

"You have nothing to do with this. I am taking my orders from the representative of the Rural & Industries Bank, so you just jump in the lake." The farmer had absolutely no control over the work being done on his property.

That is similar to the type of complaint one receives from the people engaged under the war service land settlement scheme; and after a time it results in the farmer getting the idea in his mind, and saying to himself, "All right, the whole thing is the Government's job; I wipe my hands of it." These people then try to step into the Government for everything they can. They leave the Government to remedy the mistakes, whether they are made by themselves, or by the officers of the Government. That is what has happened in the war service land settlement scheme; and that is what is happening to the settlers—in far too many cases—who are in the dairy improvement scheme.

This dairy scheme is in the pilot areas only. I saw an announcement in the Press last week which said that the Minister for Lands had decided to continue the scheme in the pilot areas. I agree wholeheartedly that it is necessary to complete the scheme in the pilot areas, now that it has been started; but I hope it will not be extended outside those pilot areas, because I am quite sure that the sort of thing that has grown up—and is growing up—within the pilot areas will be intensified greatly if it is extended.

Accordingly, if any schemes are to be started in the future, I think we must devise some system which will throw a great deal more responsibility on the individual, and a great deal less on the Government. This will have the result of our being able to avoid the types—the unsuccessful types, largely—who took advantage of the war service land settlement scheme. I am referring to the men—and there were a number of them—who accepted the conditions of the war service land settlement scheme without any intention of ever staying on their farms. They decided to stay there just as long as they could squeeze something out of the Government. That, of course, had a detrimental effect on the genuine farmer under the scheme. If the responsibility for the work on any farm is thrown on to the individual, rather than accepted by the Government, we will avoid the types to whom I have referred, because they would not take it on if theirs was the responsibility from the word "go."

I hope the present Government will not be pressurised into starting any civilian land settlement scheme similar to the war service land settlement scheme.

On motion by the Hon. H. C. Strickland, debate adjourned.

House adjourned at 10.19 p.m.

Legislative Assembly

Tuesday, the 11th August, 1959

CONTENTS

	Page
QUESTIONS ON NOTICE :	
Railway wagons, comparison of estimates of cost of construction, etc.	877
Applecross High School, extensions	878
Medical School, qualifications for entry	878
Electricity supplies, Bullsbrook and Pearce extension	878
Police facilities at Mandurah, commencement of buildings	878
Mr. H. A. Leslie, appointment to Education Department,	879
State Engineering Works, dismissals and trades affected	879
Public Works Department, reduction of day-labour force	879
Jet-propelled aircraft, use at Guildford Airport	879
Hostel for natives, site	879
Sewerage, extension to Carlisle	880
Condemned stock, losses to export and home markets	880
Crown land, Albany Highway-Mt. Barker-Hay River area	880
Government transport services, workers' concession	880
Transport, bus service for South Perth-Victoria Park	880
Fisheries Act, complaints about Regulation No. 13	881
QUESTIONS WITHOUT NOTICE :	
Mr. Jamieson, action on public statements	881
Kalamunda bus service, protest meeting	881
North-West development, formation of a Commonwealth committee	881
Koolyanobbing iron ore, sale to Japan	881
State trading concerns, sale of Robb Jetty Works	882
W.A. National Football League, grant of land	882
BILLS :	
Judges' Salaries and Pensions Act Amendment—	
Message, appropriation	877
Metropolitan Region Improvement Tax, leave to introduce, 1r.	882
Town Planning and Development Act Amendment, 1r.	882
State Electricity Commission Act Amendment—	
2r.	882
Com., report	883
Police Act Amendment—	
2r.	883
Com.	887
Museum—	
2r.	890
Com.	893
Foot and Mouth Disease Eradication Fund—	
2r.	893
Com., report	896
Art Gallery—	
2r.	896
Com.	896

CONTENTS—continued

BILLS—continued	Page
Parliament House Site Permanent Reserve (A.A.1162) Act Amendment—	
2r.	897
Com.	902
Filled Milk, 2r.	904

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

JUDGES' SALARIES AND PENSIONS ACT AMENDMENT BILL

Message—Appropriation

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

QUESTIONS ON NOTICE.

RAILWAY WAGONS

Comparison of Estimates of Cost of Construction, etc.

1. Mr. TONKIN asked the Minister for Railways:

- (1) Did the present Government obtain an estimate from the Railway Department of the cost of making KA wagons?
- (2) Was the estimate higher, lower, or the same as the estimate which was given to the previous Government and which was mentioned in the announcement in *The West Australian* of the 24th July?
- (3) Were the same persons responsible for both estimates?
- (4) If the estimates differed, what is the explanation for the difference in such a short period?
- (5) Did the Commissioner of Railways recommend that the 200 KA wagons, or any portion of them, be manufactured by his department?
- (6) Was the Commissioner consulted in the matter and asked for a recommendation?
- (7) Is there any arrangement or understanding with the Commissioner that a payment will be made to the Railway Department by the Treasury to compensate for the extra cost involved by having the 200 wagons constructed by Tomlinson Ltd. instead of by the Railway Workshops?
- (8) In what year did the Railway Department last construct KA wagons and what was the average cost of wagons then constructed?

(9) Will he ask the Commissioner of Railways whether KA wagons can be constructed in the department's workshops for less than £900 per wagon, and supply the answer to the House?

(10) Does the contract with Tomlinson Ltd. provide for a variation in price by means of a clause covering "rise and fall"?

(11) Does the Commissioner of Railways share the view expressed by the Government in *The West Australian* of the 24th July that "this price was considered to be most satisfactory"?

(12) Will he assure the House that the letting of the contract for 200 KA wagons to Tomlinson Ltd. will not result in costing at least £30,000 more than would be the case if the wagons were constructed by the Railway Department's workshops?

Mr. COURT replied:

- (1) Yes.
- (2) Lower.
- (3) Yes.
- (4) No satisfactory explanation has been given. In view of the results disclosed by keen tendering, it is obvious that the estimate given the previous Government is the more realistic and reliable one.
- (5) No.
- (6) The decision to call tenders was made in consultation with the former Commissioner and before the present Commissioner was appointed. The present Commissioner was only called on to advise and make a recommendation in respect of the tenders received.
- (7) No extra cost is expected to be involved, and therefore no such arrangement was considered.
- (8) (a) 1941.
(b) £250.
- (9) Yes. As requested, this has been done, and the Commissioner's answer is "No."
- (10) No.
- (11) He has not been consulted on this point. He was only called on to advise which of the three tenders received should be accepted.
- (12) Yes, so far as it is practicable to give such an assurance without the actual experience of concurrent production in the two separate establishments.

APPLECROSS HIGH SCHOOL*Extensions*

2. Mr. O'NEIL asked the Minister for Education:

- (1) What further work is required to be done to complete the Applecross High School?
- (2) When is it anticipated that this work will—
 - (a) commence;
 - (b) be completed?
- (3) In the event of the extensions not being completed prior to the commencement of the 1960 school year, what arrangements are being made to accommodate anticipated increase in enrolment in 1960?

Mr. WATTS replied:

- (1) Six classrooms; eight special rooms; gymnasium; ancillary services; caretaker's quarters.
- (2) and (3) With the exception of the gymnasium, arrangements are being made for the work to proceed as quickly as possible. The honourable member will be later informed as to the anticipated completion date.

MEDICAL SCHOOL*Qualifications for Entry*

3. Mr. HAWKE asked the Minister for Health:

- (1) What requirements and background must students possess for entry to the new Medical School?
- (2) What are the limitations that are placed on students debarring them from entry to the new Medical School?
- (3) Would students who fail in all subjects in one year be permitted to take those subjects in the following year to qualify for admittance?
- (4) Would students who qualify in some subjects in the one year be excluded from continuing, or would they be advised to take other courses?

Mr. ROSS HUTCHINSON replied:

- (1) Normal University matriculation requirements, except that in chemistry and physics the University assumes knowledge in these subjects to Leaving Certificate standard.

(2) As the laboratory and clinical facilities available for training medical students are limited, the Senate of the University has imposed the following restrictions on entry to the School of Medicine:—

In the first year—Students normally resident in Western Australia and up to a maximum of four South-East Asians.

In the second year—A maximum of 60 students.

In the third year—From 1961 onwards, a maximum of 48 students.

- (3) As far as possible an endeavour is made to give each student a second chance in the case of failure in the first-year examination. If, however, a student fails badly in all subjects, and his performance during the year has not been up to standard, it may be necessary to advise him to discontinue his medical studies.
- (4) Most students in this category in the first year would be given another chance, either by taking a supplementary examination or repeating the year; but if they failed a second time, they would most likely be excluded from continuing in the medical course and would be advised to take up some other course of study. In all cases where there is any doubt about a student, who fails, continuing his studies, exhaustive inquiries and investigations are made before he is excluded from another chance.

ELECTRICITY SUPPLIES*Bullsbrook and Pearce Extension*

4. Mr. CRAIG asked the Minister for Electricity:

- (1) What was the cost of electricity extension to Bullsbrook and Pearce?
- (2) What number of installations from this extension have been made to other than R.A.A.F. requirements?
- (3) What is the estimated annual revenue from the R.A.A.F.?

Mr. WATTS replied:

- (1) £14,000.
- (2) Approximately 20.
- (3) £18,000.

POLICE FACILITIES AT MANDURAH*Commencement of Buildings*

5. Sir ROSS McLARTY asked the Minister for Police:

In view of the urgent need for adequate police facilities at Mandurah, could he state when it is proposed to make a start with the buildings?

Mr. PERKINS replied:

Plans for police quarters and for conversion of the existing building into a station and cell block have been prepared and listed for the 1959-1960 Estimates. Completion of the work will depend on availability of loan funds and buildings having a more urgent priority.

MR. H. A. LESLIE

Appointment to Education Department

6. Mr. MANN asked the Minister for Education:

- (1) On what date was Mr. H. A. Leslie engaged for service in the Education Department?
- (2) What is the term of his appointment?
- (3) What is the nature of his duties?
- (4) What is the weekly remuneration being paid to Mr. Leslie during the term of his engagement?

Mr. WATTS replied:

- (1) Commenced duty on the 15th June, 1959.
- (2) Approximately six weeks.
- (3) In the light of changes in policy, to review and report to the Minister on over a hundred school bus services where the provision of spurs was in dispute.
- (4) £35 per week, as determined by the Public Service Commissioner.

STATE ENGINEERING WORKS

Dismissals, and Trades Affected

7. Mr. TONKIN asked the Minister for Works:

- (1) How many employees have been sacked or given notices of dismissal from the State Engineering Works since this Government assumed office?
- (2) What trades are affected and what is the number of tradesmen in each category?

Mr. WILD replied:

- (1) From the 2nd April, 1959, to the 4th August, 1959, 75 employees have been dismissed and 10 additional employees are under notice to finish on the 12th August, 1959.
- (2) The following figures give the number of tradesmen in each category:—

Turners	....	3
Sheet metal workers	....	4
Plumbers	....	4
Boilermakers	....	12
Welders	....	4
Fitters	....	3
Carpenters	....	17

Wood machinists	....	2
Blacksmiths	....	1
Painters	....	2
General labourers	....	33
Total	....	85

PUBLIC WORKS DEPARTMENT

Reduction of Day-Labour Force

8. Mr. TONKIN asked the Minister for Works:

- (1) By what number has the work force of the Public Works Department day-labour organisation been reduced since this Government assumed office?
- (2) Of the total number of employees who have left the department since this Government assumed office, how many have been sacked?

Mr. WILD replied:

- (1) 433.
- (2) 271.

JET-PROPELLED AIRCRAFT

Use at Guildford Airport

9. Mr. BRADY asked the Minister for Transport:

- (1) Have the problems of noise and fumes as related to jet-propelled aircraft been considered in anticipation of the regular use of jet-propelled aircraft at Guildford airport?
- (2) Will he state his department's views in regard to such problems and any action taken to avoid same?

Mr. PERKINS replied:

The honourable member's questions have been passed to the Minister for Housing, as considerable discussion has taken place between the State Housing Commission and the Department of Civil Aviation concerning jet-propelled aircraft at Guildford airport.

HOSTEL FOR NATIVES

Site

10. Mr. BRADY asked the Minister for Native Welfare:

- (1) Has any site been chosen by the Government to replace the site at Welshpool whereon it was proposed to erect a new hostel for natives receiving medical attention?
- (2) If so, will he state where the new accommodation will be provided?

Mr. PERKINS replied:

- (1) No.
- (2) See No. (1) above.

SEWERAGE

Extension to Carlisle

11. Mr. JAMIESON asked the Minister for Works:

When is it anticipated that the deep sewerage will be extended to the unsewered section of Carlisle?

Mr. WILD replied:

Not for at least two years. Consideration of provision of the deep sewerage in question must await the completion of the main treatment works amplification.

CONDEMNED STOCK

Losses to Export and Home Markets

12. Mr. HALL asked the Minister for Agriculture:

- (1) What numbers of cattle, sheep, pigs, and lambs were lost to export at the following abattoirs, through meat condemnation in 1956, 1957, and 1958:—

Albany;
Bunbury;
Midland Junction;
Kalgoorlie;
Robb Jetty;
Wyndham;
Broome;
Borthwick's, Fremantle?

- (2) What numbers of cattle, sheep, pigs, and lambs were lost to the home market, through meat condemnation, at the following abattoirs, in 1956, 1957, and 1958:—

Albany;
Bunbury;
Midland Junction;
Kalgoorlie;
Robb Jetty;
Wyndham;
Broome;
Borthwick's, Fremantle?

Mr. NALDER replied:

- (1) The Commonwealth Government considers that the information in regard to condemnations of stock at individual works is confidential, and consequently the Department of Primary Industry is not allowed to disclose this information.

(2)

			Cattle	Sheep (Including Lambs)	Pigs
Albany	1956	5	145	5	
	1957	20	489	2	
	1958	37	900	4	
Bunbury	1956	.....	2	2
	1957	.....	.....	.....
	1958	2	32	.....
Midland Junction	1956	335	639	146	
	1957	298	2,606	142	
	1958	263	4,354	137	
Kalgoorlie	1956	10	15	2	
	1957	1	10	2	
	1958	5	31	1	
Robb Jetty	1956	135	298	161	
	1957	128	640	160	
	1958	197	465	367	

Wyndham, Broome—Export works only.
Borthwick's, Fremantle—Included in Robb's Jetty figures

CROWN LAND

Albany Highway-Mt. Barker-Hay River Area

13. Mr. HALL asked the Minister for Lands:

- (1) What acreages of Crown land are held by the Lands Department, between Albany Highway, Mt. Barker, and Hay River area?
- (2) Has this land been surveyed for farm allocation?
- (3) Has land in this area, between Albany Highway, Mt. Barker, and Hay River, been taken up as conditional purchase land?
- (4) If so, what acreages have been taken up as conditional purchase land, and have the conditions of purchase been carried out?

Mr. BOVELL replied:

- (1) 14,935 acres.
- (2) Yes.
- (3) Yes.
- (4) 5,993 acres under conditional purchase conditions, and 6,190 acres under special lease. Conditions are being carried out.

GOVERNMENT TRANSPORT SERVICES

Workers' Concession

14. Mr. HEAL asked the Minister for Transport:

Further to a question asked earlier in the session, in relation to an alteration to the early morning workers' concession fares on Government transport, could he inform the House of the alterations likely to take place?

Mr. PERKINS replied:

No final decision has yet been made.

TRANSPORT

Bus Service for South Perth-Victoria Park

15. Mr. GRAYDEN asked the Minister for Transport:

In view of the fact that many residents in the vicinity of George Street, South Perth, are unable to shop in Victoria Park, because of the lack of transport facilities, will he consider inaugurating a limited bus service between George Street and the Victoria Park railway station?

Mr. PERKINS replied:

The inauguration of any new or altered services in South Perth and Victoria Park will be considered when the Government tramway bus services become the responsibility of the Metropolitan Passenger Transport Trust.

FISHERIES ACT

Complaints about Regulation No. 13

16. Mr. GRAYDEN asked the Minister for Fisheries:

Will he lay on the Table of the House recommendations made by the Fisheries Advisory Committee which visited the South-West in 1956 for the purpose of investigating complaints by fishermen against Regulation No. 13 made under the Fisheries Act, 1905-1951?

Mr. ROSS HUTCHINSON replied:

The minute book of the Fishermen's Advisory Committee contains much confidential information. I am, however, prepared to make it available to the honourable member, together with the relevant departmental file, if he desires to inform himself further on this matter.

QUESTIONS WITHOUT NOTICE

MR. JAMIESON

Action on Public Statements

1. Mr. CORNELL asked the Attorney-General:

With regard to one Jamieson, who has loomed large in both *Hansard* and Press reports over the last fortnight, what action, if any, could have been taken at the time that Jamieson made his statements at the Belmont meeting?

Mr. WATTS replied:

I would say that had there been proof available of what was said, proceedings could have been taken under the relevant section of the Criminal Code, for defamation. It might have been possible also for the Speaker of the Legislative Assembly to take some action, in view of the provisions of section 23 of the Constitution Acts Amendment Act; but I would suggest to the honourable member that, as that affects the control or activities of the Speaker of this Assembly, he might pursue that part of the question with Mr. Speaker.

KALAMUNDA BUS SERVICE

Protest Meeting

2. Mr. HAWKE asked the Minister for Transport:

Does he wish to add anything to the published reports of the protest meeting at Kalamunda which he attended recently in regard to road bus services to that centre?

Mr. PERKINS replied:

I attended the meeting at Kalamunda, at which a great deal was said, and at which a committee was appointed in order to put the viewpoint of the meeting to the Minister for Transport. I do not think I can add any useful comment until I receive those representations.

NORTH-WEST DEVELOPMENT

Formation of a Commonwealth Committee

3. Mr. BICKERTON asked the Minister for the North-West.

Will he inform the House what he had in mind when, as reported in *The West Australian*, he stated that he considered a committee should be formed with a Commonwealth chairman to administer the North-West? Did he mean by that, that the committee would replace the Department of the North-West?

Mr. COURT replied:

I cannot recall reading in the Press that I had said it would be a Commonwealth committee which would replace the department, or words to that effect. What I did say was that the State Government was recommending to the Commonwealth Government a North-West and Kimberleys development authority, which would have a Commonwealth chairman and two Western Australian representatives. That authority would have the task of conceiving, examining, and presenting to the respective Governments projects of a national nature outside the normal administration responsibilities of the State Government.

KOOLYANOBING IRON ORE

Sale to Japan

4. Mr. TONKIN asked the Premier:

- (1) Is it a fact that consideration is being given to the sale of iron ore from Koolyanobbing to Japanese interests; and, if so, what is the tonnage, and what is the price being paid?
- (2) Has an export license been approved?

Mr. BRAND replied:

- (1) The Government is giving consideration to the overall problem of the sale of iron ore, which is, of course, wrapped up in our

ability to obtain an export license from the Commonwealth Government.

- (2) No application has yet been made by our Government for an export license.

Mr. Tonkin: What is the tonnage involved?

Mr. BRAND: No definite tonnage has been decided upon.

STATE TRADING CONCERNS

Sale of Robb Jetty Works

5. Mr. CORNELL asked the Premier: Can he inform the House whether any consideration has been given to the sale of, or whether any approach has been made to the Government for the purchase of, the meat export facilities at Robb Jetty?

Mr. BRAND replied:

No; we have received no offers or requests, nor has any consideration been given to this matter.

W.A. NATIONAL FOOTBALL LEAGUE

Grant of Land

6. Mr. GRAHAM asked the Minister for Lands:

Is it a fact that either he, as Minister, or his Government, has decided to repudiate the decision made by the previous Government to grant some half-dozen areas of land to the W.A. National Football League for the purpose of developing them as major football grounds?

Mr. BOVELL replied:

The question of allocating land to the W.A. National Football League is under review by the Government, and no decision has yet been made.

METROPOLITAN REGION IMPROVEMENT TAX BILL

Introduction

Bill introduced by Mr. Perkins (Minister for Transport).

First Reading

MR. PERKINS (Roe — Minister for Transport) [4.51]: I move—

That the Bill be now read a first time.

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

Ayes—25.

Mr. Bovell	Sir Ross McLarty
Mr. Brand	Mr. Nalder
Mr. Cornell	Mr. Nimmo
Mr. Court	Mr. O'Connor
Mr. Craig	Mr. Oldfield
Mr. Crommelin	Mr. O'Neill
Mr. Grayden	Mr. Owen
Mr. Guthrie	Mr. Perkins
Dr. Henn	Mr. Roberts
Mr. Hutchinson	Mr. Watts
Mr. Lewis	Mr. Wild
Mr. Mann	Mr. I. W. Manning
Mr. W. A. Manning	(Teller.)

Noes—22.

Mr. Andrew	Mr. Jamieson
Mr. Bickerton	Mr. Kelly
Mr. Brady	Mr. Molr
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Nulsen
Mr. Graham	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. W. Hegney	Mr. May

(Teller.)

Pair.

No.

Aye.

Mr. Burt

Mr. Lawrence

Majority for—3.

Question thus passed.

Bill read a first time.

TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

First Reading

Bill introduced by Mr. Perkins (Minister for Transport) and read a first time.

STATE ELECTRICITY COMMISSION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 6th August.

MR. HEAL (West Perth) [4.56]: As the Attorney-General mentioned in moving the second reading, this is only a small measure, and it has my support. It contains, more or less, only machinery clauses. Its provisions will affect only the employees who were taken over from the Perth City Council by the State Electricity Commission in 1948, when that body assumed the responsibility of providing electricity for the consumers of Western Australia.

The object of the Bill is to seek approval for the Commission, without amending the State Electricity Commission Act, to accept any alterations the Perth City Council wishes to make to the superannuation scheme which affects those employees who were transferred to the employ of the State Electricity Commission. The employees, however, will not be bound by this legislation; and should they so desire, they can decline any alteration of their superannuation benefits that is sought.

I would ask the Minister to make a check of the year the last amendment to the principal Act was made. In this Bill the principal Act is referred to as the State Electricity Commission Act, 1945-1956; but I think the last amendment to the Act was made in 1955. It may be that this is either a printer's or a Parliamentary Draftsman's error; and should any amendment be required to alter the year, it could perhaps be done in another place.

There is one further comment I would like to make before I resume my seat; but I am in no way offering criticism of the Minister. It has been ruled that the speech made by any Minister when moving the second reading of a Bill must be checked and handed back to the Chief Hansard Reporter before the honourable member who secured the adjournment can peruse it. On this occasion, the first time I had any opportunity to see the second reading speech made by the Attorney-General on this Bill was this morning; but as this particular measure is not very important, no great harm has been done.

I would point out, however, that in those instances where a Bill may be controversial, or where any member of the Opposition may seek further information on any measure, it would assist that member greatly if the Minister introducing the Bill checked his second reading speech and returned it to the Chief Hansard Reporter as soon as possible to give the member securing the adjournment a reasonable time to read it and prepare his own speech.

MR. WATTS (Stirling—Minister for Electricity—in reply) [4.59]: I have no further comment to make on the Bill in reply, except to thank the member for West Perth for his support of the measure. In regard to the *Hansard* report of the speech that I made on the second reading, when introducing the Bill, two of the *Hansard* reports of my speeches were returned by me late on Thursday evening.

The remaining two or three reports were not returned until yesterday, because I did not receive them until late on Saturday night, as I was absent from the city. If I had received them earlier, I would have done my best to return them before. I cannot identify which of the four reports I handed in first; but I can assure the hon. member that if this Bill had been a controversial one, and he had been disconcerted by the absence of the report of my second reading speech, he could have had a further adjournment of the debate by approaching me. Of course, that does not apply in this case.

Question put and passed.

Bill read a second time.

In Committee

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

POLICE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 6th August.

MR. HAWKE (Northam) [5.41]: I listened very carefully to the Minister when he introduced this Bill. In doing so, he was fairly brief in his explanation of the clauses; that applied particularly to clause 3. I understand that we are now allowed to mention the number of the clause, and I am sure that we are very grateful to the committee which made the recommendation for that to be done, because members will recall that in the old days that was not in order.

The **SPEAKER**: As long as the hon. member is referring to the clauses in a general way and not in detail.

Mr. HAWKE: I am pointing out that this part of the Bill is the most important part. Whilst I congratulate the Minister on having explained the Bill rather clearly, he was certainly far too brief in his explanation of this part of the Bill to satisfy me. As I understand it, the provisions in clause 3 stipulate that any person who passes a valueless cheque, drawn on a current account within a certain period of the opening of the account, shall be guilty of an offence, and shall, upon being found guilty, be liable to severe penalties.

I understand also that the onus of proof will be upon the person passing the cheque, and he will have to prove to the satisfaction of the magistrate—if there is to be any chance of his being found not guilty—that he was of the opinion and under the impression that sufficient money remained to the credit of his account to meet the cheque which he had drawn and which had passed into circulation.

Mr. J. Hegney: Is this Government to be the Police Department or to be the retailers' association?

Mr. HAWKE: I am not sure. The Minister could, at some later stage, indicate to us from where the request for this amendment to the Act came, and whether the representations for the measure were supported by actual instances which would be sufficient in importance to warrant such amendment.

Mr. Watts: The recommendation came from the Commissioner of Police who stated there were 17,000 cases in the metropolitan area alone in one year.

Mr. HAWKE: When the Attorney-General uses the term "cases", I presume he means 17,000 separate cheques and not 17,000 individuals drawing such cheques.

Mr. Watts: I have been given to understand they refer to cheques.

Mr. HAWKE: That makes a great difference. By the use of the word "cases", unless it was queried, we could easily be led into the belief that 17,000 individuals

had been operating this undesirable practice. The success in passing 17,000 cheques for which there was insufficient money in accounts is, of course, a very important and serious matter. However, I would have thought the traders concerned, provided the cheques or any substantial number of them were for large amounts, would have, either individually, or through their association, made representations to the Government on the matter.

As far as I have been able to ascertain, no such representations were made to any Ministers in the previous Government. Although the Attorney-General did not, a moment ago, say so, I think he gave us to understand that no direct representation had been made by traders' associations to any Ministers in the present Government. It may be that they did make some direct representation to the Commissioner of Police himself. We all know how serious the practice of circulating cheques, for which there is no money or insufficient money in the accounts, can become.

I am reminded at this stage of the wife who prevailed upon her husband against great opposition over many months to allow her to open a current account and operate a cheque book. The husband had resisted the request in a manner which we can understand, and with which we can sympathise. Finally he gave way.

When the wife received the cheque book, she began to enjoy herself per medium of shopping expeditions. So much so that, within a very short period of time, a request was received from her bankers to call into the bank for an interview in regard to the condition of her current account. She went in. The banker explained that she should not be permitted to use any more cheques. Before he could explain the reason, the wife said the request was positively stupid, because she still had half the number of cheque forms left in the book. She had the idea that she could go on using the cheque forms as long as there were some left in the book.

I know this law is not intended to meet a situation of that kind. To the extent to which it might effectively meet the other situation, it might be regarded as having some merit. Not having studied every clause and every word in the Bill with the close concentration I would wish, I say in conclusion that I am prepared to suspend judgment on the Bill until I have heard further speakers on it.

MR. BRADY (Guildford-Midland) [5.13]: I have had a look at this Bill; and, to be quite frank, I am surprised that the Minister should have introduced it, particularly so early in the session, because I cannot see any provision in it which I can commend to the House. Probably the only reason the Police Department suggested the 60 days mentioned in the Bill

was to stop farmers, the business community, and anyone with a cheque book rushing to see the Minister and what he was up to.

Under the provisions in the Bill, if a person drew a cheque for which there were insufficient funds in the bank, he could be apprehended and prosecuted; and, if found guilty, would probably be committed to prison, because such an act could be deemed to be a false pretence. The fact remains that bankers encourage people to open cheque accounts. That is one of the simplest things to do. If the banks and the business community are experiencing difficulty with the passing of such cheques, they should be the ones to tighten up the position; they should not expect the Police Department to do the job for them. I do not think it is fair to expect the Police Department to take over the responsibility of the business people and the banks in regard to the issuing of cheques where there are insufficient funds to meet them. That is one angle.

The other is this: An innocent person could find himself in a lot of strife if, in a certain set of circumstances, he had drawn a number of cheques without having sufficient funds in the bank. Unless he was well known to the Police Department, he could be in trouble if this section were approved. We should not encourage that sort of thing.

Another unsatisfactory feature of this Bill is that no action will be taken unless a case is referred to the Commissioner of Police. That is not a desirable sort of law. The Commissioner of Police is going to determine whether action will be taken against some people and no action against others. It seems to me that there will be a premium on knowing the Commissioner of Police. If one does not know him and issues a cheque with insufficient funds in the bank, he is likely to be in for a rough time. I do not consider that members of the Opposition can support a law of that kind.

Then there is an obnoxious clause relating to the onus of proof. A person may have insufficient funds in his account at the bank at the time a cheque is presented but know there would be sufficient in two or three days. However, he has to prove this; and in doing so, he may have to engage counsel and go to considerable expense to prove that at the time he drew the cheque he knew that certain funds had been, or were going to be, paid into the account. I do not think that members on this side of the House can encourage that sort of law.

The Minister, when introducing the Bill, did not give many details. I was amazed at how little he did tell us in regard to the matter. He did not tell us that the Retail Traders' Association was anxious to have this legislation passed; he did not

tell us that the Chamber of Manufactures was anxious for it; and he did not tell us that the Chamber of Commerce was anxious for it. He simply told us that the Police Department was experiencing difficulty.

We do not want to set up a police State, and let the police tell us what they want. We should have regard to the normal transactions that take place in connection with cheques. I suppose there are members in this Chamber who have issued cheques when there have been insufficient funds in the bank to meet them; and if there happened to be any delay in the money getting into their account, they would be in a good deal of strife.

Mr. Bovell: So they should be.

Mr. BRADY: I feel that I cannot support the Bill. The clause in the Bill which sets out to amend section 94A of the principal Act deals with the matter of drugs which are proclaimed as "dangerous"; and the Police Department has the right to subsequently amend that proclamation to the effect that a certain drug is not dangerous. I have no objection to that part of the Bill. From a precautionary point of view it is desirable that if there is some doubt as to the addiction of people using certain drugs, those drugs should be kept off the market, so that the people I have referred to cannot use them. If it is found that people do not become addicted to particular drugs, there is no objection to their being removed from the prohibited list. Therefore, I have no objection to the part of the Bill which says a proclamation can be altered, amended, or revoked.

I am not keen about the proposed amendment to section 64A of the principal Act, whereby a person who obtains any chattel, money, or valuable security by passing a cheque within a period of 60 days from commencing an account is liable. I could give half a dozen instances where a person could get into difficulties within the first 30 or 60 days of opening an account. I know of a young man who was married recently. Everybody wanted to assist him, including insurance companies, house-builders, and people selling furniture in Perth, as well as a number of others who were prepared to give him wedding gifts. This chap had to take his holidays, arrange for his honeymoon, and incur certain expenses as a consequence of his marriage. In a case like that I can imagine that there can be some confusion to a young man who has opened up a bank account, and may draw a cheque in good faith and subsequently find that certain moneys which were to have been paid into his account had not been paid in.

I can imagine a young farmer going to a stock sale with his first cheque book. He may be involved in a number of transactions during the afternoon, and be told

by the purchaser of the stock that money will be paid into the bank that day or the following day. I know of business people who have bought chattels in these circumstances and have told the farmer that their cheque would be in the bank the next day. Months later, when the farmer has looked up his account, he has found he had an overdraft instead of a credit. Therefore we should not encourage this sort of legislation. In the circumstances, I oppose the Bill in its present form and believe it should be amended.

MR. PERKINS (Roe—Minister for Police—in reply) [5.22]: I rise to reassure the member for Guildford-Midland on certain points which he has raised. I think that both he and the Leader of the Opposition were concerned as to where the request for this Bill came from. As the Attorney-General interjected, it came from the Police Department. That department is naturally conversant with any fraudulent practices that are going on in the community.

As members in this House well know, if one passes a cheque without any funds in the bank, one is liable to a fairly severe penalty, which I outlined when introducing the Bill. If, on the other hand, a certain type of crook goes into a bank and pays £1 to open an account, he can go ahead and draw cheques *ad lib*, because he has a genuine account. As long as each individual cheque is greater than the amount he has deposited with the bank, the cheque will not be cashed, but he cannot be prosecuted in the same way as if he did not have an account at all, because the cheque will be returned marked "insufficient funds."

Mr. Hawke: Surely no bank would give a cheque to a chap who paid in £1 to open an account!

Mr. PERKINS: There is an obligation on the part of the bank to open an account if a person requests that that be done. I am not altogether sure that a bank is not obliged to do so.

Mr. Hawke: Surely it would be inviting trouble.

Mr. PERKINS: There is no doubt that it is done, because there are numerous instances known to the Police Department—and known to many members in this House, I am sure—where business people have been defrauded of considerable sums of money by people who have opened accounts with a very small sum, and then proceeded to draw cheques greater than the amount deposited in the bank. When these cheques are presented, they come back marked "insufficient funds." The person who gave value for the cheques has the job of recovering the goods or the value of the goods.

The maximum protection has been provided in the measure to guard against difficulties of the kind spoken of by the member for Guildford-Midland. The person the Police Department is concerned to catch up with is the one who opens an account and immediately begins to draw cheques for greater value than the amount in the bank. That is the type of person against whom the Police Department desires to protect the community. The protection placed in the Bill to safeguard the genuine owner of a cheque book who has a bank account is the provision that after an account has been opened for 60 days this kind of charge cannot be laid against that person. He is regarded as a genuine operator on that particular account.

In the instances quoted by the member for Guildford-Midland, no charge could lay against the person concerned if the account had been opened for a period of 60 days. That is the purpose of this period. Although the Police Department is of the opinion that some crooks may still manage to fraudulently operate upon bank accounts, it was pointed out to me that some of the worst cases involve people who cannot possibly afford to wait for a period of 60 days to elapse.

Some offenders are confidence men. They arrive here from the other States and decide to engage in this particular racket. Once these people open a bank account, they cannot wait for a period of 60 days before they proceed to cash cheques to a greater value than the amount in the bank. So far as the business person or any other person with a bank account is concerned, I think that members of the Opposition will agree that that person has very full protection indeed. If the account has been opened for 60 days, then a charge, such as is provided in the Bill, cannot lay against them.

The member for Guildford-Midland objected to a case being referred to the Commissioner of Police before a charge is proceeded with. This is also designed for the protection of the individual. There may be a case where a person has opened an account and, for some reason or another—quite *bona fide*—has drawn cheques to a greater value than the money in the account. However, one would not expect that to happen within 60 days.

I think members will agree that a person would need to be irresponsible to overdraw an account within 60 days of having opened it. On the other hand, there might conceivably be an instance—and we have tried to ensure that even in these circumstances no innocent person will be penalised—where an account is overdrawn; so provision is made for the matter to be referred to the Commissioner of Police. If there are extenuating circumstances, the Commissioner of Police may give the individual concerned an opportunity to put matters right and avoid a

case having to go before the courts. If members study the Bill carefully, they will agree that there cannot be any other interpretation placed on that particular provision than that it is to avoid capricious prosecutions.

Some criticism has been made by the member for Guildford-Midland, and also by the Leader of the Opposition, against the police being asked to go out and, in effect, give protection to business people—or others concerned with trade or commerce—in respect of the handling of cheques. If members consider the position carefully, they will have to agree that the job of the Police Force is to see that the law is preserved, and that no fraudulent practices of any kind are allowed to continue, if it is possible for them to be avoided.

Mr. Brady: Will the police deal with unfair trading on that basis?

Mr. PERKINS: The member for Guildford-Midland is introducing another subject altogether. At the moment, I am dealing with the Police Act. If members consider the Bill impartially, I think they will agree that its provisions are reasonable; and, although there is some onus of proof provided for in one clause, I think we all recognise that if our legislation is to be effective, we need some onus of proof included in this type of measure. In my opinion, the maximum safeguards have been placed in the Bill to avoid any innocent individual being unduly penalised, or even being asked to defend a charge.

Mr. Hawke: Why does the existing law fall short of what is required?

Mr. PERKINS: I do not know why it has fallen short. Apparently many of our laws fall short of requirements; because the previous Government, as well as this one, found it necessary to introduce amendments to the Police Act as well as to many other Acts.

Mr. Hawke: That is general; but this is specific.

Mr. PERKINS: I presume this trouble has been increasing; and perhaps, as a specific reply to the Leader of the Opposition, that might be the explanation. People with fraudulent intent discover loopholes in the law, and they tend to exploit those loopholes; and that is what has been happening in recent times. Too many people have been getting away with the passing of valueless cheques that have been drawn against accounts that have not had sufficient funds to meet the cheques. In view of the increasing prevalence of this practice, I think the Police Department took the right course in making representations to the Minister for the law to be tightened up. We are only tightening up the law.

Mr. W. Hegney: Do you know the section of the community most affected by the passing of valueless cheques?

Mr. PERKINS: I would say the passing of valueless cheques affects practically all sections of the community; but no doubt it would be mainly the trading section that would be affected. I have come across many instances of such cheques being passed. This practice is not confined to the city, or to any individual country district. Perhaps the greatest difficulties exist in some of the remote country areas.

Quite recently I came across an instance in a town in the Great Southern area. Some individual turned up at Ravens-thorpe, where there are no banking facilities; and where, of course, a cheque could not be presented directly to a bank. An innocent eating-housekeeper cashed the cheque because the person had bought quite a few goods and had paid for a meal. The proprietor of the eating-house was left with a valueless cheque. As those members who represent the South-East portion of the State—the member for Eyre knows this well—will realise, it was with great difficulty that the trader concerned followed up the matter. But, as far as I know, he did not recover his money. He was not a wealthy individual, but a person in a very humble way.

I think that in most instances the fraud is perpetrated on small traders. The large concerns usually have fairly rigid regulations and a follow-up organisation to deal with people who try to defraud them of money. But the ordinary small trader is in an unfortunate position in this respect. Normally he probably does not retain a legal firm to protect his interests; and, in too many instances, when this type of fraud is perpetrated against him, he simply loses the money.

I hope the House will at least agree to the second reading of the Bill; and then, if there are some provisions in it that members do not like, we can discuss them in Committee. If members carefully consider the provisions of the measure, I believe they will agree that it is not an unreasonable one, and it does not extend the Police Act further than is necessary to maintain reasonable law and order in the community.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Perkins (Minister for Police) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3—Section 64A added:

Mr. HAWKE: Since the Bill was introduced, I have had a fairly close look at this clause. Why is it necessary to bring in a new law when, as I understand it, we already have on the statute book a law dealing with the passing of valueless

cheques? It is already an offence for a person to pass a valueless cheque; yet here we have a duplication of that law. I have not had time to check the penalties in the existing law; but I should think they would be at least as great as, if not greater than, those proposed here.

Mr. Perkins: I mentioned them when introducing the Bill.

Mr. HAWKE: Yes, I am rather inclined to the thought that the clause has been put forward to safeguard a person who, *bona fide*, circulates a cheque which, because of some oversight, cannot be met when presented to the bank, because there is not sufficient money to the credit of the account. I am inclined to that view because the clause includes the words—

shall unless he proves

(a) that he had reasonable grounds for believing that that cheque would be paid in full on presentation; and

(b) that he had no intent to defraud;

I am guessing somewhat at the moment, but I am inclined to the thought that the existing law may not give these grounds of defence. Perhaps the new law does aim to give these two new grounds of defence to a person who has circulated valueless cheques, and who is charged with the offence.

Mr. Perkins: It does not help the person who is charged. It is tightening up the law.

Mr. HAWKE: When the Minister replied to the second reading debate, he was not able to state why this proposed reinforcement of the existing law was needed. Does he now tell us that the law, in regard to the passing of valueless cheques, is deficient?

Mr. Perkins: Not if the cheque is valueless; but if it is a matter of insufficient funds, it is a different question altogether.

Mr. HAWKE: The Minister cannot put those words in the clause. They are not there at present, and the Minister has no amendment on the notice paper to provide for them. Therefore, for the benefit of the Minister particularly, I point out the relevant part of the clause, which is the first paragraph of the proposed new section.

Mr. Perkins: Paragraphs (a) and (b) are the two important parts of the clause.

Mr. HAWKE: No; because the part of the clause immediately preceding those paragraphs, and to which I have drawn attention, creates the offence.

Mr. Perkins: There will be two separate provisions under which he could be charged. If the person concerned has no account at all, he will be charged under the old section; but if he has an account which has been open for 60 days, but is

without sufficient funds to meet a cheque when presented, he will be charged under this proposed new section.

Mr. HAWKE: There is nothing about "insufficient funds" in this part of the clause. The clause contains the words "which cheque is not paid on presentation." Those words could apply, irrespective of whether there were at the bank insufficient funds; or whether there were no funds whatsoever. I could open an account in a bank tomorrow and pay in £100 to my credit; but within 30 days there could be nothing left there to my credit, because I could, in the meantime, have drawn cheques for the whole amount. When the Minister talks about some funds being available at the bank, but not sufficient funds, he appears to be trying to create in our minds an impression which is not justified by the wording of this part of the clause.

I am quite in favour of the second part of the clause, which gives to a person who is charged an opportunity of showing that he had reasonable grounds to believe that sufficient funds were lying to his credit in his bank account; and of proving, even if he were not of that belief, that he had no intention whatsoever to defraud. I am not sure whether, in the event of this clause receiving the approval of the Committee, the word "and" in line 20 should not be "or." As the clause stands, the person charged would have to prove both these propositions.

Mr. Perkins: That is the way we want it, if possible: That he has to prove both.

Mr. HAWKE: I think that makes it harder for him than it should be. The main point I am trying to elucidate from the Minister is as to the necessity for this proposed supplementation of the existing law in regard to valueless cheques; and I think there is an obligation on the Minister to tell us clearly why this proposed addition is needed. From what the Minister said earlier, it appears that cheques are issued by banks without very much investigation.

Mr. Lewis: Cheque books.

Mr. HAWKE: Yes, and without the sense of responsibility which we would expect those who control banks to exhibit. If, as the Minister suggested, a person can put £1, £5, or £10 in the bank and get a book full of cheque forms, and can then run around the community writing out cheques, it seems to me that the situation is very loose.

Mr. Lewis: Where would you draw the line? A moment ago you instanced a man paying in £100.

Mr. HAWKE: I do not know that we could find a point at which the line could be drawn. But what I am suggesting is that the banks themselves should show more responsibility in this matter; in other words, in my judgment they should not

hand over a book full of cheque forms to a person who has put only £5 to his credit in the bank.

Mr. Brand: What if he put £100, or £200 in the bank, and then got down to £5? Wouldn't that be the same position?

Mr. HAWKE: By that time, the bank should know enough about him to know whether it should look more closely into the position. The Minister told us this proposed new law was framed and was calculated to get hold of confidence men who might come here from other States. I am 100 per cent. behind him in trying to get hold of them. But surely a confidence man from another State could not come here and go to one of our banks, place £20 to his credit, get a bookful of cheque forms, and then have a sort of Roman holiday at the expense of traders!

Mr. O'Neil: They can. You can open a cheque account with 10s. to your credit.

Mr. HAWKE: If that is the situation, it seems to me to be an irresponsible one.

Mr. Perkins: You would not go around branding confidence men with a brand.

Mr. HAWKE: Yes I would, so long as it was not of the present Premier's make-up.

Mr. Perkins: It is very difficult. When a man has served his sentence, theoretically he comes out in the clear.

Mr. HAWKE: I think every encouragement and assistance should be given to such men to make good. But the point I am making is that if people can obtain books of cheques with the ease which has been expressed, the surprise to me is that there have been only 17,000 cheques circulating with insufficient or no funds in the period of time mentioned and not 170,000.

Mr. O'Connor: You must also provide for the people of small means who want to operate on a cheque account.

Mr. HAWKE: I think the honourable member would agree that the bank would know those persons.

Mr. O'Neil: Most of our citizens are trustworthy.

Mr. HAWKE: Exactly. But this amendment is to deal with those who are not. The banks should be much more careful in this regard. I have not had an opportunity to examine their procedures and methods. But maybe they line up with the methods of some insurance companies; and I crave your indulgence Mr. Chairman, to give an example of what I mean. I know a person who guaranteed an insurance canvasser against deficiencies in his collections, and the payment of his collections to the insurance office. Some time afterwards—and this was the first he knew about the situation—he received a brief letter from the insurance company calling upon him to forward a cheque to the company for £50, £80, or whatever the

amount was. He was told that the person he had guaranteed had paid in that much light to the insurance company.

When the person whom I knew made inquiries at the insurance office, he was told that the canvasser had disappeared three months before, and had taken all his collection books with him. This meant that the canvasser could have collected money on behalf of the insurance company, and the company made no effort to advertise that this person was no longer in its employ and was no longer entitled to collect money on its behalf. It may be that the banks, in regard to the issuing of cheque books, are not as careful or strict as they should be.

They might easily take the view that any valueless cheques circulated are not their responsibility if there is no money in the bank to meet the cheques. They do not have to provide the money, and the person who has accepted the cheque is the loser. I am still to be convinced by the Minister, or the Attorney-General, that the existing law is not adequate and that this amendment is necessary. If either the Minister, or the Attorney-General, can show me to my reasonable satisfaction that the amendment is required in these terms, it will have my support.

The CHAIRMAN: The honourable member's time has expired.

Mr. PERKINS: At present, the passing of a valueless cheque is an offence; and a prosecution would be taken under section 409 of the Criminal Code—that is, where a cheque is returned with the endorsement, "No account." If anything to the value of £500 is obtained by false pretences—and section 409 of the Criminal Code deals with false pretences—the penalty is up to three years' imprisonment; if the value of the property obtained is over £500, the maximum penalty is increased to seven years.

If the value of the property concerned does not exceed £50, and the offender elects to be dealt with summarily, no matter what the value of the property may be; or if the offender pleads guilty, and the justice thinks he can adequately punish the offender, he can deal with it summarily; and the maximum penalty in either case is a fine of £50 or six months' imprisonment. Of course, it is not usual for the courts to impose the maximum penalty, but these are the penalties that can be imposed under the Criminal Code in cases of false pretences.

The difficulty arises in cases where a person opens a bank account and then proceeds to draw cheques beyond the money available in the account. He cannot be prosecuted under section 409 of the Criminal Code. That type of individual is followed up. But the Police Department considers this amendment to the Act is necessary in order to strengthen its hands; and, in effect, bring this type of offender

into line with the other type who cashes cheques without having an account standing in his name.

I put it to the Opposition: There is no very great distinction between the two; but, at present, one offender is able to get off virtually scot-free, whereas the other is subject to penalties under the Criminal Code. I think the Commissioner of Police is taking a responsible view when he asks us to strengthen his hand under the Police Act.

The Leader of the Opposition has said that banks are irresponsible in allowing accounts for small amounts to be opened. I would not like to limit the banks in this way, because there are many people in the community with small means, who want to operate on a cheque account. The manager of a hotel in a small country town told me only a week ago that he was amazed at the number of men who cashed cheques for £1 or £2 in the bar. He said that a man might cash two or three cheques in the one night. Why he would not draw one cheque to cover the lot, I do not know; but if that type of individual desires to operate on a cheque account, we should not prevent him. If the Leader of the Opposition were to place on the banking community the restrictions he suggested, he would inevitably impose restrictions on those people who wish to operate cheque accounts even though their means are small. In the circumstances, if the Leader of the Opposition is reasonable, he should agree to this Bill because it will merely bring one offence into line with the other, which is now punishable under the Criminal Code.

Mr. Hawke: It is not very clear.

Mr. TONKIN: I think this is a fiddling amendment which will not achieve the purpose the Minister seeks, because it is only necessary for a man who has this sort of thing in mind to deposit £1 and wait two months, when he can write all the cheques he likes.

Mr. Perkins: Not many of them—the real confidence men—will do that.

Mr. TONKIN: You are not in a position to say that.

Mr. Perkins: We hope they won't.

Mr. TONKIN: Some more hope! There are several points that I am not happy about. Very often cheques are not paid on presentation for reasons other than an insufficiency of funds. As an ex-banker, the Minister for Lands would know that. The Bill says, "which cheque is not paid on presentation." Because it is not paid on presentation, one cannot assume it is due to an insufficiency of funds; it may be wrongly drawn.

Mr. Perkins: But we have put in (a) and (b).

Mr. TONKIN: That puts the onus of proof on the fellow to show that he did not intend to defraud. How is a person who has passed a cheque to pay an account supposed to prove that he did not intend to defraud, if there is not sufficient money in the bank?

Mr. Perkins: I admit he is in some difficulty.

Mr. TONKIN: How would the Minister go about proving this? It is like asking a man who drives the wrong way up Hay Street to prove that he did not intend to do it. How does he prove it? He will never prove it. He might say he did not know. A man will not be able to prove that he did not intend to defraud, because he will have no witnesses. If his explanation is accepted—namely, that he did not know—he will have proved it; otherwise he will not. The Bill also refers to valuable security. Does that include paying for accommodation? Suppose a man stays at a hotel and, at the end of a period, passes a cheque which is not paid on presentation. Is he caught under this provision?

Mr. Perkins: Yes, definitely.

Mr. TONKIN: Which is the section that enables him to be apprehended on this?

Mr. Watts: Valuable security is defined in clause 2.

Mr. TONKIN: I know. But that does not cover the point I am raising. He pays for straightout accommodation. It is not property; it is not a document; he does not get any goods in return; there are no chattels. If this Bill does not cover such a situation, it is making an unfair discrimination.

If it is intended to catch people who pass valueless cheques with intent to defraud, the provision should cover all cases—whether it be buying goods, or getting a service, or anything else. The Minister says it does. I would like him to say how it does.

Mr. Perkins: You would like us to tighten it up?

Mr. TONKIN: I am not at all satisfied. I am a great believer in experience. Can the Minister tell us whether this provision has been introduced in older countries? Does it exist in New York, or in London? Is it included on the statute book in New South Wales, where the population exceeds 1,000,000? If it does not, then I suggest that we should not rush in. I do not mean that we should not think of introducing something new here, just because it is not in vogue elsewhere; but in matters of commerce, and in questions dealing with the Criminal Code, these older countries have had so much more experience, and I would suggest caution.

This amendment will not achieve what the Minister desires, because there is a loophole. One can open an account with £1; go into smoke for two months; and

after that, do all the things that one can do now. The amendment will make no difference to the situation. It will only catch people who could not wait two months before they could embark on this. I have heard of men who have planned a robbery 12 months in advance.

What about cheques that are referred to drawer for reasons other than insufficient funds? There are dozens of such reasons. The banks could refuse to pay because the words and figures were different; the cheque could be wrongly dated; the signature might not be in conformity with the usual signature. This provision makes no distinction; it simply says any cheque that is not paid on presentation. It is objectionable, because it throws the onus of proof on the individual.

I have no concern with persons who want to defraud; we should certainly catch up with them. But innocent people might be called upon to prove that they did not intend to defraud. How do they do it? When communications were not as good as they are now, a man forwarding a deposit to his bank would assume that the deposit had reached the bank and would draw against it.

It is possible that the money would not in fact have been deposited when the withdrawal was made. I have known a number of such cases. Such a man could not bring any witnesses to prove that he did not intend to defraud. I would be glad to hear from the Minister whether this legislation exists in other British-speaking countries.

Mr. Perkins: I will check that point.

Mr. BRADY: In order to give the Minister an opportunity to check this matter, I would ask you, Sir, to report progress and ask for leave to sit again.

Progress reported.

MUSEUM BILL

Second Reading

Debate resumed from the 6th August.

Mr. W. HEGNEY (Mt. Hawthorn) [6.12]: I hesitated to get to my feet, because I thought you, Sir, were going to suspend the sitting till after tea.

The SPEAKER: There are another three minutes left.

Mr. W. HEGNEY: First of all I would like to indicate to the Attorney-General, for his peace of mind, that it is not proposed to strongly oppose this measure. In other words, I am quite happy to support practically the entire Bill, with the exception of one provision to which I will refer later: I think it is in the last clause of the Bill.

The Attorney-General mentioned that the Trustees of the Museum and Art Gallery had indicated their desire to have

this control separated. I recollect some time ago, when the acting chairman of the Museum and Art Gallery discussed the matter with me, I mentioned to him that in my opinion the first step should be for a resolution of the trustees which would indicate they were in favour of outside control. I understand that the decision of the trustees was unanimous.

Since the unfortunate day for Western Australia—namely, the 21st March—an indication has been given to the present Attorney-General of the desire of the trustees to have separate control of the Museum and the Art Gallery. As far as I am aware, most of the States of Australia have separate authorities for these institutions; and personally I think it in the interests of both the organisations—and, indeed, in the interests of the people of Western Australia—that this Bill, and one consequent on it, should be adopted by Parliament. With the appropriate wording altered, the measure before the House is on all fours with a Bill with which we will deal concerning the Art Gallery. As members know, the control and administration of the Public Library, prior to 1951, were harnessed to the Museum and Art Gallery.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. W. HEGNEY: There are at present, I understand, 14 trustees in charge of the Museum and Art Gallery. As far as I am aware, the practice has been for certain matters to be referred by the trustees to sub-committees. For instance, there would be an Art Gallery sub-committee and a Museum sub-committee. The Art Gallery sub-committee would consist of members who would be very enthusiastic about art, painting, and so forth; but not necessarily interested in such matters as coins, medals, and natural history. On the other hand, the Museum sub-committee would not be interested so much in those things, but would be very much interested in wild life, natural history, coins, mineral specimens, and suchlike.

I am open to correction on this point by the Minister for Health, who was a trustee for some time; but I believe the remarkable part about the sub-committees was that the recommendations they submitted to the full meeting of trustees would invariably be adopted. In later years, the trustees have worked very amicably in that direction; and both Dr. Ride (Director of the Museum), and the person in charge of the Gallery (Mr. Norton)—with whom I discussed this matter prior to the change of Government—have indicated that the separation of control would be highly desirable. Indeed, the trustees by resolution have notified the present Attorney-General of this necessity, in the interests of both institutions. This view was also expressed by Sir Thomas

Meagher, who was acting chairman of the trustees. An Act of Parliament is necessary to meet the wishes of the trustees.

Before commenting briefly on the provisions of the Bill, I would like to say that the Museum and the Art Gallery are very important institutions. For instance, the Museum, in conjunction with the Education Department, conducted 138 children's classes for the year 1957-58, and the records show that no fewer than 104,000 visitors inspected the Museum during that same year. The previous curator, Mr. Glauert, performed a wonderful service over a number of years, and has an able successor in Dr. Ride, who has very high academic and educational qualifications.

It is unfortunate that successive Governments have not been in a position to advance all the finances required for these two very important institutions. One has only to go through the Museum and the Art Gallery, as I have done on more than one occasion, to find that very valuable material and important specimens are stowed away in that building because of lack of accommodation to properly display them. I think the Attorney-General will substantiate that fact.

I know that the present trustees of the Museum and Art Gallery, and the previous chairman (Sir Albert Wolff) have pressed the Government for additional finance to enable them to carry out their work adequately and to the satisfaction of the scientists and technical officers who are employed in those institutions. Because of this lack of finance there is not exactly a feeling of frustration, but a negative feeling on the part of these men, as they are not able to develop the Museum.

I would like at this stage, to pay tribute to the previous curator; and also the present director and his staff, who are doing a very fine job under very difficult conditions. I am not speaking critically now, and I know the Attorney-General will do all he can; but I do hope he will indicate to the Treasurer the importance of keeping in mind the necessity to provide as much finance as possible for the Museum and the Art Gallery. I include the Art Gallery here because they are both worthwhile institutions and perform a distinguished service in our community.

As a matter of fact, with the advance of pastoral and agricultural pursuits, the fauna of this country is fast disappearing; and it is most essential that the officers and staff of the Museum be given every opportunity to ensure that there are requisite specimens placed in the Museum for future generations. This is not a political matter, and I believe the Government will do everything possible to provide finance for the efficient conduct of the Museum.

The provisions of the Bill include the usual machinery clauses. For instance, there is provision that the board shall

consist of five members; and I believe that number is ample. There are also going to be five on the Art Gallery board; but I am only referring to that indirectly. One of the five will be chairman, and another vice-chairman. There is also provision for deputies, and for the conduct of the meetings, the filling of casual vacancies, the powers of the board, and certain methods to be adopted in regard to allocations of gifts and bequests that were made by people some time ago, or will be made in the future.

As the Attorney-General has indicated, the Governor will be empowered to make necessary allocations, but I do not think that there will be a great amount of difficulty in that direction. There is also provision for preservation of the existing rights about which I am very pleased. Provision is also made in regard to the financial requirements of the board, another aspect with which I am in complete agreement.

There was a time when there was a provision that almost invariably a chairman would have a deliberative vote and a casting vote—in other words, two votes. I have always set my face against plurality of voting, and am pleased to note that the Attorney-General has included in this Bill the provision that when the voting is even, the question shall be resolved in the negative. In other words, the motion shall be regarded as having been defeated, and the chairman shall have only one vote.

The only difference of opinion that I have with the Attorney-General is in regard to the penalty, which I believe should be reconsidered. I am referring to the clause which states that every person who unlawfully damages, mutilates, destroys, or removes from the possession of the board any coin, medal, object of natural history, mineral specimen, or exhibit that is in the possession of the board at the time it is damaged, mutilated, destroyed, or removed, is guilty of an offence, and is liable on summary conviction to a fine of £100, or to imprisonment for a term of 12 months, or to both the fine and the imprisonment.

I presume that the £100 would be the absolute maximum, and that any person charged in a court would have a fine inflicted on him or her in accordance with the gravity of the offence. I am not concerned so much with the total amount of the fine there; but on page 12 of the Bill is the provision that the Governor may make such regulations as he considers necessary or desirable to enable the board to do certain things. I suggest that certain words do not need to be included in that.

I come now to the main objection; and that is, that the Governor may make regulations for preventing the handling, touching, defacing, or marking of the

coins, medals, and so forth; and then the penalty for any breach of regulation not exceeding the sum of £50 for any one offence.

A number of members opposite will appreciate—as indeed will members on both sides of the House—that power should not be given by the House to fix substantial penalties by way of regulations. If a severe penalty is to be provided, it should be written into the Act. Clause 22 contains the words "every person who unlawfully damages, mutilates or destroys". What is the difference between mutilating or destroying, and defacing? As I understand it, to deface means to destroy or substantially injure.

There is also reference to any person handling or touching a picture or any object. As a layman, one might be tempted to say that any person who accidentally handle some of the pictures one sees might on occasions improve them. I feel that the Attorney-General should make provision for an appropriate fine in the case of small offences, rather than leave provision for a substantial fine under the regulations. With those remarks, I have pleasure in supporting the second reading.

MR. WATTS (Stirling—Minister for Education—in reply) [7.46]: I thank the honourable member for his contribution to the debate. He has undoubtedly covered the ground fully; and I agree with his observations about the desirability of maintaining the Museum, and the excellent work that has been done by the persons now there and those who preceded them.

But I can hardly subscribe to his point of view in regard to the making of regulations and the provision of penalties under them. If the honourable member thinks the amount of the penalty that can be fixed for an offence against the regulations too high at a maximum of £50—and it would be a maximum—I can understand his concern; but it is usual—I would suggest it is found in nearly every Act—that, where regulations are provided for, there is provision for the fixing of penalties of some kind under them.

For many years the maximum penalty fixed in instances of this kind was £20; but, presumably on account of the changed value of money, that figure has been departed from in more recent times. Although I can understand the honourable member's concern in this regard, I cannot agree to the deletion of the provision that a penalty may be prescribed under the regulations. Such regulations will be made only to deal with matters which arise, and which either are not worthy of inclusion in the Act; or, alternatively, arise subsequently, thus bringing about the necessity for making regulations to control some

particular matter. I am afraid I cannot subscribe to the honourable member's point of view in that regard. However, I thank him for his support of the measure.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Watts (Minister for Electricity) in charge of the Bill.

Clauses 1 to 8 put and passed.

Clause 9—Board may act notwithstanding vacancy:

Mr. W. HEGNEY: Am I to understand from the wording of subclause (1) that there would be one deputy who would act during the absence of any member of the board; or would it be necessary to appoint five individuals, each of whom would act as deputy for one particular member of the board?

Mr. WATTS: The intention is that if a member of the board is absent for any reason, a deputy can be appointed to take his place, so that there will not be a vacant seat on the board.

Clause put and passed.

Clause 10—Chairman:

Mr. ROWBERRY: Should there not be provision for the appointment of a vice-chairman? I cannot see in the Bill any specific provision for such an appointment.

Mr. WATTS: Clause 5 states that the board shall consist of five members, including the chairman and vice-chairman, all appointed by the Governor. There we have provision for the appointment of a vice-chairman; but what intrigues me at the moment is the question of why it is necessary to repeat, in clause 10, the statement that the Governor may appoint one of the members to be chairman. If the honourable member will leave the matter for the moment, I will discover, before the measure reaches another place, whether the wording should be altered.

Clause put and passed.

Clauses 11 to 26 put and passed.

Clause 27—Regulations:

Mr. W. HEGNEY: In lines 15 and 16 on page 12 appear the words "The Governor may make regulations as he considers necessary, convenient or desirable", and I feel that the words "convenient or desirable" are redundant. In line 2 on page 13 we find the word "defacing." I thought that to deface meant to destroy or mar an article. However, I will not pursue my objections to those portions of the wording of the clause. In line 11 on page

13 appears the word "fifty", being the maximum penalty to be fixed for any one offence. I move an amendment—

Page 13, line 11—Delete the word "fifty" and substitute the word "twenty-five."

Mr. WATTS: I have no objection to the amendment.

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

Title put and passed.

Bill reported with an amendment.

FOOT AND MOUTH DISEASE ERADICATION FUND BILL

Second Reading

Debate resumed from the 6th August.

MR. KELLY (Merredin-Yilgarn) [8.3]: This Bill may be regarded purely as a precautionary measure. The subject-matter leading to its introduction was fully discussed at several meetings of the Australian Agricultural Council which I had the pleasure of attending. It was pointed out that, with the great amount of data available, a precautionary measure such as this would have far-reaching effects should this disease break out. It was contended that up to the present there had been no incidence of this foot and mouth disease in any of the Australian States. In fact, all the information that had been brought forward at the meetings had been received from other countries.

In his remarks, the Minister stated that there were only two main countries of the world, outside Australia, that had not experienced the devastating effect of foot and mouth disease among cattle; and those two countries were South America and, I think, New Zealand. It is highly desirable to take every step to avoid an outbreak of such a disease in Western Australia. I think we can rely upon our State agricultural officers to take all necessary precautions; but nevertheless, no matter how alert they may be, it is possible for this disease to creep in by the back door, as it were.

The Minister instanced many ways by which the disease could be spread; and those ways do not, to any great extent, come under the surveillance of the departmental officers. Therefore, it would be impossible to police every avenue by which this disease could enter Australia; and, eventually, Western Australia. Members can realise it is urgently necessary that we should be prepared to take any action should there appear any sign of an outbreak, because it would be far too late, after the disease had broken out among the cattle, to introduce legislation to effect the necessary precautions against it.

This foot and mouth disease has had devastating results in some of the Asian countries, and also in Africa. Its effect has been widespread in other countries; but the greatest losses have been felt in Asia and in Africa, and cattle-owners in those parts regard it as the worst of all cattle complaints. Not only does it spread rapidly, but it is highly contagious. Its control is difficult and costly, and the virus is extremely lively. The countries in which its effect has been felt have found that the disease spreads like wildfire. Therefore, we must be prepared to act quickly and positively should an outbreak occur in this State.

Members will realise that the establishment of a fund to compensate cattle-owners against any losses that they may suffer as a result of this disease, is highly desirable. I understand that legislation has already been enacted in four of the States; and, at the moment, attention is being given by the Commonwealth and the remaining States to introducing similar legislation in the near future. I take it for granted that the Bill will be passed by this Parliament as early as possible.

If this fund is established in Western Australia, as it will be in other States, we will not be called upon to make a great contribution to it, because the Commonwealth is finding 50 per cent. of the total amount of the fund, and the remaining 50 per cent. will be contributed by the other States. I think Western Australia's share of that 50 per cent. is 10 per cent. of the total amount of the fund. Of course, the fund will not be drawn upon until an outbreak of foot and mouth disease occurs; therefore, there is no specific amount mentioned at the moment. But no doubt the Commonwealth Government will take the necessary steps to ensure that there will be sufficient money in the fund to cover any application for compensation should there be an outbreak of this disease.

I am not clear whether it is expected that cattle-owners shall make any contribution to the fund. I notice, in subparagraph (vii), of para (d), of clause 11 (2) a short reference to the payment of fees. It could be that that is the clause under which levies could be made upon cattle-producers in order that the moneys in the fund may be built up. I think that some contribution by cattle-owners should be made to the fund. If I were a cattle-owner I would be happy to contribute to a fund of this nature from which I could obtain compensation against the effects of foot and mouth disease; and, what is more important, be guaranteed that full precautionary measures were being taken to ensure that the disease did not break out.

In my opinion, it should not be envisaged by this House or the Government of this State that cattle-owners should enjoy the benefit of this legislation without making some contribution to the fund. I noticed

that when the Minister read out the list of the contributory States, he said that 50 per cent. of the total proceeds of the fund would be found by the Commonwealth, and the other 50 per cent. would be contributed by the other States on the basis that he has laid down. On totalling up the percentages, I find that 99.55 per cent would be payable by the States, but the remaining .45 per cent. has yet to be accounted for. I do not know whether that percentage figure is to be made up by the cattle-owners.

Therefore, the figures quoted by the Minister have left some doubt as to what the intentions really are; and I would be pleased if he would advise us whether the people who are to be protected by this legislation are to be called upon to contribute to the fund. I know that this legislation will, in effect, protect the people of Australia and that is all to the good. But the cattle-owners are, in my opinion, in duty bound to make some contribution towards this fund. I would therefore like the Minister to indicate what his intentions really are, and whether 99.55 is the correct percentage figure, or whether there is some error that needs rectification before the Bill is passed. I support the second reading.

SIR ROSS McLARTY (Murray) [8.14]: I desire to say a few words on the Bill. There is no doubt that its passing is most important; but I hope that when it does become an Act, it will never be necessary to proclaim it. As the Minister has pointed out, this is nation-wide legislation. Every State is introducing a Bill similar to this one, and the Commonwealth has agreed to contribute half the cost of eradicating this disease should it ever break out. It is not hard to understand why the Commonwealth Government has agreed to contribute half the cost; because an outbreak of foot and mouth disease in any part of Australia would have the effect of preventing the export not only of meat, but also of wool, dairy produce, and other agricultural products. One can readily understand the reason for the Commonwealth agreeing to pay half the cost, as an outbreak could have a very serious effect on the finances of this country.

As the member for Merredin-Yilgarn pointed out, this Bill contains far-reaching powers. It provides for restrictions not only on stock movement, but also on the movement of individuals, should that be necessary. It also deals with properties on which an outbreak occurs. A very wise precaution is contained in the measure.

In the past there have been very serious stock losses in Australia which, in the aggregate, must have amounted to huge sums of money. I can remember when tick fever broke out in the north of this State, in the Kimberleys. The disease caused tremendous losses, and it was

estimated that half the cattle in the area were destroyed through its ravages. Arising from that outbreak, a line was drawn across the State, below which cattle suspected of tick infestation were not permitted to proceed. That line is also known as the pleuro line. Pleuro-pneumonia is another disease with far-reaching and dreadful effects. I understand that disease is well under control, and losses arising therefrom are very light.

If an outbreak of foot and mouth disease should occur, it would be necessary to employ greatly increased staff to deal with preventive measures. The existing staff would be quite inadequate. Some members might recall when a suspected outbreak of rinderpest occurred in this State many years ago. Guards were placed along all roads leading out of the metropolitan area, and all motor vehicles were searched. Every possible precaution was taken to ensure that people were not taking out prohibited goods, cats, or dogs which might be carrying the disease. To implement the stringent precautions, it was necessary to utilise the services of police officers, as well as a large number of inspectors.

If an outbreak of foot and mouth disease were to occur in this State, we would have to employ a large army of inspectors to minimise the effects of the disease, or to confine it to a district until it was eradicated. The member for Merredin-Yilgarn inquired whether stock-owners—mentioned cattle-owners specifically—will be asked to contribute to the fund. I have examined the Bill as I also was curious to know how the money was to be raised.

From an examination of the Bill, one gathers that the funds will be provided by the respective Governments. As the honourable member said, there is a clause giving the Minister certain powers in regard to the raising of the required funds. I would point out that an outbreak of this disease would have a serious effect on the export of wool, and hence on the owners of sheep. There may be a ban on the export of wool by many countries, particularly those regarded as clean. Furthermore, dairy exports would be affected by a ban on cattle.

I need not say anything further; because in every State where this Bill has been introduced, it was agreed that it was a measure of urgency. I support the Bill, because I consider we should have every possible safeguard against a disease which could prove to be such a great detriment not only to Western Australia, but to the whole of Australia.

MR. NALDER (Katanning—Minister for Agriculture—in reply) [8.21]: I thank members for their contribution to this debate. Their remarks emphasise only too well the urgent need to have this legislation, in case an outbreak of foot and

mouth disease should occur. In regard to the observation of the member for Merredin-Yilgarn that a mistake in the percentages has been made, as I said when introducing the Bill the percentage contributions by the various States are as follows—and I shall check them to ensure they are correct:—

Commonwealth—50 per cent.
New South Wales—29 per cent.
Victoria—18.25 per cent.
Queensland—20.50 per cent.
Western Australia—10 per cent.
South Australia—10 per cent.
Tasmania—6.25 per cent.
Northern Territory and Australian Capital Territory—6 per cent.

I shall hand over these figures to the honourable member. He will find that the contributions by all the States amount to 100 per cent.

It is provided that the respective States will be responsible for contributing the proportion of each State. There are also provisions in the Bill covering the winding up of the fund after an outbreak. Where stores, vehicles, and other items have been procured, they can be disposed of after an outbreak. The money will then be placed in the fund, to be wound up by the State.

Should an outbreak occur in any State, every State of the Commonwealth will contribute towards the cost of eradication. For instance, if an outbreak occurred in Western Australia, the Commonwealth, as well as the other States, would contribute to the eradication measures. The idea is to have a co-operative effort. This is a wise precaution, because all the States and the Commonwealth have agreed that some measures should be taken on an Australia-wide basis, if an outbreak should occur.

Mr. Kelly: Does it mean that all the expenses of eradication are payable by the Government, and the owners of stock will not have to contribute?

Mr. NALDER: That appears to be the case. If at a later stage it was considered necessary to have contributions from owners of stock, no doubt regulations could be passed by the various States for that purpose. That would have to be on a basis agreed to by all the States. For the present, the Bill states that the Treasurer in each State should contribute to the fund. There is no reference to any contribution by any section of stock-owners in any avenue of agriculture.

I might add that the Bill covers not only cattle, but also sheep, pigs, and goats. One does not need to emphasise the number of sheep which could be involved in an outbreak of foot and mouth disease. If it is found to be necessary for owners to contribute, then all the States and the Commonwealth will have to agree on the basis of a fair contribution by the owners. The member for Merredin-Yilgarn

would know more about this matter, because he was present at several Agricultural Council meetings when the subject was discussed. According to the information given to me, the matter of a contribution by owners of stock was not considered at those meetings. The contribution by the various States and the Commonwealth will be calculated when the amount involved in eradication measures in any one State is known.

I am pleased to have the support of members. As I said when introducing the Bill, I hope we will never have to put this legislation into effect.

Question put and passed.

Bill read a second time.

In Committee

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

ART GALLERY BILL

Second Reading

Debate resumed from the 6th August.

MR. W. HEGNEY (Mt. Hawthorn) [8.32]: I do not propose to elaborate on the provisions of this Bill; because members will see, when comparing it with the Museum Bill, that it is framed practically word for word with that measure. The general provisions are the same. The only difference is that the words "Art Gallery" are used instead of the word, "Museum." The provisions regarding the constitution and powers of the board, the appointment of the chairman, and the vesting of property in the board are the same. The power to make regulations is also the same.

The Art Gallery is fortunate in having a man like Mr. Norton in charge. He is very enthusiastic; and over a recent period there has been a great improvement in the Art Gallery and in the presentation of exhibits to the general public. It is unfortunate that the State has not been able to provide adequately for all the needs of this institution. I do not expect this Government to be in a position at this stage—nor, indeed, in two or three years' time—to indicate what is going to be the position regarding the Art Gallery.

If the Art Gallery and the Geological Survey Department were to be removed from their present position, and the space provided handed over to the Museum, it would be necessary for some other suitable locality to be found for the Art Gallery. Whether the day will ever come when the area bounded by Beaufort Street, James Street, Newcastle Street, and William street will be a complete cultural centre with the Museum, and the Art Gallery, and other large institutions being there, remains to be seen. There are some who hold the opinion that the Art Gallery is

in the wrong place. They point proudly to North Terrace in Adelaide, South Australia, and say that that is an ideal place.

With the Town Hall presumably to be built in Stirling Gardens, quite a number of people suggest that an institution like the Art Gallery should be in a central position near that Town Hall. Whether that state of affairs will be reached in a few years is something which I do not know. However, at the present time the Art Gallery is performing a very useful function. As I indicated earlier, the director and the trustees are satisfied that the time has arrived when the control of the Art Gallery should be separated from that of the Museum.

If members are wondering whether there will be any additional cost involved, I would point out that that is something for the Government to decide, because the activities of both institutions are governed largely by the amount of money which the Government of the day is able to make available. So far as the administration officers are concerned—the attendants and the clerical staff—a certain amount of salary would be charged to each institution. I do not think there will be an appreciable increase in the cost of the two institutions, because the Attorney-General knows that the matter is governed by the amount of money the Government of the day is able to make available. The only alteration I desire to have made in the Bill is in regard to the amount of penalty shown in the last paragraph. I support the measure.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Watts (Minister for Education) in charge of the Bill.

Clauses 1 to 10 put and passed.

Clause 11—Chairman:

MR. WATTS: I would like to say to the member for Warren that the same question arises here as in the previous Bill, and I will have the same inquiry made.

Clause put and passed.

Clauses 12 to 28 put and passed.

Clause 29—Regulations:

MR. W. HEGNEY: I move an amendment—

Page 13, line 8—Delete the word "fifty" and substitute the word "twenty-five."

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

Title put and passed.

Bill reported with an amendment.

**PARLIAMENT HOUSE SITE
PERMANENT RESERVE
(A 1162) ACT
AMENDMENT
BILL**

Second Reading

Debate resumed from the 6th August.

MR. GRAHAM (East Perth) [8.46]: It was no doubt something of a surprise—at least to the new members—to learn that the buildings, other than Parliament House, which are situated on the reserve which is the subject of the Bill, had no right to be erected there, and can remain there only by Parliament agreeing to legislation such as this.

Those of us who were members in 1951, recall most vividly the incidents surrounding the legislation introduced then. Surprisingly enough, it was learned then—I think for the first time—that all of the Government offices on this site, which house many hundreds of public servants, had no right to be where they were. Notwithstanding certain talks that had taken place between the Joint House Committee and the Government of the day—the former not receiving a great deal of consideration—it was only by a matter of one or two votes that the Government succeeded with the passage of the legislation. In other words, the Joint House Committee felt concerned that the Government was behaving in a somewhat peremptory manner without taking the committee into its confidence.

At that time the foundations of an entirely new building—the one now fronting Malcolm Street—had just been laid, and the Government proceeded with the work notwithstanding that it had no authority to do so, but was trespassing on land which was vested for Parliament House purposes and the trusteeship of which reposed in the Joint House Committee.

The Government introduced a Bill validating the situation which had obtained up to that time and making it lawful for the buildings to remain where they were for a period of 21 years. However, Parliament would not agree to that period, but decided on a term of five years only, the idea being that this matter should be raised at reasonably frequent intervals so that the members for the time being would have a knowledge and appreciation of the circumstances when discussing any proposed extension of time.

As the Minister pointed out in 1956, the then Government introduced a new piece of legislation to grant an extension of three years. The Bill now before us seeks to extend the period for a further three years. The present legislation is effective until the 20th November, 1959. Therefore it is necessary for us to do something

about it. I do not think that members are so unrealistic as to consider for a moment doing other than agree to the legislation on this occasion.

I have only one or two more comments to make. I fancy that the Minister's enthusiasm ran away with him when he made the observation—

I think it is now possible for me to say that this may be the last occasion when Parliament will be asked to pass a Bill of this nature.

Mr. Brand: I think he was a bit optimistic.

Mr. GRAHAM: Can anyone for a moment imagine that it is within the realm of practical politics that all the buildings—old and new—located on this reserve, will be completely cleared within three years? Why, if a start were made tomorrow with the selection of a site and the preparation of plans, and subsequently the performance of the work, I do not think there would be a possibility of the job being completed within that period.

Mr. Brand: That is so.

Mr. GRAHAM: However, it is encouraging to think that the removal of these buildings is within measurable distance. It is generally appreciated that with the departure of Hale School and the reacquisition of the site and the buildings by the Government—these steps were taken by the Government a couple of years ago—the whole situation may be speeded up. This, too, will be necessary—if not for the immediate requirements, certainly for those of the future—because of the flow of traffic coming over the Narrows Bridge. From that point of view, and also from the point of view of having reasonably decent and commodious premises for our public servants next to Parliament House, it is necessary to provide not only for those who are housed in buildings on the Parliament House reserve site, but the others who are, unfortunately, scattered throughout many parts of the city.

My second observation is this: I am about to make a request to the Government, and I do not think it is unreasonable. This reserve is virtually the property of the Joint House Committee. As we have several months—two or three—before the present legislation ceases to be effective, I do not think it is unreasonable for the debate to be adjourned for 10 days or so to enable the Joint House Committee to meet and discuss the proposition officially. I cannot imagine for a moment that, after it has discussed the measure, any objection will be raised. I feel that, as a courtesy to the House Committee, this consideration could be extended.

Mr. Brand: Was it given to the House Committee last time?

Mr. GRAHAM: Not that I can remember. At the same time, to be fair, I do not know of any request that was made to the Government of the day to grant such an adjournment.

Mr. Brand: You had a co-operative Opposition.

Mr. GRAHAM: It was not a case of Government and Opposition, because the measure passed through this Chamber without regard for party politics; and that, I trust, will be the approach on this occasion. It is a fact, however, that at least one member of the Joint House Committee, if not more, would like the matter considered by that body before the measure passes through the Chamber. As there is no urgency in connection with the Bill, I think that consideration could well be extended. In order to avoid any possibility of there being friction, or ill-feeling, or division, I hope that the Government will agree to what I have suggested.

I understand that the Joint House Committee meets on the 19th of this month. Therefore, the adjournment I have mentioned would not make a great deal of difference to the passage of the measure. I have, as a matter of courtesy, already mentioned this matter to the Premier; and, when I resume my seat, if a certain member catches the Speaker's eye, it is the intention of that member to move for an adjournment such as I have mentioned in order that the steps I have indicated may be taken. I hope that the Government, upon reflection, will agree to this.

I can give an undertaking now that what I am saying is not in any way to be construed as an attempt by the Opposition to interfere with the Government's legislative programme. This is done in order to do the gentlemanly thing with regard to the body in which the land is virtually vested. I think my request is a reasonable one. I raise no objection to the passage of the Bill.

MR. BRAND (Greenough—Premier) [8.57]: It is a fact that the member for East Perth intimated to me the possibility of a member of the House Committee—no doubt the member for Beeloo—moving for such an adjournment as he mentioned; but I can see no point in delaying the measure. The delay would mean nothing at all, except that the Joint House Committee could discuss the Bill. What that committee would discuss, I do not know. In fact, the party opposite—when it was the Government—did not give the House Committee the opportunity to discuss the matter. The then Minister for Works (Mr. Tonkin) introduced the Bill in a short speech, pointing out the hard, cold facts to us; and the Bill was passed through the House without amendment.

The present measure has been before the House for a few days. No member of the House Committee has indicated a genuine desire to discuss the Bill; and there have been plenty of opportunities for members of that committee to come to me or to the Minister for Works and ask for a postponement of the debate. The Bill simply seeks a re-enactment of the present legislation, for a further three years; and I suggest that we will come to the House again, as the member for East Perth intimated, for a further extension of time in another three years; although I would like to think that we will not have too.

Mr. Graham: I have an idea it will be so.

Mr. BRAND: Additions are now being made to Parliament House, and I hope that the work will continue until such time as the building is completed and we have a House of which we can all be proud. I cannot imagine that the House Committee can put forward any worth-while suggestions affecting this measure, apart from delaying it. Whilst offering all the co-operation that I can, and having a willingness to meet the members of the House Committee—and the Minister for Works is equally willing—if they have any worth-while ideas as to how we might, in a reasonable way, overcome expeditiously the difficulties that we face from time to time in bringing the Bill before the House, I am opposed to the suggestion put forward by the member for East Perth.

Mr. Graham: Is it not the usual practice to refer these matters to the interested parties?

Mr. BRAND: Always.

MR ROBERTS (Bunbury) [9.0]: I cannot see what good purpose will be served by following the suggestion of the member for East Perth. I have been on the Joint House Committee since 1956; and I cannot recall this matter ever having been discussed by the Committee, although legislation dealing with it was discussed and passed in 1956. Probably Governments, irrespective of their political colour, may have been wrong by not bringing matters such as this before the Joint House Committee in the past, and I can only suggest that future Governments pay the Joint House Committee the courtesy of discussing the proposition with its members if the legislation is to be re-enacted.

The member for East Perth was quite egotistical when he said that a Labour Government would bring the legislation down in three years' time. I can assure him that our Government, in three years' time, will pay the Joint House Committee the courtesy of discussing the matter with its members. The proposition of the member for East Perth will do nothing except delay the measure, which we all know must be passed by the 20th November next.

Mr. Graham: Why will your Government, as you call it, discuss the matter with the Joint House Committee in three years' time if it won't do it now?

Mr. ROBERTS: Let us carry on with the existing practice now that the matter has reached this stage. The member for East Perth could have made this suggestion last Thursday, when the Bill was introduced.

Mr. Graham: This is the first sitting day since the Bill was introduced.

Mr. ROBERTS: That may be so. But there is no reason why the Government should not carry on with the same procedure as has been adopted in the past. However, in future, if such matters are to be dealt with, the Government of the day should pay the Joint House Committee the courtesy of discussing the proposition with it. I oppose the suggestion put forward by the member for East Perth.

Mr. Graham: You are inciting the Opposition.

MR. JAMIESON: I move—

That the debate be adjourned until Thursday, the 20th August.

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

Ayes—21.

Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Nulsen
Mr. Graham	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. J. Hegney	Mr. Toms
Mr. W. Hegney	Mr. Tonkin
Mr. Jamieson	Mr. May
Mr. Kelly	

(Teller.)

Noes—24.

Mr. Brand	Mr. W. A. Manning
Mr. Burt	Sir Ross McLarty
Mr. Cornell	Mr. Nalder
Mr. Court	Mr. Nimmo
Mr. Craig	Mr. O'Connor
Mr. Crommellin	Mr. Oldfield
Mr. Grayden	Mr. O'Neill
Mr. Guthrie	Mr. Owen
Dr. Henn	Mr. Roberts
Mr. Hutchinson	Mr. Watts
Mr. Lewis	Mr. Wild
Mr. Mann	Mr. I. W. Manning

(Teller.)

Pairs.

Ayes.

Noes.

Mr. Heal	Mr. Perkins
Mr. Andrew	Mr. Bovell

Majority against—3.

Motion thus negatived.

MR. JAMIESON (Beeloo) [9.6]: I am amazed at the Government's attitude on this particular subject, and I am even more amazed at the Premier's loss of memory in regard to what took place when a similar Bill was before this House on the last occasion. Had the Premier and the member for Bunbury cast their minds back to that occasion—admittedly the member for Bunbury was a very new member at the time—they would recall that the Bill was introduced only because I

reminded the then Minister for Works, by way of questions, that the tenure of the Public Works Department had expired. The Bill was introduced in the last few days of Parliament, and consequently it had to be passed very quickly.

If they had studied that aspect of the matter, they might have had more idea of the position. The member for East Perth has made it abundantly clear that there was a considerable amount of strife with the Joint House Committee over the Government's actions when the Bill was initially before Parliament.

Mr. Graham: They had to give Mr. Dimmitt the Agent-Generalship to get his vote so that the Bill could pass.

Mr. Brand: You don't want to judge others by yourself.

Mr. Graham: That is a fact.

Mr. Brand: You don't want to judge others by what you do and by what you would continue to do if you were still here.

Mr. JAMIESON: Maybe I am at fault in not having raised the matter with the Minister for Works or the Premier and telling them that, as a member of the Joint House Committee, I felt it desirable that the Committee should discuss the matter before the Bill was passed by Parliament. Members of the Joint House Committee are the custodians of this reserve; and although it would be almost a foregone conclusion that they would agree with the Bill, I think they should have been given the opportunity to discuss it.

Mr. Brand: What about—

Mr. JAMIESON: Let me have something else to say before you interject any more! In 1956, when a similar Bill was before the House, the extensions to Parliament House had not been started; but now that they have reached their present stage, there must be more co-operation with the committee as regards what is to take place in the future on the reserve, and what position the Public Works Department will be in.

Mr. Roberts: When is it contemplated that these extensions will be completed?

Mr. JAMIESON: When introducing the Bill, the Minister said that he anticipated other works might have to be undertaken on this reserve within a short time. He said that nothing definite had been decided about the switchover road which is to be built from the northern suburbs to the Narrows Bridge, and he thought it would be about six months before he would be able to say conclusively what works would need to be undertaken within the reasonably near future.

Mr. Roberts: I was referring to the extensions to Parliament House.

Mr. JAMIESON: I am coming to that. Do not be in a hurry! The Premier made it clear tonight that the Government hoped the rest of the work would be undertaken fairly quickly because so much progress had been made with the building extensions so far. Therefore, I think the original estimated programme of six years will be about right. The then Premier stated, when speaking to the Estimates, that he thought the work would take about six years; and, if that is so, a considerable amount of planning will have to be done. But nothing should be done unless it is in accordance with the wishes of the members of the Joint House Committee. While the member for Bunbury has been a member of the Committee for some time, he was not a member when a similar Bill was before the House on the last occasion.

Mr. Roberts: Yes he was.

Mr. JAMIESON: Not in 1956.

Mr. Roberts: Yes he was. You get your facts right!

Mr. W. Hegney: Then you are not particularly loyal to it.

Mr. JAMIESON: No; the honourable member is not particularly loyal to it. Before any further progress is made, matters should be referred to the guardians of this reserve.

Mr. Brand: As you say you were responsible for reminding the last Minister that this matter had gone beyond its time why were you not so alert on this occasion as to ask at the last meeting that something be done to remind the Minister for Works about the matter?

Mr. JAMIESON: I knew that there was still some time to go—the legislation does not expire until November—and I did not know the Government's intentions. At the last meeting the whole agenda had been made out and there was no time to spare to speak on matters which were not listed.

Mr. Roberts: Was it your intention to bring this matter up?

Mr. JAMIESON: Not at that time, because I did not know whether the Government intended to bring the Bill forward. It was not until notice was given that the Government's intention became clear. Unlike the member for East Perth, I hope that the suggestion of the Minister for Works that this should be the last time the legislation is before the House will be met; because so long as we keep erecting offices such as we have for the Public Works Department on this reserve, the longer this untidy set of circumstances will exist. These offices are no good at all for administrative purposes; they are like a rabbit warren, and I have said repeatedly that they must lead to inefficiency. The sooner they can be dispensed with the better it will be for all concerned.

Once they are removed, the staff can be housed in modern offices. The Minister for Works knows the advantage of working in a modern office as compared with the old set-up for the Minister in the Public Works Department. As it is important for him to have a modern office to enable him to carry out his administrative work, it is also important for his officers to be housed in decent modern offices so that their efficiency will not be impaired.

I realise that I am sidetracking the issue a little; but until we make a stand on this and get the officers out of these buildings as soon as possible and conduct planning on the scale as shown to members last year, then, of course, we will have this Bill coming repeatedly before the House. I think I indicated either in my speech on the motion for the adoption of the Address-in-reply, or on the Estimates last year, that on each occasion a measure such as this was brought before the House I would personally hotly oppose any extension likely to perpetuate the existence of office buildings such as those occupied by the Public Works Department on this reserve. In spite of their ugliness and everything else—and they will have to be done away with sooner or later—there will no doubt be a considerable outcry from people who feel they should be allowed to stay for the time being on this parliamentary reserve.

The reserve has been set aside for Parliament, not for the Public Works Department. That department is only there on sufferance, for the time being; and I sincerely hope that the count for the road leading from the Narrows Bridge when it is open will cause the Government to proceed immediately with the switch-over road, because that will hasten the time when something is done about these offices. If we continue to delay the matter, it will go on indefinitely, and we will get nowhere.

In those circumstances I will oppose the Bill because I think the Government has been unjust in adopting the attitude it has, in not permitting at least one meeting of the House Committee to consider this matter before bringing in legislation.

Mr. Roberts: What good purpose would be served by postponing this legislation?

Mr. JAMIESON: It would give us a chance of considering whether or not it was desirable; and whether we could not enter into some other arrangement with the Minister for Works over a period of two years, or one year, or whatever the period was. This would be one aspect that could be put before the House Committee; it is one that should not be taken out of that committee's control. Surely to goodness the House Committee should have some say! This whole reserve is vested in the House Committee's care for the time being; and for the time being the member

for Bunbury and I happen to be two of the members who comprise the House Committee.

The committee is not a static body. It took considerable umbrage concerning this matter in the first instance. As a matter of fact, it stopped the then McLarty-Watts Government from proceeding for some months with the building placed there; even though it was agreed, by only one vote in the Legislative Council that the building should be allowed to stay. The period was also reduced. The position was made quite clear when the period was reduced to five years. Further, when the amendments took place in 1956 the then Minister asked for a three-year extension, and now we find that a further three-year extension is being sought.

I consider that at this juncture the most that we should consider granting is an extension of one year. We should then review the matter to see whether there is no possibility of the department quitting the Parliament House reserve, in order that there will not be any unsightly buildings left to spoil the view from the Terrace, when further extensions are made to Parliament House. Nothing must be left which will jeopardise the harmony of the new building.

MR. CORNELL (Mt. Marshall) [9.20]: I was on the House Committee in 1951 when the original Act was passed. The House Committee was solidly against the proposal; and, as is known to the older members of the House, it was agreed in that committee that the proposition would be opposed in both Houses. However, I regret to say that one member of the House Committee did run out on us. He is now not with us; and of the dead, let nothing but good be spoken. Personally, the longer I am in this House the more firmly convinced am I that various arguments are conditioned by the side of the House on which one happens to sit.

Accordingly, I am not in the least impressed by the arguments put up by the member for East Perth and the member for Beeloo. When this legislation was passed three years ago, they sat tight on this side of the House; and I more or less propose to do the same on this occasion. In my view, the thing is now history, and we may as well accept the principle that that building is there, and that it will remain there for some considerable time.

In 1951 the Minister for Works (the present Premier) introduced this legislation; and he assured the House on that occasion that that building was only a temporary structure, and that it would not be there for very long. I made the observation then, and I make it again, that it is the most permanent temporary structure I have seen. It is there, and it will remain there for some time. The

member for Beeloo says it should be removed as soon as possible; but he must not forget that the officers of the Metropolitan Water Supply are also trespassers, and have been for many years.

Mr. Brand: Put there by the Labour Government.

Mr. CORNELL: Several other buildings in the vicinity are there illegally; they have been there illegally for some time, and they will stay there. Personally I cannot see why this legislation should be brought here every three years; and I am prepared, in Committee, to move to strike out the word "three" and insert in lieu the word "six".

MR. W. A. MANNING (Narrogin) [9.23]: As a member of the House Committee, I feel there is a responsibility for me to speak on this measure, although I consider it is a matter that does not warrant any debate at all. It has been debated, however; and I must say at the outset that I cannot arouse any enthusiasm for the suggestion of the member for Beeloo that the matter be referred back to the House Committee. It is a futile suggestion; it cannot bear fruit. The buildings in question must stay there after November; that is obvious. There is no hope of housing the staff in those buildings in up-to-date accommodation—not at the moment. It would be a waste of time to refer the matter to the House Committee. I suggest that a precedent certainly covers the present situation: because, on the last occasion, the Bill was passed without any comment and put through very quickly.

During the last year or two, major alterations were carried out in the building down there, in the office of the Minister for Works. If all these matters should be referred to the House Committee, surely major alterations in the structure of the building should also have been referred to that committee; but I do not think they were.

Mr. Jamieson: They should have been.

Mr. J. Hegney: There was a lot of criticism here.

Mr. W. A. MANNING: With every change of Government, this seems to be a real necessity. We can pass a Bill to extend the time without any bother; we can alter the old buildings that have been there since convict days; and we can make alterations without referring the matter to the House Committee. Yet, when we want to extend the time for another three years, it seems that something else should be done. It would appear that it is a different picture, because circumstances have changed.

Mr. Roberts: Don't you think that if this matter was considered one of urgency by the House Committee a joint meeting would have been called?

Mr. W. A. MANNING: I think the responsibility is on the House Committee; but to argue over a matter such as this is quite futile. I have only added my few remarks because I felt there was a responsibility for me to do so as a member of the House Committee.

MR. WILD (Dale—Minister for Works—in reply) [9.28]: Like the previous speaker, I feel this is only a storm in a teacup. It is a waste of time for the House to debate this issue at any length. It is a *fait accompli*, as it was in 1951. Members of the Opposition—who were on the Government benches up until a few months ago—know very well that there is no possibility of erecting an alternative building, because that would require a considerable amount of money. We must accept that fact.

I made the observation the other evening that I had hoped this would be the last occasion on which such a request was made. I did so because I felt that when the Narrows Bridge was completed, and after the traffic section of the Main Roads Department was able to secure a count of the traffic, it would help to speed things up in regard to a through road to take the traffic to the north side of the line. If that comes about, and it is determined quickly, we will find it necessary to relieve the congestion of traffic as early as possible. If that were the case, those buildings would be the first to go.

I was in ignorance that those old buildings were put up in the same illegal manner as were the others. I thought that the new building construction that we validated in 1951 was different from the others. No useful purpose would be served in referring this matter to the House Committee. It would be a waste of the committee's time and of our time. What in the name of Fortune could the House Committee do? Those buildings must remain there until some Government can find money to carry out the necessary replacements.

I hope members will not be swayed by the arguments that have been advanced by members on the other side of the House. Even though I think the work can be completed in three years, it would be a waste of time for Parliament to again debate this matter after three years have elapsed, and if the member for Mt. Marshall would like to move to alter the period to six years, I would be prepared to accept it.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Wild (Minister for Works) in charge of the Bill.

Clause 1 put and passed.

Clause 2—Section 3 amended:

Mr. CORNELL: Without wishing to prolong the debate still further, I move an amendment—

Page 2, line 6—Delete the word "six" with a view to substituting the word "nine".

Mr. GRAHAM: I am rather surprised at the somersault of the member for Mt. Marshall in connection with this matter—

Mr. W. Hegney: That would take a bit of doing!

Mr. I. W. Manning: That would be an interesting sight!

Mr. GRAHAM: —as I am with a similar performance on the part of the Government. In 1951, because of the arrogance of the Government then in office, this situation developed. It is written in *Hansard* that the Joint House Committee gave the Government of the day seven days' notice in which to cease its encroachment on Parliament House ground; otherwise an injunction would be taken to restrain it. And within 24 hours, work stopped. Parliament as a whole, which includes the Legislative Council, was rather incensed at this attitude of the Government.

I do not want to make party politics of this, but that happened to be a Liberal-Country Party Government; and again it is a Liberal-Country Party Government which is giving short shrift to a responsible body that we elected. And if we have a look at the statute, we find it is provided that this Class "A" reserve shall for ever remain dedicated to the purpose declared in the notice of reservation until by an Act of Parliament it is otherwise enacted. That is still the law of the land and the purpose is for Parliamentary buildings—nothing whatever to do with Government offices. I repeat that this trouble started because the Government decided to proceed without having the common courtesy to confer with the Joint House Committee in which this land is vested.

Is it an unreasonable thing to ask that the principal owners of the land be given an opportunity of having some cognisance of this Bill when that is asked for by a member of that Committee? The member for Mt. Marshall should recall that he was one who tackled the Government of the day which proposed that the period should be 21 years. It was subsequently agreed in the Legislative Council that it should be 10 years; and when the Bill came back here, it was agreed that it should be reduced to a period of five years.

Mr. Brand: Who moved the amendment?

Mr. GRAHAM: I had the honour of doing that.

Mr. Brand: What speech did you make on the matter in 1956?

Mr. GRAHAM: None whatever. That was for a period of three years.

Mr. Brand: So it is now.

Mr. GRAHAM: It was stated that Parliament wanted an opportunity of frequently reviewing the matter, and five years was the most that it was prepared to allow. I think that the Government has become a little punch-drunk, or vote-happy or something, without having regard for the facts and circumstances, because it is prepared to make a farce of the situation. There were no party politics about the matter then. Cement foundations were already in existence, and brick-work was being erected. The Government would have been compelled to demolish the work and remove the materials placed there.

I notice that amongst the names of those who voted against the measure were those of Messrs. Baxter, Hearn, Jones, Logan, Loton, Murray, Roche, Watson, and Cunningham, and Sir Charles Latham. That gives some idea of the feeling of members at that time. Yet notwithstanding that experience, this Government is prepared to treat the Joint House Committee with complete and utter contempt.

The fact that the members for Bunbury and Beeloo are aware that the Bill was introduced last Thursday is no indication that the Committee, as a committee, has any knowledge of it whatever. As it is to meet one day next week, and there is no necessity for this legislation to pass for a period of three months, all I ask is for a fair and reasonable outlook. Whether we anticipate the decision of the Joint House Committee or not, it should be given an opportunity and the courtesy of being able to consider the Bill and to discuss it, which it was not given in 1951.

I feel that we should think twice about virtually putting our thumbs to our noses to the Joint House Committee, which discovered for the first time that it was unlawful for any buildings other than Parliament House to be on this Class "A" reserve. It was only after extensive debates, and by the narrowest of margins—in one case by the casting vote of the President of the Legislative Council—that it was agreed that a period of five years should be provided in the legislation, and that Parliament should have an opportunity of reviewing the situation at frequent intervals.

If for no other reason, it should be included so that members on all sides of the House might press the Government of the day, irrespective of political colour, to get on with the job of building suitable offices elsewhere, and to enable Parliament House to be completed and the grounds improved and developed so that the building will become an ornament to the capital city instead of the disgraceful spectacle

it is at present. Surely those members who have entered Parliament since 1951 can see the advantages of frequent reviews! I hope and trust that the member for Mt. Marshall will not press this amendment, because there is an important principle involved, and he is violating something to which he himself was a party in 1951.

I am exceedingly sorry that the Premier did not accede to what I consider a reasonable request. Surely it is customary to confer with persons likely to be affected by legislation, whether it be the Farmers' Union, the motor industry, or whatever it is. In this case, even if it had escaped attention previously, would this Government be losing any dignity or be interfering with the passage of this legislation if it deferred this debate for a period of a week or so to enable the owners of the land to have an opportunity to consider the measure? This debate, which has now taken approximately an hour, would have occupied no more than 10 to 15 minutes if the reasonable request had been acceded to.

Mr. Brand: The debate would have been adjourned, and it would have gone on *ad infinitum* later on.

Mr. GRAHAM: It would have gone through automatically, because no-one has indicated any opinion to the measure.

Mr. Brand: There is nothing which can be opposed.

Mr. GRAHAM: Apparently the Premier does not learn from experience. I deplore the fact that the member for Mt. Marshall, who was a party to the very strong action taken in regard to the Public Works Department at that time, should now be taking the exact opposite course. I do not think it is being very consistent and fair to those with whom he was associated on that committee.

Mr. CORNELL: The member for East Perth has introduced the subject of gymnastics into this argument. Maybe I have turned a somersault, but I have seen him do things that would break the back of an acrobat. We all turn somersaults in this political game. I can only repeat what I said a few moments ago. Whatever side we sit on conditions our arguments.

Mr. Graham: You were on that side on that occasion.

Mr. CORNELL: I admit I tackled the Government on that occasion; but as is known, I have always been thrown. I have never yet tackled a Minister, without being thrown on the proposition. This matter was thoroughly thrashed out during a fairly heated debate in 1951; and the legislation was enacted for a period of five years. Three years ago it was again reviewed and passed, virtually without debate, no member now on the other side of the House raising any objection on that occasion. Whether we like it or not, the building

is there and will remain for a considerable time; so why waste time every three years on something which is an accepted fact? To my recollection there is no Act permitting the metropolitan water supply building and several others to be there at all.

Mr. Graham: They were dealt with in the 1951 Act.

Amendment (to strike out word) put and a division taken with the following result:—

Ayes—22.

Mr. Brand	Mr. Mann
Mr. Burt	Mr. W. A. Manning
Mr. Cornell	Sir Ross McLarty
Mr. Court	Mr. Nalder
Mr. Craig	Mr. Nilmmo
Mr. Crommelin	Mr. O'Connor
Mr. Grayden	Mr. O'Neill
Mr. Guthrie	Mr. Owen
Dr. Henn	Mr. Watts
Mr. Hutchinsonson	Mr. Wild
Mr. Lewis	Mr. I. W. Manning

(Teller.)

Noes—22.

Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Molr
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Nulsen
Mr. Graham	Mr. Oldfield
Mr. Hall	Mr. Rhatigan
Mr. Hawke	Mr. Rowberry
Mr. J. Hegney	Mr. Sewell
Mr. W. Hegney	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Kelly	Mr. May

(Teller.)

Pairs.

Noes.

Ayes.	Noes.
Mr. Perkins	Mr. Heal
Mr. Bovell	Mr. Andrew

The CHAIRMAN: The voting being equal, I give my casting vote with the ayes.

Amendment thus passed.

Mr. CORNELL: I move an amendment—

That the word "eight" be substituted for the word struck out.

I do that because of an inspiration given to me by the member for East Perth, which I anticipate will provide no opposition from the other side of the House.

Amendment (to insert word) put and passed; the clause, as amended, agreed to.

Title put and passed.

Bill reported with an amendment.

FILLED MILK BILL

Second Reading

Debate resumed from the 6th August.

MR. KELLY (Merridin-Yilgarn) [9.53]: This Bill is designed for the specific purpose of prohibiting the manufacture, packing, or sale of filled milk; and the definition included in the measure clearly sets out what is meant by the term, "filled milk." When introducing the measure, the Minister was quite clear in his explanation of the action which would be taken in regard to filled milk.

The development of filled milk is not a recent matter. I understand that at about the turn of the century the Dutch

patented a method of producing an identical product; but because there was so little call for it at that time, owing to the fact that Holland had plentiful supplies of the genuine article, nothing further was done about the production of filled milk. In fact, it was not until towards the end of 1957 that this product received any further recognition.

At the latter end of 1957 the manufacture of filled milk was commenced for the first time in the Philippines and in Indonesian territory; and since then production has increased rapidly. The reason for the popularity of filled milk in those countries is that so little dairying is carried on there. I understand that a valuable industry has been developed in certain French possessions, as well as in the British Solomons, together with most Asian countries, in the production of filled milk. I have no doubt that the production of this commodity will increase greatly in those areas, in view of the development of those parts of the world.

When the Minister was introducing the Bill, the Leader of the Opposition asked what was the nutritional value of this product. I find that there is practically no difference in nutritional value between filled milk and standard evaporated milk, whether for use by children or adults.

A further factor in the rapid expansion of the filled milk industry is the cost. In the Philippines and Indonesia, available vegetable fats cost far less than do the animal fats normally found in milk; and in the Philippines for 27 cents Filipino an amount of filled milk can be purchased, as against a cost of 36 cents for an equivalent amount of genuine evaporated milk. The difference in cost between the two is 4½d. Australian; 1s. 1½d. as against 1s. 6d.

I understand that two brands of filled milk are mainly found in the territories to which I have referred, one being the Liberty brand; and the other, Darigold brand. Those two brands of filled milk are made by two separate factories which are virtually American-owned, inasmuch as the majority of the shareholding in each of them is of American origin. Both of those brands of filled milk use as ingredients non-fat milk solids imported entirely from America, the balance of the product being made up of locally-produced coconut oil. That being so, it is obvious that the Australian market could easily be swamped with imported filled milk unless preventive measures are taken.

With this industry so firmly established in the Asian countries, it would be no time at all before, having found a market for the American surplus—there is a big surplus in America, as against the position in Australia, where there is no surplus—we would find that there would be an extension of the factories now in existence, and they would be processing large

quantities of the American surplus milk solids. There would be an attempt to export the surplus after local requirements had been met, and Australia would become a dumping ground for much of the American surplus. So, in the country of manufacture, there are many favourable factors surrounding the processing of filled milk. The low price of filled milk would certainly appeal to the people of those countries; and, further, it is a very convenient base for the manufacture of other products.

The nutritional value of filled milk is similar to that of the genuine product and there is little or no dairying carried on in the countries of manufacture. This materially assists its sale. It is not hard for members to realise that those in authority regard filled milk as a partial threat to the dairying industry. I say "partial" advisedly; because we know that this product, of itself, would not constitute a serious threat to the dairying industry in this country. It would not be as considerable in its impact upon the industry as many other factors.

Commonwealth representatives and State representatives of the dairying industry have discussed this matter very fully. There is a fund of information available which, to my mind, brought forth a convincing reason why we should pass this restrictive legislation. Therefore, it was decided the States should place a ban on the manufacture of filled milk, and that the Commonwealth would be responsible for the introduction of legislation to prohibit the importation of the product.

However, there is another factor that comes to mind. At present, Australia exports large quantities of processed milk to Indonesia, India, Papua, Malaya, Ceylon, and New Guinea, which exports are of considerable value to the dairying industry. I have not the figures relating to the total value of these exports, but in 1957-58, Papua and New Guinea imported from Australia 2,000,000 lb. of evaporated or dried milk.

Mr. Nalder: That is 2,000,000 lb. in weight?

Mr. KELLY: Yes. The equivalent of that in money is £146,000, and it represents approximately 5,000,000 gallons. During the same year, the Australian, British, and French territories in the Pacific imported, in all, a total of 4,700,000 lb. of processed milk from Australia which was worth over £500,000 and represented 13,000,000 gallons of milk. I contend that much of this export trade would be lost if the places I have mentioned imported filled milk. I have no doubt that as this filled-milk industry expands, the country that manufactures it will find that these places constitute attractive markets for their product, and

they will begin to export filled milk to those parts. It would then be found that the countries manufacturing filled milk would not be satisfied with exporting the finished article but would eventually establish factories in the near north. Therefore, there is no doubt that the dairying industry has reached another crossroad.

Although we have no alternative but to pass this legislation, I would like to know what the ultimate solution of the problem will be; and I suppose the Minister would, too. There is no doubt that the dairying industry is already being heavily subsidised by the Commonwealth Government, which expenditure is being met by the Australian people. The subsidies advanced by the Commonwealth total £13,500,000 annually. In addition, further subsidies and allowances are made to the industry by the various States. There is not one State that does not hold out some assistance, either by advances or some other monetary grant, to the dairying industry.

Despite this great financial load on the people, the dairying industry has declined. The member for Murray will no doubt remember when the industry was in a reasonably buoyant state and was able to pay 20s. in the pound, but over the last decade it has gradually declined. Unless we deal with this problem in a sensible manner, we will find successive pieces of legislation being introduced to keep it afloat.

I know the Minister will tell me that at present there is a committee investigating the problems of the dairying industry; but I doubt whether its terms of reference are sufficiently wide. In my opinion its efforts will only bring about a stopgap situation, and no permanent good will result. During one of the meetings of the Agricultural Council that I attended, I impressed upon the Minister that nothing short of a Royal Commission would be able to unearth the difficulties that this industry was facing and recommend a solution to the problem. The Minister said that he did not think it would be possible to appoint a Royal Commissioner. He thought that the Prime Minister had made up his mind that a committee was sufficient to investigate the industry.

With its limited powers, no matter what this committee discovers, it is still going to leave the industry in mid-air, as it were; and that is a state of affairs we should endeavour to prevent. I consider that the introduction of restrictive legislation, the imposition of quotas such as those that affect the production of margarine, and the continuation of high subsidies is only toying with a most difficult problem. And when I make that statement, I do so with the knowledge that this Bill has to be passed. We will have to delve deeper into the problem than we are today by introducing legislation to cover this or that aspect of the dairying industry.

This Bill should be regarded more or less as a temporary protective measure, so that milk producers can be protected between now and the time when we can obtain some data that will lead us to a solution of the industry's difficulties which will not continue to tie a burden around the necks of the people of Australia.

Mr. Nalder: Have you any ideas at all?

Mr. KELLY: We must get down to some solid basis in order to find out what is wrong with the industry and place it on a better footing. Over the years, many millions of pounds have been poured into this industry in order to keep it alive. In my opinion, we are tackling the problem from the wrong end. We are subsidising the manufacture of butter and cheese; and, in all, the Commonwealth is pouring a total of £13,500,000 into this industry.

Mr. Nalder: That is only a small amount compared to the total value of the industry.

Mr. KELLY: What about the mining industry? There was a time when the mining industry was far more valuable than the dairying industry.

Mr. Nalder: It does not help to fill the people's stomachs.

Mr. KELLY: But the mining industry has provided the sinews to fill the stomachs of the people over a period of years. The member for Murchison will support me on that score. For quite some time, if it had not been for the mining industry, there would not have been many other industries in this State. For over half a century the mining industry—

The SPEAKER: I do not think the mining industry is dealt with in this Bill.

Mr. KELLY: I do not think so either, Mr. Speaker; but I was led astray by the Minister's interjections. The fact is that the subsidy granted by the Commonwealth Government to the dairying industry has become permanent; and whilst we are prepared to sit back and accept that position, we are not investigating the problem confronting the industry as thoroughly as we should.

We are spending too much at the wrong end of this industry. In our limited scope in the State, we have proved that the assistance given to a few settlers in the Margaret River-Northcliffe area on a very restricted basis, enabled them to pay their way. That was when the policy of the previous Government decreed that the dairying industry needed some fillip and some finance to put it into a better position. That Government earmarked certain sums for that purpose.

The assistance was given in this way: Where a producer carrying 25 cows was in financial difficulty and could not pay his way, the Government assisted in providing more pastures. It was known that to run that number of cows was uneconomical. When the producer was asked why he could

not carry more cows on the property, he said that he did not have enough land cleared. The Government found the money for more clearing. I admit there were not many settlers in this category who were assisted. However, some were given assistance on a trial basis. Where they were given more pastures, sufficient to run 40 cows, they are now quite happy.

If the dairying industry were to be tackled on that basis, instead of by spending £13,500,000 at the wrong end, better results would be obtained. The money should be spent at the end where production takes place. Instead of that, we find restrictive legislation coming before Parliament from time to time. Such legislation gets the industry nowhere. I believe that the Bill before this House should have a limited life; it should not go on *ad infinitum*.

It should be limited for this reason. Let us consider the findings of the investigating committee. If, as I am quite sure, no remedial action can be taken to prove conclusively that the industry can be lifted by subsidies, then we should put our thoughts behind the appointment of a commissioner. We should make an attempt to get to the bottom of the difficulties which are experienced in this industry, so that it will be placed on a reasonably worth-while basis. The need is urgent. I do not want to see any further decline in this industry. I support the second reading.

MR. I. W. MANNING (Harvey) [10.18]: I desire to make a few comments in support of this Bill. As the member for Merredin-Yilgarn has said, the demand for filled milk comes very largely from countries which have no adequate supplies of fresh milk. The purpose of the legislation before us is to protect the milk industry in the State and in the Commonwealth. When I speak of the milk industry, I refer to the whole-milk industry. It is as well that we should protect it from the threat of filled milk.

The milk industry in Western Australia since 1947 has been administered ruthlessly. A policy of selling hygienic and good quality milk, produced under clean and up-to-date conditions, and treated and retailed in the most efficient manner possible, has been adopted. It has been adhered to rigidly. Failure on the part of anyone to comply at any stage with the requirements regarding the production, treatment, and distribution of milk—whether the failure be intentional or accidental—is dealt with very smartly under both the Milk Act and the Health Act.

To meet the requirements prescribed under both those Acts, a tremendous amount of capital has been invested, in particular by the farmers, in all stages of the milk industry. On the production side a whole-milk dairy could not be built for less than £1,000, and a 50-cow herd would

cost between £2,500 and £3,000. There is, in addition, the cost of dairy equipment, which would not be less than £1,000, to say nothing of the cost of establishing pastures and producing fodder, and the other expenses associated with dairy farming. Of course, a tremendous amount is invested in the treatment and retailing of milk.

The system under which the industry operates in Western Australia is recognised as one of the best in the Commonwealth. Filled milk represents a threat in every way to the industry, and the threat should be nipped in the bud. I agree with the member for Merredin-Yilgarn that it is objectionable to restrict industry in any way at all. However, where an industry has such a tremendous amount of money invested at every stage—on the production, the treatment, and the distribution sides—it is only commonsense that when a threat presents itself to the industry, we should introduce legislation to protect it.

The milk industry and its administration in this State has been most careful to control what is taken from and what is added to milk. Any tampering with milk has been greatly discouraged. That is a good thing. We have endeavoured to pass on to the consumers of milk in this State the product as it comes direct from the cow, not one which has been tampered with.

I realise there are various proprietary lines on the market today, such as choc-milk; but they, too, come under the notice of the milk administration. The percentage of solids-not-fat removed from the milk to permit the addition of other ingredients is closely watched.

The member for Merredin-Yilgarn referred to the Commonwealth committee which is inquiring into the milk industry. A committee such as that must traverse ground which has very largely been covered by similar committees in the past. Anyone from the South-West, which is the great dairying district of this State, must have a fairly close knowledge of the requirements of the industry. At present I would say that the great need is the raising of the ability of the dairy farmer to earn. That is the crux of the problem.

The aim is to bring the dairy farmer and the property to a greater earning capacity than they are capable of today. So many dairymen in the State operate in such a small way that they cannot hope to be an economic unit. So many of them desire to expand and lift their earning capacity. If the Government can assist in any way, either by making some assistance available to the farmer to improve the carrying capacity of his property, or by raising the ability of the farmer to earn more, that is the method to adopt. Therein largely lies the solution.

The well-established farmer—one who is operating in a big way—has no problems. His income is large enough to enable him to live and farm successfully. The problem only arises in the case of people on small properties and partly developed properties, the carrying capacity of which does not provide an adequate income.

When introducing the Bill, the Minister gave me some figures to indicate that the value of the milk industry to this State was over £6,000,000. That suggests the dairying industry should be protected from any inroads made by another industry, thereby detracting from the value of the dairying industry and upsetting tremendously the amount invested in it, not only in this State but throughout the Commonwealth. I support the second reading.

MR. GRAHAM (East Perth) [10.27]: Frankly I must confess I am a little puzzled regarding the full significance and intent of this legislation. The few remarks I intend to make now are directed more along the lines of seeking information than making any positive assertion. I might preface my remarks by paying a tribute to the member for Merredin-Yilgarn, who I thought made a very noteworthy contribution to this debate.

As I said by way of interjection, I do not like the principle behind the Bill; that is, to stop people from manufacturing or selling, or consumers from buying the commodities which they desire, unless it can be proved that it is harmful to do so. As I mentioned in my interjection, if this attitude had prevailed in former times, and we were anxious to protect the harness-maker, the village blacksmith, and others, we would not have permitted the manufacture, the importations, or use of motor vehicles, because there was a considerable vested interest in the first-mentioned types of activities.

Even if it could be established that filled milk has not the nutritional properties of wholemilk, there would still not be a reason for the placing of a ban on filled milk. If we adopt such an attitude I can imagine probably 50 per cent. of the food-stuffs which are on the market being banned, because they do not measure up to the standards, and are not comparable with other types of foodstuffs.

Having spent some time, some years ago, dealing with the question of margarine, when it was established that, by adding vitamins, the food value of that commodity could be made at least equal, or superior, to butter as we know it—with some considerations in favour of the artificial commodity—I can see no reason why filled milk cannot supply the nutritional requirements equally as well as wholemilk coming direct from the dairies.

Even if there were some slight variation or some slight deficiency, then it would be up to persons themselves to decide what they would purchase. Quite a lot of people buy condensed milk and powdered milk, and there is no regulation to say how much water shall or shall not be mixed with the article that has been purchased. I think the Minister gave an undertaking to the Leader of the Opposition that he would have some inquiries made on that very point and into the nutritional value or vitamin content of filled milk as against wholemilk; so I would like him to give me this information.

The next proposition I submit is this: that the manufacture of filled milk—as the name suggests, and as the interpretation sets out in the Bill—requires milk as a base. Albeit, certain substances have previously been removed from the milk. As one who lived on a farm very many years ago at rather tender years, I am wondering, in the case of Australia or Western Australia, what happens to that skimmed milk. In other words, as I see it—and I repeat I am seeking information—the milk would still be drawn from the dairy farmers, but there would be previously extracted from it certain ingredients for cream, butter, or cheese, or something of that nature.

Mr. Watts: I think you would be getting less ham and eggs if you did not use skimmed milk for that purpose.

Mr. GRAHAM: I wonder again whether we have the right to direct that a certain commodity shall be sold in direction A instead of direction A and B if the producer cares to operate that way; because if we applied that principle to all of our industries, goodness knows where we would be! I look at the Minister for Railways as I say this, and I think I can just about out-rival him in the matter of free enterprise so far as this matter is concerned.

The member for Merredin-Yilgarn has more or less assured us that there could be a tremendous scope for the export of filled milk to some of our northern neighbours. Yet here we have legislation which is to prevent the manufacture of a foodstuff that might be readily sought and which perhaps could be exported at quite a profitable price. I do not know. I wonder if the Minister for Agriculture could give us any idea of what the selling price of filled milk would be likely to be as against the wholemilk supplied from dairies at the present time. I do not know whether it would be cheaper or dearer. I do not know whether its food value would be greater or lesser.

Getting away from these issues, on which I hope the Minister will give me some information, I am also concerned with the savage nature of the penalties sought to be imposed. For a person who manufactures filled milk, the penalty for a first offence is £200; and for a second

or subsequent offence, the penalty is £300. A person who even sells it is subject to the same penalties. A moment's reflection will indicate there are far lesser penalties for offences that could be far more serious than these.

Even worse than that, if a person is found in possession of filled milk, and an inspector asks for his name and he refuses to give it, there is a penalty of £100. I do not know, but I should say that in ordinary common law nowhere would a penalty be found as high as £100 for a person failing to meet that particular requirement. It does seem that somebody has set about this with a vengeance.

My final remark in connection with this filled milk is that if it has lasting properties that are not peculiar to fresh milk—if I might use that term—there may be some distinct value in the product. If it can meet reasonable nutritional value standards; if it can be supplied more cheaply; and if we had some regard for the ordinary working man, the pensioners, or people who are in the lower income strata, then perhaps it would not be such a bad thing after all if we were able to obtain this cheaper commodity.

I do not think for one moment you, Mr. Speaker, or the Minister for Agriculture, would think that if we did permit the manufacture and sale of filled milk it would mean a final death-blow to the dairying industry. In other words, very many people would still want fresh milk, as we receive it now, and a great deal of it would go into factories for the manufacture of powdered milk, condensed milk, and the rest of it. There are still those people who like cream. There is butter to be manufactured, and this market would still be available to the dairying industry in order to dispose of its product.

It will be appreciated—if other members are in the same mood as myself; and I have no doubt that that is so—that we are being called upon to make a serious and possibly far-reaching decision. In fact, we do not know a great deal about the whole proposition. I think experience shows that when once there is placed upon the statute book any limitation, or restriction, or ban, it becomes exceedingly difficult to make any easement, or to remove the restriction on some future occasion.

For that reason, I only wish I were in possession of some more facts in connection with this matter so that I could cast my vote with a greater deal of certainty than I feel I can at the present time. In other words, I have a feeling that in the interests of an industry which fears something more than it need fear; and in our desire to protect that industry, we, in the final analysis, are doing the wrong thing.

That is how I feel in connection with the matter; because I do not like this proposition of placing a complete ban on the

freedom of the people to purchase and make use of a certain commodity. It goes further than that, in that it prevents the manufacture and sale of the commodity. I hope I have made it abundantly clear that I do not know a great deal about the Bill, and would appreciate some guidance.

SIR ROSS McLARTY (Murray) [10.38]: The question of substitutes for certain primary products has been causing great concern in Australia for some considerable time, and I listened to the member for Merredin-Yilgarn with considerable interest. For as long as I can remember, the dairying industry has always been in difficulties. When I first came into Parliament there were difficulties confronting the industry, and it seems that they have gone on ever since. If these substitutes are going to make further inroads I can see the industry getting into still further difficulties.

The member for Merredin-Yilgarn said that the Commonwealth was already providing £13,500,000 per year in subsidy. Only a few years ago it was £16,000,000, and it looks as though that subsidy will continue for some time.

As we know, the industry is one of our great primary ones and also a very large employer. We have had to pass legislation regarding the manufacture of margarine. The member for East Perth well knows that there is no question about margarine being a nutritive food. Many people, even experts, have great difficulty in deciding whether they are eating margarine or butter.

Mr. Graham: Do you remember a few years ago when it was used exclusively in Parliament House, and no members knew the difference for weeks?

Sir ROSS McLARTY: That is so. If we took up this attitude and said, "Let them manufacture all the margarine they like," there is no doubt at all it would have a most detrimental effect on the dairying industry.

Mr. W. Hegney: You do not believe in free competition?

Sir ROSS McLARTY: Does the member for Mt. Hawthorn believe in wiping out a great primary industry?

Mr. W. Hegney: I am asking you a question.

Sir ROSS McLARTY: I am throwing it back on you.

Mr. W. Hegney: And I am throwing it back to you.

Sir ROSS McLARTY: We would not be rendering the State a service by assisting to wipe out a great primary industry through allowing the indiscriminate manufacture of certain substitutes. The fact that margarine would be cheaper would also have another detrimental effect on the dairying industry; and would, I suppose, eventually lead to a still greater

subsidy being provided which, as the member for Merredin-Yilgarn stated, has to be provided by the taxpayers of this country.

The member for East Perth said that filled milk had the same nutritional value as milk. That may be so; I do not know. But let us take it that that is so. It would not be in a different category from margarine which production we have already restricted in the interests of the dairying industry. The member for East Perth referred to separated milk, and said that if we did not pass this legislation, we would still be using milk. That is so. But it would not be the same product as the whole milk; and in exporting it, we would not receive the same value.

There is a use for our skim milk in this country. It is used very largely by farmers for stock purposes—whether it be for feeding of calves or pigs—and some of it is dried. Therefore we are using it, and it is not going to waste. We know, too, that in our State there are a large number of farmers who are dependent on the dairying industry. If they found it uneconomical to carry on, those holdings would become vacant. Perhaps I had better say that they would be absorbed into the properties where other farming pursuits would be carried on, and in that way we would lose a great many dairy farmers. Therefore the question of subsidies, in a State which is in the main a primary-producing one, is most important.

We have all been concerned about the substitutes for wool. We know that if synthetics were to take the place of wool to any considerable extent, a huge area of Western Australia would be denuded of the wealth it is producing. I know it is not desired that I discuss synthetics and wool; but again the same position would arise in regard to the dairying industry—an industry for which the Commonwealth is already providing £13,500,000 per annum, and towards which the State is also paying something.

If we are to allow the substitutes to come on the market, and allow people to manufacture what they like, then an industry, if it is not extinguished, will undoubtedly face a very great reduction in regard to its general outlook. This legislation, as in the case of previous legislation, is introduced on an Australia-wide basis. Every Government in Australia has seen fit to introduce it, realising that something must be done to protect one of our great primary industries. That being the case, I have no doubt that we will agree to it in this Parliament.

MR. TONKIN (Melville) [10.46]: I am not at all satisfied that, through this legislation, we are going to assist the farmer. I listened very intently to what the member for Murray had to say, because he has represented a dairying district for many

years. He kept on talking about filled milk being a substitute, and placed it in the same category as margarine and synthetics. I do not. With margarine, it was not necessary to use anything which came from the cow. All the ingredients could be obtained from elsewhere; so, in encouraging the manufacture of margarine, we would be encouraging the manufacture of something which could be used as a complete substitute for butter and, as such, could seriously affect the sales of butter, and therefore affect the income of farmers.

But that is not so with filled milk. In order to manufacture filled milk, one has to start with milk from the cow; and the more filled milk which is manufactured and sold, the more skim milk will be necessary in the first instance—and one can only get that skim milk from the cows. Therefore, that would mean work for the dairy farmer.

It is a well-known fact that Western Australia has to import large quantities of butter every year, so that we are not producing sufficient milk in Western Australia to permit of the extraction of enough butterfat to provide for the requirements of Western Australia so far as butter is concerned. Obviously, therefore, it would be a good thing if we could stimulate the dairying industry in Western Australia to the extent of enabling us to provide our butter requirements; and if we provided our butter requirements ourselves, we would have a lot more skim milk than now; and are we going to waste it?

Or should we provide an opportunity for using it and, therefore, an additional source of revenue for the dairy farmer, in order that we may meet the very big demand for this cheaper commodity which exists in the world today?

Sir Ross McLarty: Would the skimmed milk be wasted?

Mr. TONKIN: Many farmers waste it now. Not every dairy farmer in the butterfat market uses all his skimmed milk in feeding pigs.

Mr. I. W. Manning: Yes; they use it to feed calves. There is not one pint of it wasted.

Mr. TONKIN: I have seen it tipped down the sink by the bucketful. Let us assume that what the member for Harvey says is correct, and that farmers are feeding skimmed milk to pigs. I maintain that the farmer, if he had a market for his skimmed milk, could find some cheaper and better feed for his pigs; and he would then have a market for his butterfat and a market for the skimmed milk, and perhaps could produce better bacon. I would like to hear the member for Harvey on that.

Mr. I. W. Manning: There is a market for every gallon of milk that can be produced now.

Mr. TONKIN: I am wondering whether, by passing this legislation, we would be rendering the farmer a service; because filled milk cannot be placed in the same category as margarine. If we encourage the production and sale of margarine—a cheaper commodity—it is conceivable that we will reach a stage where the demand for butter will fall seriously; with an inevitable curtailment of the operations of dairy farmers, who would thus face a complete loss of the market—but that is not so with filled milk.

Mr. I. W. Manning: But this measure seeks to protect the wholemilk industry.

Mr. TONKIN: The honourable member had his opportunity to speak; and I do not think he should be breaking into my time, in order to say some more.

Mr. May: He has already said all he can.

Mr. TONKIN: The only question of importance, in the final analysis, is whether this legislation is really in the best interests of the dairy farmer. I will agree that it is a difficult industry, and one which must be fostered and developed; and that we must encourage those engaged in it. But, like the member for East Perth, I am not satisfied that this measure will achieve that end; because I am not yet convinced that the manufacture and sale of filled milk would constitute a threat to the dairy farmer. On the contrary, I feel that it would be of considerable advantage to him as he would have to provide the basic commodity, before filled milk could be manufactured.

Without skimmed milk there can be no filled milk; and if, as the member for Harvey said, no skimmed milk is available, because it is fed to pigs, the manufacturers of filled milk will not be able to purchase skimmed milk.

Mr. I. W. Manning: I said the skimmed milk was fed to calves; you said it was fed to pigs.

Mr. TONKIN: Before a manufacturer can engage in the production of filled milk he must buy skimmed milk from the dairy farmer; and if it pays the farmer to sell it rather than feed it to pigs, why should he not be allowed to do so? Instead of preventing these people from using skimmed milk, we should encourage them to do so.

Mr. Watts: The wholemilk producer has no skimmed milk to sell.

Mr. TONKIN: Then he will not be selling it. We must get down to some clear thinking and not fall for the old fetish that, because we have an industry in this country, we should not allow anything to come into competition with it. We must be assured, in the first instance, that it will mean competition; and in this case I am not convinced of that.

I agree, without hesitation, that synthetics can be a real threat to the farming industry, inasmuch as they can reduce the sale of wool. And margarine, if its manufacture were encouraged, would be a serious threat to the dairying industry, because it is a substitute for butter and, the more it is used, the less butter is required. But filled milk is not in the same category; because in order to make it, one has to start off with milk from the cow, and there must be cows to produce that.

Mr. Roberts: But it is a substitute for wholemilk.

Mr. TONKIN: If the farmer prefers to sell his milk as wholemilk, he will not be selling it as skimmed milk; and so the manufacturer will not be able to buy skimmed milk with which to manufacture filled milk. The dairy farmer is the man we are trying to encourage; so why not let him sell all the milk he can? If it pays him to sell skimmed milk, rather than feed it to pigs, why not let him do so?

We are obliged to import large quantities of butter every year and have done so all my life. We are likely to continue to import butter for many years to come; and so we should encourage our farmers to produce more wholemilk and more butterfat, and then they will have surplus skimmed milk. One of the ways in which to encourage them to produce more butterfat is to say to them, "Not only will you have a market for all your butterfat, but also a big market for your skimmed milk."

Sir Ross McLarty: But that will destroy the wholemilk market.

Mr. TONKIN: How on earth could it destroy the wholemilk market when the dairy farmers will themselves be in control of it? They are the ones who are supplying the wholemilk market today; and they will be supplying the skimmed milk for the manufacture of filled milk. It seems that the economics of this question have not been given the slightest consideration by anyone; and that we have followed the usual routine of saying, "Here is something which may be a threat to an existing industry. Let us block it."

We are asked to say that this is a commodity which might constitute a threat and that therefore we should block it. Filled milk is a different commodity from margarine and synthetics, as they can be produced without encouraging any existing industry at all, and can therefore be a real threat to such industries. But the filled milk industry can flourish only while the dairying industry is flourishing; because, if the dairying industry goes out of existence, there will be no skimmed milk and therefore no filled milk.

So it ought to be obvious that the prosperity of both of them is a matter which will concern both of them; and it might very well be that in providing a market for skimmed milk we could be providing an opportunity for a greater return to the dairy farmer than he is now getting.

I think it is worth further investigation. I agree with the member for Merredin-Yilgarn, who I thought made an excellent speech on this question, that we should not be deciding here and now that for ever and a day we will prevent the manufacture of filled milk; but let us put a period to the legislation and, in the meantime, go more carefully into the economics of it. It could very well be that while some farmers may think it is a threat to their livelihood today, before long they will be clamouring for the introduction of this industry to provide them with an additional avenue for the sale of the goods that they produce.

Sir Ross McLarty: Representatives of the dairying industry all over Australia have gone into it very thoroughly and they have asked for this legislation.

Mr. TONKIN: If they have gone into it very thoroughly, is there anywhere one can find the results of their research? Because I am most interested to read it.

Sir Ross McLarty: I don't think you would have any difficulty there.

Mr. TONKIN: Have you seen anything about it?

Sir Ross McLarty: Only what I have read from time to time.

Mr. TONKIN: Where have you read it?

Sir Ross McLarty: It must have impressed the Commonwealth Government.

Mr. TONKIN: I have not seen the result of any research into this question.

Mr. W. Hegney: And the Minister did not give us anything.

Mr. TONKIN: I am of the firm belief that very little investigation has been made into the economic side of this matter.

Sir Ross McLarty: Yet every Government in Australia is introducing this legislation.

Mr. TONKIN: That would not prove anything. It has been so often shown that majorities prove nothing; they only decide matters for the time being; and majorities have quite often been wrong. I can remember reading in my books at school many years ago that there were many people who thought the world was round, but the majority of them thought it was flat. The people who thought it was round were threatened with burning at the stake.

So we can live and learn; and, despite what the more experienced men in the dairying industry might think about this matter, I am unconvinced that this step

is in the best interests of the dairy farmers. Because I am unconvinced, I am not enthusiastic about this legislation.

I am asking now most seriously and earnestly whether any member knows where there is some reliable data on the question; and, if so, will he indicate to me where I can see it? Because I am most interested to learn what I can about it. I am not at all satisfied that sufficient investigation has been made or sufficient consideration given to this question from the proper point of view. I feel all we have done is to follow the usual track—"This is going to be a threat to our industry. Let us block it in some way"—as many years ago the great mass of workers misguidedly believed that the introduction of machinery would be a threat to their livelihood and smashed the machines.

I think it is the same feeling which is causing primary producers to be opposed to things of this kind without being absolutely certain that the course they are taking is in their own interests. I will not go so far as to oppose the Bill, because I am not satisfied as to the correct course to take; but nevertheless there are extreme doubts in my mind.

On motion by Mr. Watts (Attorney-General), debate adjourned.

House adjourned at 11.5 p.m.

Legislative Council

Wednesday, the 12th August, 1959

CONTENTS

	Page
ADDRESS-IN-REPLY :	
Presentation	912
QUESTIONS ON NOTICE :	
Goats—	
Extinction of wild goats in the Recherche Archipelago.	912
Prevention of further destruction	913
Railway Department, watches issued to staff	913
Rural and Industries Bank, transfer of bricks to Esperance building	913
War service land settlement, transfer and sale of farms	914
Pemberton trout hatcheries, assistance	914
Koolyanobbing iron ore, sale to Japan	914
Esperance, additional water supply	915
MOTIONS :	
Members' reference committee, proposed appointment	915
Licensing Act—	
Printing of parliamentary committee's report	941
Order discharged	942

CONTENTS

	Page
BILLS :	
Royal Commissioners' Powers Act Amendment, assent	912
State Electricity Commission Act Amendment, 1r.	918
Foot and Mouth Disease Eradication Fund, 1r.	918
Supply, £21,000,000—	
2r.	918
Com., report, 3r., passed	940
Cattle Trespass, Fencing, and Impounding Act Amendment, 2r.	940
Transfer of Land Act Amendment—	
2r.	942
Com.	942
Report	943
Child Welfare Act Amendment, 2r.	943
ADJOURNMENT, SPECIAL	944

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

ADDRESS-IN-REPLY

Presentation

The PRESIDENT: I desire to announce that, accompanied by several members, I waited on His Excellency the Governor and presented the Address-in-reply to His Excellency's Speech, agreed to by the House. His Excellency has been pleased to make the following reply:—

Mr. President and honourable members of the Legislative Council: I thank you for your expressions of loyalty to Her Most Gracious Majesty the Queen, and for your Address-in-reply to the Speech with which I opened Parliament.

ROYAL COMMISSIONERS' POWERS ACT AMENDMENT BILL

Assent

Message from the Governor received and read notifying assent to the Bill.

QUESTIONS ON NOTICE

GOATS

Extinction in the Recherche Archipelago

1. The Hon. J. M. A. CUNNINGHAM asked the Minister for Mines:
 - (1) Will the Minister advise the House in what circumstances goats are declared vermin?
 - (2) Is it true that a small herd of goats on Gull Island and Rabbit Island in the Recherche Archipelago, which have been something of a tourist attraction for a number of years, are to be exterminated?