three months' notice after the passing of the Act.

Qualifications (1) to (3) were embodied in the amendment which Mr. Watson placed before the Committee here, but members did not accept them on the ground that they would affect the fate of the Bill and would not be accepted by another place. It was felt that they would endanger the passing of the legislation. With regard to qualification (5), it was first suggested that there should be six months' notice, but that period was reduced to three months from the passing of the Act, and I regard that as reasonable. It was pointed out that if the period had been three months from the time of giving notice, circumstances might arise that would mean that the notice itself would be very short. That being so, the provision for three months' notice after the passing of the Act was considered reasonable to enable those concerned to make other arrangements.

It will be realised that some of the ex-Servicemen honestly tried to get alternative accommodation and had applied to the Housing Commission for permits to erect homes. As they were protected persons, they were told they had nothing to worry about. They were also under the impression that the Federal authorities would pass legislation to enable them to carry on indefinitely, or at any rate until the housing position was very much modified. Those men suddenly found that they were no longer protected, and when they went to the Housing Commission could not secure any alternative accommodation. We know that is not easy to secure in these days, and therefore it is necessary for a reasonable time to be provided to enable these men to make other arrangements. There has been a lot of publicity given to this phase, and members realise its importance. I trust the Assembly's alternative amendment to the Council's amendment will be accepted.

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

The CHAIRMAN: The next section of the Assembly's amendment for consideration is—

(b) Add at the end of Subsection (6) a further paragraph to stand as paragraph (c)—

(c) That in the case of an application under paragraph (f) of Subsection (3) of this section—

(i) the lessor has been the legal or equitable owner of the dwelling house for not less than three years immediately preceding the date of the application and does not own any other dwelling house; and

(ii) the protected person has received not less than three months' notice requiring possession of the dwelling house to be given to the lessor provided such notice was given after the coming into operation of the Increase of Rent (War Restrictions) Act Amendment Act, 1949, and such protected person fails to show that subsequent to the receipt of such notice he has made reasonable efforts to obtain other accommodation; and

(iii) a refusal by the Court to make the order would cause greater hardship to the lessor than to the protected person.

The CHIEF SECRETARY: I move—

That the amendment be agreed to.

Hon. H. K. WATSON: There appears to be an error of drafting in subparagraph (ii) where it refers to notice requiring possession of the dwellinghouse to be given "to the lessor." I think the word "to" should be "by."

The Chief Secretary: It should be "by the lessor."

Hon. C. H. Simpson: That is quite correct.

Hon. H. K. WATSON: I move—

That the Assembly's amendment be amended in line 4 of subparagraph (ii) by striking out the word "to" where it appears the second time and inserting the word "by" in lieu.

Amendment to the Assembly's amendment put and passed.

Hon. H. K. WATSON: I move—

That the Assembly's amendment be further amended by striking out in lines 4 to 8 the words "provided such notice was given after the coming into operation of the Increase of Rent (War Restrictions) Act Amendment Act, 1949."

The insertion of these words adds a new principle to the amendment which was made by the Council. Their effect is to nullify any order that may have been given during the last three months. It may well be that during the last week or two an order has been given requiring a tenant to leave premises within three months. I suggest that no substantial injustice would be done to anybody by allowing that order to continue. On the other hand, unless these words are deleted, a substantial injustice will be done to the owner inasmuch as he will have to make another pilgrimage to the court and be involved in further legal expense to obtain an order after the passing of this measure.

The CHIEF SECRETARY: The effect of this will be to alter another clause in the Bill which provides that orders made by the court and not yet finalised will have no effect if, and when, this Bill is passed should the orders not have been finalised by that time. That was one reason why during the early stages of the Bill I was anxious to get it through quickly so as to complete the matter. The object of the measure is to take over from the Commonwealth, and I think that should be done on the basis that the measure has been in force continuously from the time the High Court over-ruled the Commonwealth legislation, except, of course, that where an order has been finalised it would be difficult to put people back in the position in which they were situated before the order was carried into effect. I certainly think there should be three months' notice after this Bill comes into force and that it should not be made retrospective.

Hon. H. K. WATSON: The clause to which the Chief Secretary referred does not have the effect he would have the Committee believe. All my amendment does is to protect orders which come within all the restrictions imposed now under proposed new Section 18G. If a person has already received an order a week or two weeks, or a month or even two months before the passing of the measure, he should not have to go to the court again. That is an unnecessary expense.

Hon. Sir CHARLES LATHAM: I disagree with the view of the Chief Secretary that because the Commonwealth Government introduced the legislation on which this Bill is based, we should follow slavishly the attitude adopted by that Government. Through this Bill we are asking the individual to accept responsibility for looking after these protected persons instead of the State or the Commonwealth doing so. Many owners are in a lot less fortunate position

than the protected people, but some members will not appreciate that. I agree that since we have been stupid enough to adopt legislation passed by the Commonwealth Parliament, we must make some endeavour to give protection to these people, but they are afforded enough protection under the amendment moved by Mr. Watson. Some of these folk have been in the houses they occupy for four years and have made no attempt to find another place because they knew they were protected.

The CHAIRMAN: The amendment is for the deletion of certain words.

Hon. Sir CHARLES LATHAM: I am trying to connect up my remarks with the amendment. What I want to point out is that by leaving in the words we are throwing responsibility on the person who owns the house and who is not in as good a position as the protected person. Mr. Watson has pointed out that such an owner, who may already have made application to the court and obtained an order, will have to make another application immediately the Bill is passed.

The Chief Secretary: He will still have to give three months' notice if this is carried.

Hon. Sir CHARLES LATHAM: But he has already applied.

The Chief Secretary: That does not matter.

Hon. Sir CHARLES LATHAM: He may have applied two months before and may have only one month left, but he will have to incur the additional expense of going to the court for a fresh order. This is a very bad piece of legislation. We should not penalise an individual who has only one house and wants to live in it. Some of these men are returned soldiers, who have done more for the country than those living in the houses. They include men who went to the first World War, and who have reached old age and have not homes to go into because protected persons are occupying them.

The CHIEF SECRETARY: Whether this is carried or not, three months' notice has to be given.

Hon. H. K. Watson: Three months from the making of the order by the court.

The CHIEF SECRETARY: I do not follow. The protected person must receive not less than three months' notice requiring possession of the house to be given to the owner.

Hon. J. G. Hislop: He could have had two months.

The CHIEF SECRETARY: He must have three. Notice cannot be given a month at a time.

Hon. L. Craig: Two of the three months may have expired.

The CHIEF SECRETARY: I would like members to understand that under the Commonwealth legislation three months' notice of repossession had not to be given. What has happened since the Commonwealth regulations have ceased to be operative is that the old common law has taken effect and so many weeks' or months' notice, according to the nature of the tenancy, are given. These people have been tenants who have occupied houses generally on a weekly tenancy, and the notices they have had bringing them before the court have been probably of one or two weeks.

They have been dealt with and the orders have been suspended for two or three months. That has been the practice pending the passing or otherwise of this legislation. The Bill as we have so far passed it provides that the protected person must receive not less than three months' notice requiring possession of the dwellinghouse to be given to the lessor. I doubt whether the hon. member's amendment will have the effect he desires. The only people who would have had three months' notice are those on a long tenancy of some sort.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. H. K. WATSON: During the tea suspension, I considered the statement of the Chief Secretary that even if the amendment were agreed to, it would still be necessary for a person who had already received a court order to recommence proceedings by giving three months' notice to the tenant and then go to the court again. If that is so, I think the whole of subparagraph (ii) should be struck out.

Hon. L. Craig: In effect, it nullifies the order of the court.

Amendment to the Assembly's amendment put and passed.

Hon. C. H. SIMPSON: I move—

That the Assembly's amendment be further amended by striking out in lines 3 and 4 of subparagraph (iii) the words "to the protected person" and inserting the words "the hardship that would be caused the protected person by the making of the order" in lieu.

That is the amendment suggested by the Minister for Housing, who explained that, as it stands, the subparagraph could be misunderstood.

Amendment on the Assembly's amendment put and passed.

Question put and passed; the Assembly's amendment to the Council's amendment, as amended, agreed to.

The CHAIRMAN: The Assembly's next amendment to the Council's amendment No. 2, which can be dealt with by paragraphs if so desired, is as follows:—

2. In proposed new Section 18G Subsection (7), page 13—

(a) In line 11 of the subsection after the word "satisfied" insert the letter in brackets "(a)":

(b) At the end of the subsection in line 18 add the word "or":

(c) Add a further paragraph to the subsection as follows:—

(b) That in the case of an application under paragraph (f) of Subsection (5) of this section—

(i) The lessor has been the legal or equitable owner of the dwelling house for not less than three years immediately preceding the date of the application and does not own any other dwelling house; and

(ii) the protected person has received not less than three months' notice requiring possession of the dwelling house to be given to the lessor provided such notice was given after the coming into operation of the Increase of Rent (War Restrictions) Act Amendment Act, 1949, and such protected person fails to show that subsequent to the receipt of such notice he has made reasonable efforts to obtain other accommodation; and

(iii) a refusal by the Court to give the leave would cause greater hardship to the lessor than to the protected person.

The CHIEF SECRETARY: I move—

That paragraph (a) of the Assembly's amendment be agreed to.

Question put and passed.

The CHIEF SECRETARY: I move—

That paragraph (b) of the Assembly's amendment be agreed to.

Question put and passed.

The CHIEF SECRETARY: I move—

That paragraph (c) of the Assembly's amendment be agreed to.

Hon. L. CRAIG: I move—

That the Assembly's amendment be amended in line 6 of subparagraph (1) by inserting after the word "own" the words "or occupy."

A man might own two houses and might not be living in either. He would be precluded from gaining possession of either.

Hon. H. K. WATSON: This subparagraph is actually a tightening up of the original provision of the Bill. Mr. Craig's point is a valid one and I suggest he might move to have subparagraph (1) struck out.

Amendment on the Assembly's amendment put and negatived.

Hon. H. K. WATSON: I move—

That the Assembly's amendment be amended by striking out subparagraph (ii) of paragraph (c).

Its terms are identical with those of the subparagraph the Committee discussed recently, and I think the only way to deal with the position is to strike out the whole of the subparagraph.

The CHIEF SECRETARY: This subparagraph is to force a protected person to make some effort and if he has not made an effort, then he has no case. As soon as he receives the notice he must get busy. We would be ill-advised to remove the subparagraph.

Hon. Sir CHARLES LATHAM: I desire to strike out some words and if this amendment is carried, I will not have an opportunity. If I move my amendment, the one by Mr. Watson could then be carried if the words I propose to have struck out were deleted. Would I be in order in doing that Mr. Chairman?

The CHAIRMAN: No.

Hon. Sir CHARLES LATHAM: Then if Mr. Watson will withdraw his amendment, I will move mine.

Hon. H. K. WATSON: For the reason that I am moving to delete subparagraph (ii), my amendment should be taken before that of Sir Charles. If it is then negatived, he can move his.

Hon. Sir Charles Latham: No, you cannot do that; your amendment stands, that is the trouble. If you will withdraw your amendment, I can move mine.

Hon. H. K. WATSON: Then I will not be able to move my amendment.

Hon. Sir Charles Latham: Yes, you will.

Hon. H. K. WATSON: I would like the Chairman to accept first my amendment that subparagraph (ii) be deleted.

Amendment on the Assembly's amendment put and a division taken with the following result:—

Ayes	7
Noes	10
Majority against	3

AYES.

Hon. H. Hearn	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. F. R. Welsh
Hon. Sir Chas. Latham	Hon. R. M. Forrest
Hon. A. L. Loton	*(Teller.)*

NOES.

Hon. G. Bennetts	Hon. L. A. Logan
Hon. R. J. Boylen	Hon. H. S. W. Parker
Hon. L. Craig	Hon. C. H. Simpson
Hon. E. M. Davies	Hon. G. B. Wood
Hon. E. H. Gray	Hon. E. M. Heenan
	(Teller.)

Amendment on the Assembly's amendment thus negatived.

The CHAIRMAN: The question now is—

That the Assembly's amendment to the Council's amendment, as amended, be agreed to.

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

Ayes	11
Noes	7
Majority for	4

AYES.

Hon. R. J. Boylen	Hon. G. W. Miles
Hon. L. Craig	Hon. H. S. W. Parker
Hon. E. M. Davies	Hon. C. H. Simpson
Hon. E. H. Gray	Hon. G. B. Wood
Hon. E. M. Heenan	Hon. G. Bennetts
Hon. L. A. Logan	*(Teller.)*

NOES.

Hon. H. Hearn	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. F. R. Welsh
Hon. Sir Chas. Latham	Hon. R. M. Forrest
Hon. A. L. Loton	*(Teller.)*

Question thus passed; the Assembly's amendment to the Council's amendment, as amended, agreed to.

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

BILL—PRICES CONTROL ACT AMENDMENT (CONTINUANCE).

Second Reading.

Debate resumed from the previous day.

HON. H. HEARN (Metropolitan) [7.57]: I am reluctantly supporting this Bill as I believe that the State Government, having taken over price control, must see this thing through. I think the original mistake was made when, under conditions created by the Commonwealth Government, the State assumed responsibility. The referendum was never one for the abolition of subsidies, and not only were subsidies abolished by the Commonwealth Government, but the full impact of the 40-hour week had not been felt in our economy.

In my opinion, at that time the States should have refused to take over price control under those conditions, but, having embarked upon the path, I believe we must, unfortunately continue for the time being to exercise some form of control. I feel, first of all, that we have not travelled along the road of decontrol as far as we might have expected. There are many industries today which find it increasingly difficult to maintain turnover in view of the buyers' market which has definitely returned, and, when goods are in abundance, to me it is futile to attempt to retain price-fixing of such commodities.

I trust that the Government will watch carefully the market trends and endeavour, as early as possible, to release many of the controls now held, as I believe that it will be for the benefit of the consumer, the Government, manufacturers and traders. We hear a good deal in these days of the necessity to impose controls to check inflationary tendencies. Whilst the tendency is undoubtedly there, it is well to ask ourselves the question whether certain sections of the community should be held responsible for the checking of that inuationary spiral to the exclusion of others.

Australia today is enjoying unprecedently high prices for her export commodities, and, on account of that fact alone, one must expect the rapidly rising cost cycle which has been so much in evidence during the past year. The inevitable increase in wages, the cost of shorter hours, the high cost of importing goods into this country, as well as

the increased cost of our own manufactures, must decrease the purchasing value of the Australian pound. I believe the manufacturing and commercial interests in Western Australia have been worse off under State control than they were during the Federal control years, because in almost every instance this has been a year of reducing margins. We have in Western Australia a very efficient Price Control Commissioner, and in a State of such small population every phase of price-fixing control can be, and is, very rigidly policed. Continued reduced manufacturing and trading margins, whilst costs of production increase, can only result in the existing slender differences between gross profit and manufacturing expenses disappearing entirely; a situation which is being rendered increasingly likely as the possibility of receding turnover becomes greater.

The increasing costs of the two basic items of manufacturing—labour and material—is causing manufacturers and traders to strain their capital resources beyond safety limits. Basic wage increases granted by the Arbitration Court of Western Australia since the 20th September last total 15s. 9d., equal to an increase of 4.7d. per hour per journeyman. These increases have been reflected in basic materials, which is a natural sequence. It is logical that, for a manufacturer to maintain his turnover level of previous years, he has to introduce into his business additional capital, which automatically increases his overhead—in other words, his profits are earned at greater risks.

In one industry materials have risen as high as 120 per cent. and labour 83 per cent., whilst prices generally have risen by approximately 80 per cent., which proves that manufacturers and traders have had to absorb a big proportion of these basic costs. The burden of inflation is being thrust more heavily on manufacturers and traders, whose profits and dividends whilst, generally speaking, being high in terms of money as compared with pre-war, yet are in terms of value so much lower. While it is apparent that profit control is an integral part of the prices control structure, it has to be applied scientifically and full provision made for the normal risks inherent in trading, receding turnovers, increasing overhead and costs of distribution, etc.

Price movements, whether rises or falls, should reflect equitably on all sections of the community and not become a burden upon manufacturers, wholesalers and retailers. With this inflationary spiral upon us, manufacturers and traders have had to carry more than their share of the incipient inflation. High taxation, over-night lifting of subsidies by the Commonwealth Government, 40-hour week, loss of production through strikes, costs of Commonwealth Government services—these increased from £8,500,000 in 1944-45 to £27,000,000 in 1947-48—non-productive labour necessary for various governmental controls, are only a few of the factors. For the 14 months prior to the introduction of the 40-hour week the overall prices increase in Australia was 14 per cent.; for the following 14 months it was 23.5 per cent., due primarily to the 40-hour week and the lifting of subsidies, for which the Commonwealth Government must accept full responsibility.

It might be pertinent at this juncture for me to give the House some information made available to members of the Federal House recently by a question asked by Mr. Harrison, M.H.R. The question was—

> What has been the increase in the price levels of individual items on which the Government has eliminated price stabilisation subsidies since the taking of the prices referendum?

Mr. Chifley: The answers to the honourable member's questions are as follows:—

> According to available information, the following approximate percentage variations have, since the prices referendum, taken place in the price of items in respect of which the Government has eliminated subsidies:—
>
> (a) Raw wool to manufacturers, plus 206 per cent.
> (b) Wholesale milk, plus 11 per cent.
> (c) Household drapery, up to plus 30 per cent.
> (d) Potatoes, plus 104 per cent.
> (e) Raw cotton to manufacturers, plus 92 per cent.
> (f) Coal (New South Wales), 27 per cent.
> (g) Imported yarns—Cotton, plus 65 per cent.; Rayon—bright up to 34 per cent., dull plus 32 per cent.

That, I think, might assist Mr. Gray to come to some conclusion as to why prices advance so quickly. I understand that far-reaching decisions have been, and are still being, made without prior consultation with industry and trade experts. The position

frequently arises that a prices policy is formulated without securing any such expert advice; it is presented as a fait accompli and then experts from the particular industry or trade are impelled to argue against the decision; and resulting from these discussions prices orders have frequently to be amended or recast altogether.

I think there is no justification for the discontinuance of increased margins for outlying States, such as Western Australia, to cover increased distribution and handling costs. This principle was established by the larger Australian manufacturers long before the incidence of price control and the principle was accepted and implemented under Commonwealth price control. Trade and industry cannot accept the arguments of State Prices Commissioners' conferences that there may be other cost factors in the more closely settled States which offset the distribution factor in Western Australia. The increased costs of handling and distribution in this State are a known and real factor and conjecture regarding other offsetting costs put forward by Commissioners is too indefinite in character to be acceptable. Since the States assumed the responsibility for price control the accent has been on anti-inflationary measures.

State Prices Ministers have co-operated, and on the whole successfully, to keep spiralling prices in check. Traders' profits have been heavily cut, at times close to the danger-line of profit elimination. The welfare of the consumer has been, and rightly so, the paramount consideration. I believe the time is fast approaching when there must be a change of emphasis. As prices of goods recede from present peaks, care must be taken to ensure the stability and continuity of primary and secondary industries and of business undertakings generally. Far-sighted businessmen are overhauling their organisations to ensure internal efficiency and enhance customer goodwill in the return to competitive trading conditions. Maximum employment of all available labour is a national necessity; consequently the sources of employment must be preserved and developed.

And so, Mr. Deputy President, until scarcities are replaced by adequate supplies, controls must be continued. The rigidity of previous prices administration must, however, give way to flexibility. For trade and industry to remain healthy, profits will need to be encouraged rather than curtailed, and competition assisted by freer trading conditions under an overall prices ceiling. Our watchwords should be—Increased Production, Improved Distribution and Discriminating Consumption. All three partners in industry—principals, workers and consumers—have a worthwhile mutual objective, the restoration of a vigorous, efficient and developing national economy.

I want finally to presume to offer a word of advice to private enterprise. I know there has been a feeling of frustration and anger at the continuance of these controls, but I believe that private enterprise would do well to give a lead wherever possible in lowering prices and improving their efficiency, bearing in mind the effort that is being made in other quarters to claim that socialism is the remedy for all the present evils. To that end, I believe that men who are engaged in private enterprise should cultivate a long view, if they desire to remain free and to justify the complete freedom such as we experienced pre-war. I support the second reading.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban—in reply) [8.11]: I do not propose to detain the House long, but I should like to reply to some of Mr. Gray's remarks. This is not a defensive measure. It is a measure which is essential in order to do the things that Mr. Gray agrees should be done, and that is, to endeavour to keep prices down so as to avoid inflation and increased cost of living. He suggested that I should have given the House some particulars of what has been done in the way of administration in regard to prosecutions, the number of cases and convictions.

To my mind that information has nothing whatever to do with the Bill. A law cannot be judged by the number of prosecutions taken under it. We cannot judge whether or not the law to prevent murder is good by the fact that there have been no murder charges for the past 12 months. I apologise for saying that the A.L.P. Executive raised the capitation fee of members by 50 per cent. I am very pleased to note that the rank and file members at

their congress appreciated the position and realised that it was necessary to raise the capitation fees. That was done before the Commonwealth handed over price-fixing control to the States. It may interest the hon. member to know that the Liberal and Country League's capitation fee is 2s. 6d.

Hon. Sir Charles Latham: They get very little for it.

The CHIEF SECRETARY: That is so.

Hon. E. M. Heenan: What is the capitation fee charged by the Citizens' Rights Association?

The CHIEF SECRETARY: I cannot say. I do not know anything about the association. Mr. Gray referred to the 40-hour week. Of course, that was awarded by the Arbitration Court. In my opinion, that is one of the causes of higher prices, as there has been reduced production.

Hon. Sir Charles Latham: The communists gave somebody a lead by the stuff they wrote on the footpaths in the streets.

The CHIEF SECRETARY: Both Mr. Gray and I referred to the waterside workers. He said they charge enormous sums in a Christian spirit to avoid working on Sundays.

Hon. L. A. Logan: Did the hon. member make that statement?

The CHIEF SECRETARY: As an aside, I am wondering whether they are Christians all through the week, too. I point out, however, that they are selling their labour at the highest price they can possibly get and they are justified in so doing; but they should not turn round and say that the increased cost of handling goods is not due to their actions. One of the things we are up against is the continual increase all round. He mentioned something about the staff. The States took over the staff that was left by the Commonwealth Government. Members may recall that when price-fixing was first instituted, Western Australia was the first to start, and our controller, Mr. White, I think it was, was taken over by the Commonwealth. Mr. Gray made a great feature of a secret session. That was mentioned in another place.

Hon. G. Fraser: You are attacking one of your own supporters.

The CHIEF SECRETARY: I am not attacking Mr. Gray; I am only attacking what he said. He stated that a secret session was necessary. He candidly admitted that price-fixing had been well handled by the staff, by the State and by the Government, but he said it could be better done if we had a secret session. What a secret session of Parliament would do, I do not know, because, as far as I am aware, what is done in another place is to read excerpts from newspapers for 4½ hours. If that is going to be done in a secret session on price-fixing, with a further waste of our time and that of "Hansard," there is no need for it. There is nothing in price-fixing that need be secret. I venture to say that members of the Party to which the hon. member belongs would not hesitate to come out into the open with anything they might have to say about people who are not of the same political faith as themselves. Therefore, a secret session can only be wanted because he, or his Party, desires to say something that might offend his own people. I sincerely trust that members supporting the Government will say what they think, irrespective of whether it offends their own supporters, if it is true and for the welfare of the country. There is no reason why everything should not be said in Parliament quite candidly and openly concerning price-fixing or any means by which it can be remedied. The colleagues of my friend have not hesitated to ask question after question in another place, and the more embarrassing they think they can make them, the more pleased they are. Why cannot they do that if there is anything embarrassing to be asked about price-fixing? If they ask questions, they will be given straightforward answers. But now the suggestion is for a secret session. What is it for? The hon. member has not given any reason at all for it. I trust members will pass the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

ADJOURNMENT—SPECIAL.

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

That the House at its rising adjourn till Tuesday, the 6th September.

Question put and passed.

House adjourned at 8.21 p.m.

Legislative Assembly.

Wednesday, 31st August, 1949.

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

PRIVILEGE.

The Member for Kalgoorlie and Press Report.

MR. STYANTS (Kalgoorlie) [4.34]: I want to draw your attention, Mr. Speaker, to an inaccurate report which appeared in "The West Australian" newspaper of Wednesday the 24th August, in connection with a portion of the speech I made on the general Estimates. There is not a vestige of truth in the newspaper report, which I will read to the House; neither does it correctly report the reference by the member for Irwin-Moore to that portion of my speech. The newspaper report, to which I take exception, reads—

Mr. Ackland defended the wheat farmers who had been described by Mr. Styants (Lab., Kalgoorlie) as "spoon-fed cockies." He said that increases in freight charges in the country were justified and that they were high enough.

I say emphatically that there was nothing in my speech which even resembled a reference to the farmers of this State as spoon-fed cockies. As a matter of fact, it would be completely against my convictions to make such a statement because, I have a great deal of sympathy for the farmers of this State, and I realise that it is only of recent years that they have been able to get a decent price for their products. There is a similarity, although a distinct difference, in what the member for Irwin-Moore said in connection with it. He did not say that I had referred to the farmers as spoon-fed cockies. I had a look at the transcript of what the hon. member did say, and this is what he said—

There is another matter I intend to deal with in reply to the member for Kalgoorlie, who had something to say with regard to the spoon-feeding of cockies.

Whilst there is a similarity, it is certainly quite a distortion of what I said. I repeat that I did not say anything that could be construed into such a statement as was reported in "The West Australian" of that day. We hear a good deal of the freedom of the Press. I quite realise that that extends to the Press the right to refrain from publishing any matter which I may ventilate in this House, but it does not give it the right to publish statements that I did not make. The freedom of the Press carries responsibilities as well as privileges.

As a matter of fact, the presence of the Press in this House is one of privilege and not of right. I take keen exception to this. It may be an honest mistake because, I repeat, while there is nothing in my speech which could be construed into my making such a statement, there is some similarity between what the member for Irwin-Moore said and what appeared in the newspaper report. It is, however, certainly incorrect as far as I am concerned. On the other hand, while I admit it may have been an honest mistake, it could of course be quite good election propaganda. It might be quite good to go around the country and say that the Labour member for Kalgoorlie referred to the farmers of this State as spoon-fed cockies. I hope, Mr. Speaker, that you will endeavour to have a correction made in connection with this matter, and that the correction will be made in as prominent a position in the newspaper