

provide the opportunity for it to be connected, if in the long run it will work out to be an economical proposition. The road board could make a guarantee of a certain amount to be consumed by the residents of the town who, in turn, would guarantee to the road board a certain consumption. As the Act stands there is no hope of any one individual becoming connected to the scheme, because it would be entirely uneconomical. I hope the Committee will agree to the amendment moved by the Legislative Council.

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

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

House adjourned at 12.35 a.m. (Thursday).

Legislative Council

Thursday, the 26th November, 1959

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

BILLS (7)—ASSENT

Message from the Governor received and read notifying assent to the following Bills:—

1. Adoption of Children Act Amendment Bill.
2. Traffic Act Amendment Bill (No. 3).
3. Road Districts Act Amendment Bill (No. 2).
4. Housing Loan Guarantee Act Amendment Bill.
5. Administration Act Amendment Bill.
6. State Transport Co-ordination Act Amendment Bill.
7. Municipal Corporations Act Amendment Bill (No. 2).

QUESTIONS ON NOTICE

PORT HEDLAND POLICE STATION

Erection

1. The Hon. W. F. WILLESEE asked the Minister for Mines:

When is it anticipated that the new police station and quarters will be completed at Port Hedland?

The Hon. A. F. GRIFFITH replied:

A new courthouse at Port Hedland costing approximately £28,000 is expected to be completed by March, 1960. No funds are available this financial year for a new police station and quarters at Port Hedland.

WITTENOOM GORGE Water Supply Scheme

2. The Hon. W. F. WILLESEE asked the Minister for Mines:

As a result of finding a plentiful supply of good water for Wittenoom Gorge, when can residents expect the scheme to be put into operation?

The Hon. A. F. GRIFFITH replied:

Large-scale improvements to the Wittenoom water supply at a cost of £45,000 include the equipping of four bores with small diesel-driven pumps, a collector tank and main pump, together with more than four miles of 6-inch piping. A sum of £30,000 has been made available for work to be carried out this financial year, with a view to giving relief to the town and the industry. The remainder of the work will be undertaken next year.

PENSIONERS

Number Under 1871 Act, and Payments

3. The Hon. G. E. JEFFERY asked the Minister for Mines:

- (1) What is the total number of recipients of pensions under the 1871 Act?
- (2) Of this number, how many are in receipt of pensions of less than £600 per annum?
- (3) Is it the intention of the Government to increase payments to those in receipt of pensions in the low income group referred to in (2)?

The Hon. A. F. GRIFFITH replied:

- (1) 237.
- (2) 169.
- (3) A review is being made of pensions payable under the 1871 Act, together with those payable under other State Superannuation Acts.

TRAFFIC LIGHTS

Grand Promenade-Walter Road Intersection

4. The Hon. G. E. JEFFERY asked the Minister for Mines:

Further to my question on Thursday, the 20th August, 1959, relative to the installation of traffic lights at the Grand Promenade-Walter Road intersection in the Morley Park district, will the Minister inform the House—

- (1) Has a further traffic count been made?
- (2) If the reply to No. (1) is "No," will the Government agree to a further count being made immediately?

- (3) By what figure did the previous count, made in March, 1959, fail to reach the departmental requirement necessary for the installation of lights?

The Hon. A. F. GRIFFITH replied:

- (1) No.
- (2) In view of the March, 1959, traffic survey vehicular volumes being comparatively low, there appears to be no necessity to undertake a further survey immediately.
- (3) There is no single departmental requirement to be met in respect of traffic signal installation. Consideration must be given to physical and traffic characteristics, types of movement, accident pattern, conflicting vehicular volumes, whether the installation will be in isolation or part of a signalled system, etc. However, before such investigations are made, it is necessary that vehicular volumes using the intersection should reach a certain minimum level. The March, 1959, survey showed that vehicular volumes at the Grand Promenade-Walter Road intersection were only 52 per cent. of that required for further investigation in respect of provision of traffic signals.

KALGOORLIE "MAGAZINE" AREA

Leasing and Erosion

5. The Hon. E. M. HEENAN (for the Hon. J. M. A. Cunningham) asked the Minister for Mines:

- (1) Under whose control is the area, known as the "Magazine" in Kalgoorlie, vested?
- (2) What is the acreage of this area?
- (3) Has the responsible department leased this area to anybody for the holding or pasturing of sheep?
- (4) Is the department aware that the Kalgoorlie Road Board is making a special drive to preclude the further denudation of natural scrub and growth by grazing stock in the vicinity of the town boundaries?
- (5) Has the department, or any of its officers, seen the paddocks which have been eroded to the bare clay by the blowing away of some 12 inches of top soil after its depasturing by sheep?
- (6) Will the department contact the Kalgoorlie Road Board which has a regeneration committee, and verify the concern felt by the board at the leasing of these areas?

The Hon. A. F. GRIFFITH replied:

- (1) Magazine reserve No. 3540 is vested in the Minister for Mines.
- (2) 150 acres.
- (3) Imperial Chemical Industries are licensed to store explosives in 12 magazines which are distributed at safe intervals on the reservation. No leasing for pastoral purposes has been granted to any party, nor has the Minister power to so lease.
- (4) Yes.
- (5) There is no authority for sheep-grazing on this reserve. Another large reserve for sewage purposes adjoins the magazine reserve, and it is possible that this is the one referred to.
- (6) The Mines Department will be pleased to co-operate with the Kalgoorlie Road Board at any time.

PERTH CENTRAL STATION

Tenders for Cab-Rank Franchise

6. The Hon. J. M. A. CUNNINGHAM asked the Minister for Mines:

- (1) Were tenders called for the franchise of the cab rank at Perth Central Railway Station?
- (2) Was any effort made to ascertain whether a better offer could be obtained?
- (3) If no tenders are to be called would the Minister consider other offers if they were submitted?

The Hon. A. F. GRIFFITH replied:

- (1) No. Under railway by-law No. 41, provision is made for cabs on railway ranks being licensed individually. The arrangement with members of the Railway Taxi Drivers' Association is one of many years' standing. Recently annual licence fees were reviewed and increased and current permits extended to the 31st December, 1960.
- (2) An offer, which would realise more revenue was received from a taxi company; but, having regard for the long association with the rank of present operators, renewal of licences to the 31st December, 1960, at the revised rate was agreed to.
- (3) The question of future methods of operating the rank are under consideration.

ONGERUP-ALBANY ROAD

Improvement Work

7. The Hon. J. M. THOMSON asked the Minister for Local Government:

- (1) What work has been carried out by the Main Roads Department on the eastern end of the Stirling Ranges from Ongerup to Albany via Chillilup, to date?

- (2) Are there any major works on this road envisaged for this financial year?
- (3) If not, can any information be given as to what is anticipated to be done by the department, and when?

The Hon. L. A. LOGAN replied:

- (1) The Main Roads Department has been improving from time to time the road from Ongerup to Chillilup, and thence to Albany. The latter section serves particularly the needs of the Gairdner settlement area and Bremer Bay area.
- (2) £22,000 has been provided on this year's programme for further improvement works between the Borden-Albany Road and Chillilup.
- (3) Answered by No. (2).

ALBANY-ELLEKER ROAD

Improvements

8. The Hon. J. M. THOMSON asked the Minister for Local Government:

- (1) Has the Main Roads Department, in conjunction with the Albany Road Board, any proposals for improvements to the Albany-Elleker road?
- (2) If so—
 - (a) what is the programme of works;
 - (b) what is the estimated expenditure;
 - (c) when is the work expected to be completed?

The Hon. L. A. LOGAN replied:

- (1) Proposals have been prepared for extensive improvements with departmental funds.
- (2) (a) The department has proposals in hand for the sealing of the Albany-Elleker-Youngs Siding road.
- (b) The estimated cost of the work is £200,000.
- (c) It is expected that work will start in 1960-61, and will take about four years to complete.

QUESTION WITHOUT NOTICE

SILICOSIS

Appointment of Investigation Committee

The Hon. E. M. HEENAN asked the Minister for Mines:

Has the Minister any further information to give the House regarding the appointment of a committee to investigate the incidence of silicosis?

The Hon. A. F. GRIFFITH replied:

The honourable member was kind enough to give me some notice of his intention to ask this question. Rather hurriedly, I was able to consult with my colleague, the Minister for Labour, and he asked me to inform the honourable member that immediately the session is over he will complete the appointment of the committee as requested by this House.

ROAD CLOSURE BILL

Second Reading

Debate resumed from the previous day.

THE HON. L. A. LOGAN (Midland—Minister for Local Government—in reply) [2.28]: One or two queries were raised in regard to this measure and the Reserves Bill, and I think if I answer the questions in respect to both Bills now it will save time. The first question was raised by Mr. Strickland regarding the number of a reserve. Actually, the number as shown in the Bill is the correct one but, apparently in the preparation of the notes, the number of a plan was used. Mr. Davies was critical of the Lands Department for what he considered its tardiness in doing its work on the transfer of lands on a reciprocal basis.

The PRESIDENT: Order! I think the Minister should stick to the one Bill so that it may be more clearly understood.

The Hon. L. A. LOGAN: The only query raised on this Bill was in respect to the number of a reserve, and I have answered that. The other two queries were raised on the Reserves Bill, and I will deal with them when I reply to the debate on that measure.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (the Hon. W. R. Hall in the Chair); the Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clauses 1 to 16 put and passed.

Clause 17—Closure of certain roads at North Fremantle:

The Hon. R. THOMPSON: I ask the Minister for an assurance that a footway will be constructed to enable people to get from the highway to the beach at Leighton; otherwise it will be most inconvenient for those wishing to use the beach.

The Hon. L. A. LOGAN: I have discussed this question with the Minister for Works and it seems as though it could be possible to put in a sleeper footway or a gravel-bitumen footway across to the beach at Leighton. But I think it will have to be an overway because we cannot have

people running across the marshalling yards. Anyhow, I will keep the matter before me and see what can be done.

Clause put and passed.

Clauses 18 to 26 put and passed.

Title put and passed.

Bill reported without amendment and the report adopted.

Third Reading

Bill read a third time and passed.

RESERVES BILL

Second Reading

Debate resumed from the previous day.

THE HON. F. J. S. WISE (North) [2.39]: This is always a very interesting Bill dealing with the excisions of reserves which accumulate during the year. There is one clause in the measure which interests me particularly as a person, quite apart from any interest I might have as a member of this legislature. I refer to the reserve dealt with in clause 25 of the Bill. When the Minister was introducing the Bill I recalled very clearly the number of the reserve mentioned in clause 25, because the matters associated with it were indelibly impressed on my memory. That reserve is part of the old Government Domain which, during the war years, was reviewed, in common with many other areas, as a potential site for public buildings. As Dr. Hislop will remember clearly, for two successive years, I, as Minister for Lands, endeavoured to have passed in both Houses a Bill to excise a substantial portion of the Government Domain for public buildings; and the area to be set aside took in a part of the reclaimed area to the south of the Domain by the closing of a certain portion of Pier Street, which through the ages had never been closed.

For two years it was not possible to get agreement between the Houses as to how much of that area should be excised, but, ultimately, as the result of a Select Committee of both Houses, this House passed a Bill which, until some members of the House became members of a Select Committee to investigate the matter, had no chance of being passed at all. After that very thorough review, 10 acres were excised from the Government Domain to be the ideal place, on the then analysis, for a site for public buildings.

Plans were prepared—plans for most modern buildings several storeys high—based upon the design of those splendid buildings in Melbourne, Victoria, facing Fitzroy Gardens, which house so many Government officers of that State. The plans—I am speaking of 15 or 16 years ago—would still be with the Public Works Department. They were for office accommodation considered then to be adequate for very many years for almost all Government departments.

It is, therefore, a remarkable turn, after many years of endeavour to get a particular site for a potential use, considered at that time to be the best possible site, and to find its not being wanted for that purpose at all. It is one of those things in which a lot of hard work and effort were concentrated; and although perhaps not to no purpose, certainly quite abortive so far as the then reason was concerned.

Since those times, Governments have purchased and exchanged many reserved areas for Government buildings. But, unfortunately, we are no closer to getting a consolidation of the very many public offices which should be concentrated, I respectfully suggest, in one structure, where the public, and particularly people coming down from the country, could get their queries answered, instead of having to travel miles to obtain an answer to their inquiries when dealing with seven or eight Government departments.

It is a very unfortunate trend. In more recent times I recall purchasing land adjoining Plain Street, which is now used by the Police Traffic Branch. The idea was to have the Government departments together rather than have them scattered. The trend has been so pronounced that we have removed from the Observatory the Herbarium and shifted it to an outer suburb.

Many other Government departments have gone similarly. This area mentioned in the clause was won after protracted negotiations, which Dr. Hislop and Mr. Heenan will remember. I put to this House, by an Assembly approach, the proposition to purchase Christian Brothers' College at a gift price. That area of 14 acres was in an ideal situation for public buildings.

The Hon. L. C. Diver: It would be worth something today.

The Hon. F. J. S. WISE: The area of Christian Brothers from St. George's Terrace to the Esplanade—to its boundary there—was offered at a gift price. The Church was most reasonable in its approach in those days to the Lands Department, but the consolidation did not take effect. However, the area was excised from the Government Domain—this particular reserve for the purpose of consolidation of public departments and buildings—which is an ideal site.

I am not criticising the Minister for Local Government; but we are asked today to excise a portion of that reserve, the history of which I have briefly related, for another purpose altogether—for a Commonwealth department to take over. It is a little incongruous I think. I feel the Government has not much alternative in the matter. I simply relate the history and say that it is no fault of this Government, the Minister in this House, or his counterpart,

the Minister for Lands, in that we are disseminating consolidated areas by an action of this kind and spreading far and wide each year Government departments which should be readily accessible from one bus stop.

Members will find in the report of the Select Committee to which I referred that the committee comprised men from this House of considerable activity and ability who, in spite of their own convictions—as Mr. Heenan and Dr. Hislop will recall—came back here convinced of something they were originally opposed to, and said so. I wish that we could have had a knowledge of this before it was too late. In such cases as we have dealt with in this Bill we are dealing with accomplished facts—dealing with things already done.

We are dealing with areas already re-allocated or given to someone else. Unfortunately, year after year, we have no alternative. That is the situation.

[The Deputy President (the Hon. W. R. Hall) took the Chair.]

The Hon. A. F. Griffith: What would happen if Parliament were to disallow one of these?

The Hon. F. J. S. WISE: It could not go on.

The Hon. A. F. Griffith: So we are not dealing with accomplished facts in actual fact.

The Hon. F. J. S. WISE: We are, with respect to you, Mr. Deputy President, because in most cases it would be wrong for Parliament not to approve. I am not in any way speaking complainingly; I am trying to analyse the unfortunate situation that all Governments find themselves in in connection with reserves of this kind. I simply put forward this matter with some historical background to show how unfortunate it is that instead of our getting, in one consolidated form, an area of important buildings, suited to access by the public, we are throwing those buildings further and further apart.

THE HON. L. A. LOGAN (Midland—Minister for Local Government—in reply) [2.58]: I appreciate the approach of Mr. Wise to this reserve; but it is not an accomplished fact. I can assure him of that. But to enable the Government to negotiate and complete negotiations, it is necessary for it to be included in the Reserves Bill.

The Hon. F. J. S. Wise: I appreciate that.

The Hon. L. A. LOGAN: I appreciate the issue raised by Mr. Wise; but we are trying by selling that land, to do exactly what he wants to accomplish.

I believe it was a Labor Government which purchased Hale School and made the transfer for the purpose of putting public buildings on that site. The Town

Planner has recommended that the Observatory site also be used for public buildings. We believe that all the money from the sale of this land, will be used for public buildings on the Hale School and Observatory sites. Together they form a fairly big area; and by this means we think we will be accomplishing some consolidation.

The reason why the Commonwealth Taxation Department wants to get out of the building where it now is, is a good one; because while it remains there it depresses the value of the surrounding buildings; and, in fact, all that portion of the City of Perth declines in value. I repeat that it will be a good thing for that portion of the city if the Commonwealth Taxation Department moves out; and I think there is one firm which could well make use of that area.

The Hon. F. J. S. Wise: I know of a Government which turned down that site for £48,000.

The Hon. L. A. LOGAN: I do not know what is likely to be paid for it today. We have given this transaction a lot of thought, and it has not been entered into lightly. It is for the reason which Mr. Wise mentioned that the money from that transaction, if the deal goes through, will be set aside for the purpose of public buildings on the Observatory and Hale School sites. We can give that guarantee.

The Hon. F. J. S. Wise: Have you an idea of the figure?

The Hon. L. A. LOGAN: It is a matter of negotiation at the moment.

The Hon. F. J. S. Wise: It is highly valuable land.

The Hon. L. A. LOGAN: We have obtained a rough valuation. We got a valuation from our own department and another from a sworn valuer, but there is a difference between the two.

The Hon. F. J. S. Wise: Do you know the area of the reserve remaining?

The Hon. L. A. LOGAN: If the sale of the two blocks goes through, it will come almost up to the lodge of the Governor's residence and will probably take in a small portion of his vegetable garden at the back.

The Hon. F. J. S. Wise: Are you keeping a road between there and Christian Brothers' College?

The Hon. L. A. LOGAN: There will be a small portion there, as far as I know at the moment. Mr. Davies was critical of the Lands Department, and I intend to send the context of his speech to the Minister for Lands and ask for a reply. I have had a short reply to say that the letter is receiving consideration; but that does not suit the honourable member, because he says this has been going on for the last three years.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (the Hon. E. M. Davies) in the Chair; the Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clauses 1 to 24 put and passed.

Clause 25—Reserves Nos. 22240 and 2241, at Perth:

The Hon. J. G. HISLOP: The story of this piece of land, as related by Mr. Wise, is well-known to those of us who were here at that time. It is also a matter of interest that the man in the street could not understand why we did not buy Christian Brothers' College; although I doubt whether many people knew, from a public point of view, that it was possible to buy it.

The Hon. F. J. S. Wise: Parliament turned it down.

The Hon. J. G. HISLOP: Yes, at that stage. The lay-out of the city has altered entirely since then. It would have seemed ridiculous in those days, to suggest that public offices would ever be as far out of the city as the Observatory site. It seems that nobody can conceive what will happen to a growing city; and most people have a lack of vision as to what is likely to happen in the future. I can remember that when I first came to Western Australia, I tried to persuade my father to purchase a block of land on the Dalkeith waterfront. He assured me that I was wrong in wanting to purchase it, and said that there would be nobody living there in my lifetime. He asked what, in those circumstances, would be the use of buying that land.

That block of land, which we could then have purchased for £100, was sold recently for over £6,000. The expansion of a city is something that people just cannot envisage. Mr. Wise mentioned a roadway being reserved; but from what I can gather of the size of the piece that will be left, it will not be a roadway but a walk. I think that is what is meant, and that there will be no traffic on it. It looks as though it could be made a walk such as Chelsea Lane, in London; and, if so, it could be considerably beautified. I think it is ideal that that area should be left, because if the Commonwealth Bank is to purchase that land—

The Hon. L. A. Logan: Not the Commonwealth Bank!

The Hon. J. G. HISLOP: If the Commonwealth Taxation Department is to purchase that land, it will erect on it a large Government building which will have to be in keeping with the value of the land; and it is essential that it have a wide frontage, because the modern trend in architecture is to have a separate facade on each side of a building. In the past we had buildings with a back wall,

but those days have now gone; and the Taxation Department should be able to stand up to the expenditure of modern architecture.

Modern offices have also been mooted for some time on the Observatory and Hale School sites. I would like to see a great deal of thought given to the question of which portion is to be used for such purposes because it will not be long before the Mount Hospital will have to be moved. With that building should go the houses which stand to the east and west of it because, if this were done, it would open up a wide space at the top of St. George's Terrace. This area could then be beautified by making it into a circus. The slip road which, as has been suggested, should go underground, could still come through Spring Street and pass into the land now occupied by Legacy, and then to the buildings occupied by the Mia Mia Flats; and this also would create a wide circus.

The archway of the Barracks at the end of the Terrace could be left as a monument, because that is the only part of the building worth retaining from a historical point of view. By that means we could have a large area of land opened up; and perhaps a fountain could be installed in the centre with lights playing on the water. In order to equalise the buildings—because that square would tend to go south—Parliament House, if it were extended further, should be extended towards King's Park. On the other hand, if Parliament House were not to be extended, it might be possible to site the Government offices on the land to the south of Parliament House and re-route the road through the Observatory grounds.

By that means the end of St. George's Terrace would present a beautiful sight, surrounded by buildings of outstanding character and beauty; whereas, if the Government offices were erected on the hill—on the Hale School and observatory sites—this could quite easily break the vista. Therefore, before any definite plan is approved for the purpose of putting these offices where it is now contemplated, a full-scale investigation should be made into the best use of the land available at the west end of St. George's Terrace with the object of creating a continuous view from Parliament House eastwards along the Terrace.

The Hon. F. J. S. Wise: Do you think that should be done before this is put into operation?

The Hon. J. G. HISLOP: No; I do not think so. The sort of thing we could envisage is a view down St. George's Terrace such as that which is to be found in Munich where the streets run from one hill to the other through the city, making a continuous vista from Ludwig's Palace to Wagner's Opera House. There are many other cities in the world that have similar vistas. Therefore, we should make

no plans in regard to any one site without making a complete review of the western end of the city, because I am sure that this would help to make Perth more beautiful.

The Hon. L. A. LOGAN: I will submit Dr. Hislop's suggestions to the Town Planner, and no doubt he will discuss them with Professor Stephenson. On listening to Dr. Hislop's remarks, the plan sounds very good, but whether it is practicable or not, I do not know.

Clause put and passed.

Clause 26 put and passed.

Title put and passed.

Bill reported without amendment and the report adopted.

Third Reading

Bill read a third time and passed.

[The President resumed the Chair.]

TRADE ASSOCIATIONS REGISTRATION BILL

Second Reading

Debate resumed from the previous day.

THE HON. L. C. DIVER (Central) [3.7]: This Bill, in the main, seeks to repeal the Monopolies and Restrictive Trade Practices Control Act. As I will be adopting a somewhat different view today, or be voting in a different manner from the way I did on many occasions during the stormy introduction of the original Unfair Trading and Profit Control Act, I intend to give a brief outline of the Act which this Bill proposes to repeal. I will also give my reasons on why I have reached certain conclusions in regard to this measure.

Members will recall that when the Unfair Trading and Profit Control Bill was presented to this House it brought forth a great deal of criticism and dissent from a certain restricted group in this State because they claimed the legislation was extremely harsh. I do not think any member would deny that the original Bill presented to this House was somewhat harsh. As a result, after many amendments sponsored by Mr. Roche, your good-self, Mr. President, and myself, that Bill, as amended, was finally placed on the statute book as an Act.

The Hon. A. F. Griffith: The amendments that were moved were not limited to the three members that you mentioned. There were others who had something to do with them also.

The PRESIDENT: The Minister can make his speech later.

The Hon. L. C. DIVER: They were the three members who sponsored the amendments, but it was the majority of this House that made the final decision to place the Bill on the statute book.

The Hon. F. J. S. Wise: Do you think any amendments could improve this Bill?

The Hon. L. C. DIVER: At least it proposes to leave something on the statute book which, at some later stage, might be amplified.

The Hon. F. J. S. Wise: It is quite worthless!

The Hon. L. C. DIVER: Otherwise, we would have to run the gauntlet of not only Press criticism, but also the criticism of certain commercial interests.

The Hon. F. J. S. Wise: Only emasculation could make this Bill a good one.

The Hon. L. C. DIVER: I concede that the interjection made by Mr. Wise is not without foundation, but as the existing Act is administered today it is sterile and achieves the same result. I have to take a somewhat different view of this measure from the view I took of the previous legislation because, in recent months, the people of this State have spoken; and, whether I like it or not, I have to face up to the realities of political life, which is a different life to that which I followed before I became a member of Parliament, and when I could please myself.

The people have questioned the extent to which they have given a mandate to the coalition Government which will govern this State during its three years of office. A major platform of the Liberal Party's policy has committed that Party to repeal the Monopolies and Restrictive Trade Practices Control Act; and, therefore, it has every right to take steps to carry out its policy, which it is doing by this Bill. Despite what I may think about its policy, and as humble as I may feel about the whole situation, I am forced to cast my vote in the Government's favour. As the existing legislation is being administered at the present time, it may just as well be off the statute book. Members of the Opposition will agree with that.

By repealing the existing Act and replacing it with the provisions in the Bill, some people in the community will be afforded a little protection. Regardless of the views of certain people, there is some merit in the Bill. Dealing with the history of the legislation, we find that it did not go as far as the people whom I represent wanted it to go. If it had gone as far as we wanted it to go, some form of price control over articles used by primary producers would have been incorporated.

The price charged to the rural community for machinery parts and for insecticides used for the controlling of crop pests is particularly heavy. It would appear that the normal law of supply and demand under free enterprise is not permitted to operate in these fields. The day is rapidly approaching—regardless of the political complexion of the Government of the State—when business firms will have to be careful of the price charged

for these articles; if they are not, they may find price control being reintroduced as a result of the demand by the people of this State who will be stifling under the yoke of unfair prices. Neither the Bill nor the existing legislation contains the requisite safeguard; hence there is a remarkable shortcoming in both pieces of legislation.

There has been much expression of opinion about the existing legislation being a deterrent to the establishment of new industry and commerce in Western Australia. After the repeal of the Act, the people who have been spreading propaganda—in my opinion it is unfair propaganda—will have the opportunity of inducing new enterprises to come to this State. There will not be this alleged deterrent, which they claim discourages any industry from establishing itself here.

This is essentially a primary-producing State. The vast majority of the products from the soil of this State can compete with those produced in any other country of the world, notwithstanding the fact that in almost every other country the primary producer is highly subsidised to enable his products to be sold for home consumption or to be exported. Those primary products have to be sold in competition with the primary products of this State. Despite the subsidies being paid to primary producers in other countries, the farmers in this State can still compete, although they have to bear the tremendous cost of transporting their products many thousands of miles overseas to be sold. We have the situation in this State that the primary producers can turn out their products and compete with the other countries of the world without the assistance of subsidies from the public purse.

We are told that this State has to attract secondary industries. To induce them to come, we are told that great financial attractions and concessions have to be offered. I wonder whether, when those industries are established in this State, their establishment will have been brought about at the expense of the primary industries. In providing additional port facilities for the new industries, we may face the spectacle of export charges being levelled against our primary products which have to be sold in competition with other countries.

New industries which will be established here will be provided with tariff protection, and they will shelter under Commonwealth legislation; all this is done to induce them to come here. After these new industries have been established, they will have the additional task of finding a sufficiently large market to absorb their products. I hope that the ultimate cost of production and administration will not be so high as to tax them out of the field, in competition with the products of other countries.

The Bill proposes to repeal one aspect of the existing legislation which is regarded by some people as being obnoxious. I wish the authors of this Bill, and their ideals, every success in inducing secondary industries to be established in Western Australia. I want to make this point: If, after a period of years, the objective which they hope to achieve is not reached, what will they give as the reason for failure? Will we then become again, for years to come, a primary producing State, as distinct from a manufacturing State?

The existing legislation was introduced for the purpose of protecting the public in some respects. In my humble view it has had a salutary effect. The Act was a deterrent against improper trade practices. The officers who were charged with the administration of the legislation have now been transferred to other duties. While that Act remains on the statute book, it will be, to all intents and purposes, a dead letter.

The Bill before us has been introduced as the outcome of certain policies which were enunciated during the last election campaign by the leaders of both the Country Party and the Liberal Party. No matter how distasteful it may be to me personally, I have to accept the position as it is and try to make the legislation contained in the Bill as acceptable as possible.

The Bill will enable some form of orderly marketing to take place between certain types of traders. To that extent it has some merit. I am sure that even members of the Opposition must be somewhat concerned with what is happening in the retail trade. One leading retail establishment in Perth recently reduced the number of staff in its grocery section because of the methods of trading which have developed in past months.

This proves that we can go from the sublime to the ridiculous in price structure. We, as a people, owe something to one another no matter what occupation we may follow. We must ensure that as many as possible of our population are gainfully employed. This should be our prime objective. It is shameful to think that by some people saving, perhaps, ½d. or 1d. on some items, others are going to lose their weekly cheque.

With the inclusion of a few amendments some teeth may be put into this legislation even though they be buck teeth. For that reason I have placed some amendments on the notice paper. If they are accepted, it will be difficult to find a registrar because he will need to have high qualifications. One of the major decisions that gentleman will have to make will be to determine what action he shall take which will benefit the public most. Some people say that that should be left to Parliament, but I believe that there are so many circumstances which could surround such a decision that

it would be far better to leave it in the hands of the registrar. He would be the one to determine what action would be in the best interests of the public.

The Hon. L. A. Logan: It is not very difficult to define, is it?

The Hon. L. C. DIVER: It is not; I grant that. However, to leave my amendments out of the Bill is to render the legislation useless.

The Hon. H. C. Strickland: Like the existing Act!

The Hon. L. C. DIVER: That is so. For all intents and purposes, so far as the people are concerned, the legislation would lie dormant.

The Hon. H. C. Strickland: This is dormant because the Government sacked the investigator.

The Hon. L. C. DIVER: The honourable member was absent when I made that point earlier. My amendments are essential because if the Bill were passed in its present form it would not be effective. Its only use would be that possibly in the distant future when there was either a change of Administration or the present Administration had a change of heart, some fabric would be available around which to weave future legislation.

Another very important amendment which I feel should be included is the one in relation to the right of appeal. There is not a word in the Bill in relation to this matter. It will be recalled that there was a hue and cry when the previous legislation was being discussed because it was thought to be wrong that the be-all and end-all should be left in the hands of one individual. Consequently, it is imperative that there shall be provision for a right of appeal to a judge in chambers. This would be in the interests of both parties.

The Hon. A. F. Griffith: How do you propose that the appeal be applied?

The Hon. L. C. DIVER: The appeal would be applied on such terms and conditions as the judge in chambers deemed advisable.

The Hon. A. F. Griffith: But an appeal against what?

The Hon. L. C. DIVER: An appeal against what! Suppose someone made an application to a registrar who was a person without any qualifications—only a nominal person. He would make this application because he had been refused admittance to an association, and he would explain to the registrar that he, or the firm on whose behalf he was applying, had an excellent record. He would also explain that he or the firm desired to break into a new line and that the association would not admit them. Then the registrar would, perhaps, agree with the association and confirm the fact that the applicant should not be admitted. Under those circumstances, that would be the end of the matter as far as the Bill provides. I claim

that that individual or firm should be entitled to go to a judge and explain the situation to him, whereupon the judge would have the final say.

It is essential that the amendments should be passed. I think even the Leader of the Opposition by now realises that there is a little more in the amendments than appears on the surface. With those few remarks I propose to vote for the second reading of this Bill and trust that in Committee my amendments will be accepted.

THE HON. F. J. S. WISE (North) [3.41]: I hope this Bill does not pass the second reading stage. All the amendments outlined by the previous speaker could not be anything but a pretence and a sham. Quite a number of members in this Chamber, because of experience or ability of some kind, have the capacity of analysing a Bill; all members are capable of studying a Bill if they so desire; and many are capable of contributing analytical comment on the substance of a Bill. They are also capable of fully understanding and debating amendments—if such are involved—at reasonably short notice, particularly in regard to some subjects.

Little or no notice is given in relation to some Bills because the subjects with which they deal are so well known that a great deal of time is not necessary to study them. However, this Bill came to us at 3.46 p.m. yesterday. Its introduction was made by a particularly well-prepared speech which was fairly well read by the Minister—perhaps I should delete the word “fairly”—and we have only had the period between 3.46 p.m. yesterday and now in which to study the measure.

Subsequent to the introduction of the Bill, six others were introduced, and considerable debate ensued on another that dealt with an entirely different subject—the debate lasted for an hour or two—and we then all wended our weary way homeward about the hour of midnight. Some of us had some sleep, but no more than the Minister suggested, in a complaining way yesterday, that he had had the night before because of his acknowledged responsible duties, his ties to office, and all of those things that he is subject to by virtue of his office which he carries out with a natural as well as a studied ability.

Sitting suspended from 3.46 to 4.5 p.m.

The Hon. F. J. S. WISE: I was endeavouring to show that even with the advantage of having in this Chamber many people skilled in the analysing of a Bill, and skilled in knowing how to undertake research necessary to compare it with past statutes, or the effect of it from the experience of similar legislation in other lands, no opportunity has been given, since

14 minutes to 4 yesterday, for us to give this Bill the searching examination which some of its provisions demand.

I concede that from the cursory examination I have been able to make of the Bill I can find nothing of importance in it, except clause 3; and that is the only clause which, of necessity, must be deleted. If the rest remains it will not matter very much, except in the bureaucratic effect it will have on the control of the lives of many people in this community. We all left here about midnight last night for our couches of different kinds. We did our best to sleep, and we had no chance of looking at the Bill while the House was in session last evening. I know that one member of this Chamber was in attendance at a doctor's surgery for three or four hours today, and whether he would be able to analyse the Bill in that time, after the little sleep that he had, I am not prepared to say. With that lack of opportunity to peruse the Bill—

The Hon. R. C. Mattiske: You could chew it over.

The Hon. F. J. S. WISE: One could not masticate it even if one chewed it over. I have heard it said that someone is going to put some teeth into it. No-one could put teeth into this Bill to make it useful to the community. The provisions of this Bill are the most bureaucratic that I have yet seen devised. It will give authority and power which will affect the small and the weak; it will give authority and power to condone things done by the great and the strong, which will seriously prejudice the community.

I notice that *The West Australian* a few days ago, as is not unusual at this stage of the parliamentary session, and in parallel with its activities just prior to an election, tried to give some advice to people whom it thought might be inclined to take it. Some do take it; we had evidence of that recently. If *The West Australian* suggests that certain members' thoughts might be aligned in an appropriate fashion some jump to it, and others jump away from it. The remarks of *The West Australian* on this subject recently included the words that Western Australia had not laboured under any noticeable injustice since the Monopolies and Trade Restrictive Trade Practices Control Act had been in operation. For all practical purposes it has been put into cold storage. That is the Act referred to in the clause I mentioned a little while ago.

That clause should come out of the Bill, and we should let the rest of the, if not innocuous then difficult and dangerous, material remain. This Bill is of a most bureaucratic kind. It is created to give no hope at all to the lesser lights and smaller men in business. In spite of the several contradictions in the different clauses, it provides for the giving to an

authority most absurd powers—powers to set out rules and make arrangements over which no-one, except those making the rules, would have any control. A Bill possessed of the authority to support the combines and the trusts, and to give them added strength and purpose, has no place on the statute book of this State.

In so far as the proposed amendments of Mr. Diver are concerned, I will use a simile that no matter how skilled the physician may be, he cannot prescribe any potion for an incurable disease. That would be the position with these amendments.

The Hon. L. C. Diver: But we could keep it going for a while.

The Hon. F. J. S. WISE: I heard what the honourable member said; I always listen intently to him. But on that point he suggests we should amend it and keep it going so that it may be available for further amendment later. That is not a bad suggestion, but the honourable member cannot delude himself into believing that a Government of the kind we now have will ever amend it usefully. It would be extraordinarily difficult for a Government of another colour to make a useful and helpful document out of it. The only thing of any use so far as this Bill is concerned is a major operation.

The Hon. L. A. Logan: And they are not always successful.

The Hon. F. J. S. WISE: No; the operation might be successful but the patient could still die. That is what I would like to see happen to this Bill—a successful operation and the Bill to die.

If we could get the innermost thoughts of some of my friends opposite in an explanation, clause by clause, of this Bill, I am sure they could bring about an analysis far beyond my capacity, not merely to damn it with faint praise, but to damn it altogether. I suspect they will not. I would like to be helpful in any way that members opposite can suggest to defeat this Bill; in any way they might suggest that I could help them; and as *The West Australian* suggests—*The West Australian* which has never agreed with me, although I have sometimes agreed with it—that there is no value in the measure; and, as *The West Australian* suggests, the oppressive legislation which has been so much misrepresented, namely, the Monopolies and Restrictive Trade Practices Control Act, is almost defunct, and will remain so, because of attrition—the attrition in the department itself, where there is no-one to operate it. That, of course, is the Government's desire and the Government's action.

Why worry about repealing it? Because it is not true to say—as the Minister said last night—that the legislation has kept from this State interested industrialists who but for it would have established

themselves in Western Australia. This has been said far too often by members of the Liberal Party, but it is not true. I would ask the Minister to present one case based on fact. Let him outline, even for the private scrutiny of our leader in this House—never mind about the rest of us—details to show, to his satisfaction, that he has one case of evidence where any industrialist of moment from overseas has refused, or declined, to come to this country because of the present Act.

The Minister cannot do it. We have been told that it is the sort of legislation which is rigidly suppressive, vicious, and all the other words that were used, particularly during the election campaign; but those words could, perhaps, be more truthfully applied to similar legislation in many other countries; because our Act, as is well known to those who will make an honest approach to the subject, is nothing like as severe as similar legislation which exists in other countries, and the provisions of which are almost parallel to those contained in our Act. That is perfectly true.

I am sure Mr. Diver, who has studied this subject very closely, will not express himself and disagree with me on that thought. What, in fact, the Act has done has been to give more effective control over those people who exploit the community, in whatever form of manufacture or industry they engage. I admit that I slide along the edge of references to debates in another place from time to time, and while I have no intention of referring to those debates now, I have noticed some publicity in connection with certain comments. I have heard expressions of opinion made outside. It is all nonsense to suggest that the legislation on our statute book would, if properly represented, militate in any way against the interests of Western Australia.

I know all about certain controversial matters that have appeared in the *London Times*. I have the articles here in my drawer, but they contain so many personal aspects, and so many irrelevancies, that they are not worth a passing examination. They are selfish and personal in the extreme. The Government would have done a greater service to the community if instead of giving its excuses—I could use a worse word; a less kindly word—in criticism of the law now on the statute book, it had properly explained to our community the law as it exists; if it had disseminated the right approach, and the proper knowledge and truth that is represented in that legislation. Had the Government done that, it would have done the country a great service.

But this whispering condemnation, fallacious in the extreme, is not good; it is not healthy; it is altogether false. No-one in our community has any right, above

another, to say that he and he alone, together with his views, stands for the progress of Western Australia; that everybody else's views are to its detriment. That is the sort of rubbish that opposing political Parties have been putting out about the legislation which this Bill seeks to destroy.

Would it not be better for the good of this community to say to all of us, "Never mind the path we take; let us have as our objective the ultimate betterment of every citizen in our community; the progress of every interest within our borders"? That should be our attitude. Do not let us indulge in invective, or untruth; or say that legislation that now exists has the prejudicial effect that is alleged; because it is not true. If we continue to be so vicious about what it does, or what it purports to do, then let us, as Western Australians, take the first step; and let the people of Western Australia first know its limitations, its objectives, and its good purposes.

There are members in this Chamber who, if they will only speak—though I am afraid they will not—could nail up many virtues of the law which is condemned, and doomed to be repealed, if this Bill passes; this law that has done so much good, even though there has not been active action in the inquiries which could be taken under its provisions. I plead that, for the good of our people, we should prevent their exploitation without any prejudice whatsoever against their interests. If the Liberal Party section of the present Government were to be fair in its analysis of that statute, they would say that the implications in it were fair and distinct; that it was neither oppressive nor did it deprive us of industry; and I repeat that the Minister cannot mention one such case. We do not want the Minister to give us any confidences to which we are not entitled; but let the Premier tell the Leader of the Opposition of just one case, and produce the details of that case, where someone has refused to come to Western Australia with an industry because of our existing law. That is a fair proposition. But it cannot be done. The Government would not find one such case.

So what is the use of pretending that the repeal of the existing law by the appropriate clause in this Bill will give to us the beginning of the millenium; that it will mean for Western Australia such progress that the shackles will be removed; and that people will fall over each other to establish industries in our State? Neither the Act nor the Bill is a determinant; all of us with any commonsense will know that there are many reasons why we cannot expect the advance, step by step, of this State with the others. The fact that the existing law has kept in check vicious practices is well known to many of us; because even threatened action has

had a remarkable effect. I am sure Mr. Roche will agree with that. There is no question that it has had a remarkable effect in the interests of this community. In one commodity alone it has saved the community of Western Australia £500,000 in one year; only because there was the possibility of an inquiry.

Is that an oppressive law, against the interests of the people? It might be an oppressive law against the intentions of combines. As soon as the Bill hit the ground in this House I gave an indication that I did not like it: I wanted it read a second time on Boxing Day. I would like to see the measure defeated by any proper means by which this House could defeat it because it seeks to destroy something valuable in our community; it will, if passed, repeal the present Act.

I would like to hear someone within this Chamber with a knowledge of the business world of Western Australia, analyse certain clauses and show how they will benefit the people if they are allowed to operate. If the Bill could not be defeated I would prefer to refrain from suggesting that in its present form it could be improved. I would rather not vote on any amendment except an amendment to delete any clause at all but one.

THE HON. R. THOMPSON (West) [4.29]: I rise to oppose this Bill. I think the *status quo* should be maintained. It would be an advantage if we could ensure greater activity within the department of unfair trading. I say this because if we turn to *The West Australian* of the 7th August, 1959, we will find the following headlines, "Lucas Probe: Source not Made Known." This referred to the occasion when supplies of television sets to that firm were cut off. When the department of unfair trading was called in to investigate, it was quite apparent it was hampered by a depleted staff, because *The West Australian* said, "Mr. Robinson's only staff now is one other investigator." It is apparent that the staff has been cut down, and the activities of the department put into cold storage. It is not for the well-being of the community that those things have been done; they have been done for the section of big business which desires that they be done.

Approximately three weeks before the last State elections I was at a function in Fremantle which was attended predominantly by businessmen. We were discussing the possibilities of a change of Government, and one businessman said that he sincerely hoped there would be a change. He said that a conference had been held in respect of fixing the prices of paint throughout Western Australia. This particular firm commands over 50 per cent. of the paint sales throughout Australia. The gentleman to whom I have referred said that his firm's sales would

lift considerably if the Monopolies and Restrictive Trade Practices Control Act could be repealed, because the conference laid down that no person who sold an A-class product or a No. 1 class product could sell for less than anyone else.

Therefore, it is easy to understand that people who paint their homes, and businessmen who have their premises painted, have to pay prices which are above the set standard. No-one can sell for less. I know of one firm which used to give concessions, but it is now unable to do so. In *The West Australian* of the 28th February the Deputy Premier was reported as saying in his policy speech—

The Unfair Trading Act will be replaced with another law to control certain practices of trade associations and ban collusive tendering, in line with the majority report of the Royal Commission on restrictive trade practices.

Mr. Watts, who was chairman of the Royal Commission, will also seek implementation of a rider he added to its report calling for Supreme Court judges to be empowered to inquire into alleged monopolies.

There is nothing in this Bill which would effectively deal with any firm that was resorting to unfair trade practices. As Mr. Wise said, the Monopolies and Restrictive Trade Practices Control Act has saved the people of Western Australia somewhere in the vicinity of £500,000. Let us cast our minds back to the racket—that is what it was—that went on many years ago with regard to the sale of plasterboard. It was not possible for me, you, Mr. President, or anyone else to buy a square foot of plasterboard and fix it. The system which operated was that a representative of a plasterboard firm would quote for a job, and the fixing of the plaster had to be carried out by that firm's tradesmen. It was a racket in the extreme.

If the Monopolies and Restrictive Trade Practices Control Act is repealed, that is a position to which we could revert under this legislation. I do not know whether I am right in saying this, but I have been informed in regard to superphosphate that 24 per cent. of sand silica is put into the product at the present time. That is something about which our friends from the country should make a check. If this legislation is passed a combine of companies could decide to put more sand into superphosphate, at the expense of the farmer.

The Hon. H. L. Roche: There is a check on that through the Agricultural Department.

The Hon. R. THOMPSON: A check should be made because the farmers are buying sand and paying rail freight on that sand.

The Hon. A. F. Griffith: Would you like to take the water out of beer?

The Hon. R. THOMPSON: It could be taken out as far as I am concerned.

The PRESIDENT: There is nothing about beer in the Bill before the House.

The Hon. R. THOMPSON: For the benefit of Country Party members I would like to inform them of an operation which is in effect at the present time. I am referring to the wool scouring trade, of which I have had some experience. Up until the war years and for a while afterwards, when wool was scoured it was completely dried out. It went through the driers and came out tinder dry and absorbed whatever moisture happened to be in the atmosphere at that time. We have seen our markets go down through carelessness; and that is something which could happen in regard to this commodity. In that event it would be a serious loss to the farmer. At the present time the owner of the wool determines what the moisture content will be. He can say whether it will be three, four, eight, or fifteen per cent. The wool is baled and weighed out, containing whatever moisture content the owner desires; and the wool loses the moisture in transshipment. Therefore, when it reaches its destination it has lost some of its original weight. We must remember that wool is sold from the port of its embarkation.

Mr. Wise made reference to an article which appeared in *The West Australian* of the 29th September. I want to refer only to portion of it. It reads as follows:—

If there is any loophole that needs plugging it can be attended to when the need is clear.

No attempt has been made to plug up that legislation because there is no need for that to be done. That type of legislation has proved its effectiveness in 26 other countries of the world; and perhaps the legislation in America is much more strict than ours. There is another article in *The West Australian* of the 29th September, 1959, headed "Farmers Seek Inquiry On Spare Parts." It reads as follows:—

A Royal Commission should be appointed to inquire into the supply and price of spare parts for agricultural machinery, the Australian Wheatgrowers' Federation decided at its half-yearly conference yesterday.

Questions which should be answered, delegates said, included whether:

The supply of spare parts held in each State was sufficient to provide for the reasonable requirements of farmers.

The cost of parts bore a reasonable relation to the cost of manufacture and distribution, or the margin of profit for either manufacturer or distributor was excessive.

Legislation should be introduced to ensure that farmers could buy spare parts at fair prices.

The Union had been told that some spare parts cost about £5 to make under sub-contract. When they were sold to farmers, however, they cost about £25.

There was a hue and cry from Canberra over that matter; and instead of doing away with our legislation, teeth should be sunk into it. If shark's teeth are not sunk into this legislation, it will allow the sharks in properly.

Mr. Wise pointed out that no-one could say that one firm had been kept out of Western Australia because of the Monopolies and Restrictive Trade Practices Control Act. In the community in which I reside there is an industrial area in the O'Connor-Hilton Park district. A check discloses that in the last ten years 45 large and small industries have been established there. The firm of Rheems, which is expanding, has had no fear of the present legislation. Joyce Bros. is a firm that is a credit to Western Australia. It has rapidly expanded and has acquired plenty of land for future expansion. International Harvester Co., Porter's, B.A.L.M., Cockburn Engineering, Bell's Asbestos, Brady's, Roby's, Dunlop Rubber, Wright Paints Ltd., Saunders & Stuart, and Hardware & Wholesale Grocers are just a few of the industries to be found in that area. None of those firms has been afraid of the restrictive trade practices legislation.

At Innaloo, also, there has been considerable industrial expansion; and if there were anything to fear in the Act I do not think those people would have invested millions of pounds. If any company has been kept away from Western Australia, it has only been because of the propaganda of the Liberal Party. I believe we can achieve all the industrial expansion that we need, but we must ask ourselves whether overseas capital is always the best capital for the purposes of expansion. Overseas capital is all very well if it is applied in the right way but, when we see a firm such as General Motors Holden's Ltd. making a profit of £15,500,000 last year on a capital investment of £1,750,000, and only £30,000 of that profit remaining in Australia, I think we are justified in concluding that we would be better off if we progressed more slowly, rather than have a company such as that drain such a huge volume of money away from the pockets of the workers and transfer it to some other country.

It is only companies such as General Motors Holden's Ltd. which would be kept away by the Act. All the present Bill does is to lift the lid off the situation so that unlimited profits can be made. Under it any company or group of companies will be able to join together, as *The West Australian* pointed out when it stated that there might just as well be put into the Bill a clause with the aim of robbing widows. If a newspaper which is not a supporter of my political faith can see

such a danger as that in the measure, surely the Government should be able to see it! It was stated, during the election campaign early this year, that State trading concerns would be disposed of. Already those concerns are being denuded of men and profits; and this Bill will further denude them, inasmuch as a number of building firms could join together and buy out a State trading concern and deal with it only—

The Hon. R. C. Mattiske: You have a very vivid imagination.

The Hon. R. THOMPSON: They could set up a combine and buy a State trading concern.

The Hon. A. F. Griffith: Don't whisper. We all want to hear you.

The Hon. R. THOMPSON: I thought the Minister would be sufficiently wide awake to hear what I said the first time. I agree with Mr. Wise that there is only one clause in the Bill which should be amended; and that is clause 3. It should be taken out of the Bill. I do not intend to support the measure.

THE HON. G. C. MACKINNON (South-West) [4.50]: Mr. Thompson has given us an excellent resume of his interpretation of the attitude of *The West Australian* towards the Bill, in the article which we all read. Mr. Wise gave us a sincere exhortation of his views and he stated, quite rightly, that no-one has the right to claim that his own view is the only correct one. That is, in effect, what he said; yet, in the enthusiasm of his convictions, he spoke with great emphasis and was apparently quite sure that his view was the correct one.

There has been a great deal of play made, over the last few years, on the question of whether or not any particular Minister or member of Parliament could cite an instance of any person or organisation which originally intended to come to this State but which, because of the existing legislation, had changed his or its mind. I could say that I knew of such instances and other members could say they did not; and we could argue that question until the sands of time ran out, without being able to produce concrete evidence one way or the other.

I said in this Chamber, last year, that when I was in the Eastern States I spent some time in Victoria, speaking to several men in a large way of business; and none of them had any doubt as to the effect of this legislation.

The Hon. F. J. S. Wise: Did they think the same of the South Australian law, or that of Queensland?

The Hon. G. C. MacKINNON: There was another Act here in regard to which their view was much the same; and I refer to that governing our Transport

Board. People who are in favour of restrictive legislation of any type must have regard to its effect on the progress of the State and the economy under which it operates. We have heard a great deal about exploitation; but let us decide whether we have in fact an exploitative economy. It is my contention, supported by the works of a great many economists which I have read, that we have in the main passed through the major era of an exploitative economy.

We have passed through that era as regards primary production. Every country in the world has gone through a stage of exploitative primary production, the result of which we have read about in books like *The Grapes of Wrath*; but agriculturists have learned over the years that the only economy worth while in their line of business is one in which a farm is left a little richer in each succeeding year. The day of those who moved into a new area, ploughed great tracts of land, reaped a couple of crops and then moved on, is gone.

Most countries in the world have passed through that stage, and some are still suffering under it. There are indications that the Sahara Desert probably results from the action of that type of exploitative economy many years ago; and there are indications that much of the denudation of China is the result of such an economy. I suppose America presents the classic example of exploitation in some periods of its history. Every schoolboy knows the story of the virtual extinction of the bison through exploitation. All boys who have read *Davy Crockett* know of the exploitative economy which was applied to the animals, including the fur-bearing creatures of that country, because they know that whole tracts of land were virtually denuded of valuable wild life.

We have reached a stage where commonsense prevails. People going into any line of activity realise that it is imperative that they should protect and conserve natural resources. That is best illustrated in the field of agriculture, particularly in America; and we have had examples of it in some parts of Australia. I read, some time ago, a well-documented article referring to the second industrial revolution in America. The basis of that revolution—it has followed right through the industrialised sections of the world—has been the realisation by people engaged in business and the investing of capital, that no one section of the community can be prosperous for long at the expense of any other section.

The Hon. H. L. Roche: Do you include the S.P. bookies in that?

The Hon. G. C. MacKINNON: It also states that no one section of the community can be prosperous unless all sections are relatively prosperous.

The Hon. L. A. Logan: The S.P. bookies could not be prosperous if the country was not prosperous.

The Hon. G. C. MacKINNON: Of course not. That is basic and fundamental to present-day business. No business which comes into a country with the idea of denuding it, whether of money, top soil, or any other natural resource, has any future. I heard only this morning of an international company which is investing about £160,000 in two States of Australia; and which has set up business with a particularly good line of merchandise. This company is prepared only to break even for the first five years of its trading.

That company is adopting that attitude, because it is here for good and it wants to establish goodwill. Mr. Wise suggests that if we went out and spoke about the existing Act honestly and truthfully, everyone would agree that it was a good piece of legislation. He says we should not whisper our condemnation of it; but I would suggest that the condemnation was screamed from the rooftops rather than whispered. Irrespective of that, and irrespective of whether Sir Halford Reddish was right or wrong, the impression that the existing legislation is bad, has become firmly established not only in the minds of many people in this State who know all the facts about it, because they can read them for themselves, but also in the minds of many people outside the State and even outside Australia.

The Hon. H. C. Strickland: It is the Goebbels technique.

The Hon. G. C. MacKINNON: Australia is young and we need a pioneering spirit in this country. I have heard Mr. Thompson commenting on the activities of General Motors Holdens Ltd. As many other people have made similar comments, one would not need to be original to make derogatory remarks about the company. However, it has made a success of car manufacturing in Australia. Unless that company had been prepared to come to Australia we would probably have been a long way behind in the manufacture of cars in Australia. We would not have had the Ford Motor Company, the Dodge, International and Chrysler group, or the British Motor Corporation, investing their millions in car manufacture in Australia. We would still be sending out a great deal more money to purchase assembled motorcars for importation into this country.

Those companies have to pay out large sums in taxation and wages. If they make a success of their ventures—particularly in a young country such as this—we will have only their efficiency to thank for it; and, what is more, if they are successful they attract more successful companies.

The Hon. F. J. S. Wise: Do you applaud the profits that General Motors Holdens Ltd. send overseas?

The Hon. G. C. MacKINNON: In the early stages of the development of their country, Americans relied a great deal on overseas capital, and they always maintained that, provided a company invested its capital in the United States of America and paid its taxes and good wages, they did not care whether or not the profits of the company were sent out of America, because any money invested, after 25 years, belonged to that country.

The Hon. F. J. S. Wise: Yes; but suppose it means £100 added to the cost of each article, which represents the excess over the actual cost, what then?

The Hon. G. C. MacKINNON: Mr. Wise has long since heard—I do not claim it is a theory with which I concur—the theory enunciated that any article should bear the price which it could stand.

The Hon. F. J. S. Wise: You support that principle, do you?

The Hon. G. C. MacKINNON: I know Mr. Wise is a good listener and I am sure he heard me, but I said that I do not concur with that theory. If General Motors Holdens Ltd. reduced the price of each Holden car by £100 tomorrow, it probably would have a waiting list a mile long for the Holden car; and the effect would be that the demand price would increase to such an extent that immediately a racket would be created in the sale of Holden cars, because those who could obtain immediate delivery of a Holden would be able to sell it at a profit of about £200.

The Hon. H. L. Roche: You would not get that racket if you removed the tariffs.

The Hon. G. C. MacKINNON: That would be a different situation. I suggest that Mr. Roche, or other members who lean towards that view, should take the matter up with the Commonwealth authorities.

The Hon. F. J. S. Wise: Can you answer my question on whether you applaud the action of General Motors Holdens Ltd. sending the profit of millions—which it has made on the Holden car—to America annually?

The Hon. G. C. MacKINNON: I will deal with that later.

The Hon. F. J. S. Wise: It is a hard question to answer.

The Hon. G. C. MacKINNON: I will deal with the question when Mr. Wise stands up and asks it without being disorderly.

The Hon. F. J. S. Wise: I bet you can't!

The Hon. G. C. MacKINNON: Referring to the possibility of a racket developing over the Holden car, as it developed when Holdens were in short supply a few years ago, reminds me of another remark made by Mr. Thompson when he was speaking about fibrous plasterboard. He referred to the association which was formed—I remember it well—among those engaged

in the manufacture of fibrous plasterboard, with the result that one could not buy fibrous plasterboard if one desired to fix it one's self. However, where does a racket start and where does it end? I suggest to Mr. Thompson that he should become acquainted with an employee in a plasterboard manufacturing company to obtain a really honest answer as to how much plasterboard he could run if he worked a normal eight-hour day. He should ask him what yardage of straight sheet plasterboard he could make and what yardage of cornices, mouldings, etc., he could make. Then he should put the question to him as to how much yardage he could make if he adhered strictly to the award.

The Hon. R. Thompson: That does not get away from the fact that a person was unable to obtain supplies of plasterboard.

The Hon. G. C. MacKINNON: It gets back to the question of where a racket starts and where it finishes. A plasterboard manufacturer has his costs tied completely to the amount of yardage each employee is allowed to make under the award. I can say without equivocation—if Mr. Wise is interested in this remark—that I did not like the set-up of the plasterboard manufacturers one bit, and on one occasion I was able to help a man who was affected by the association that was formed. Nevertheless, the men who are engaged in that business still face many difficulties.

The Hon. R. Thompson: They can start it again tomorrow.

The Hon. G. C. MacKINNON: Another point I would like to mention is that Mr. Thompson could also have pointed out the possibility of water being mixed with butter during its manufacture. I suggest that the water content in wool is probably there to prevent any breakage of the fibre.

The Hon. R. Thompson: No, it is not.

The Hon. G. C. MacKINNON: I suggest there might be some technical reason for including silica or sand in superphosphate. We could also state, glibly, that there is a certain amount of water placed in the urn during the manufacturing process of butter and, by adopting that policy, it represents a racket. However, it is not a racket because it is part and parcel of the butter manufacturing process.

The Hon. R. Thompson: Salt is also included in butter manufacture.

The Hon. G. C. MacKINNON: Yes. Butter is churned until it reaches a crumbly state and is quite dry. Water is added to bring it to its normal state. It is of course necessary to keep a stable water content in butter. Therefore, it could well be that sand is added to superphosphate to ensure an easier flow, and that moisture is added to wool for some other good

reason. These things are done quite legitimately; and, following a technical examination of the process involved in the manufacture of any article, it is generally found there is no racket or improper practice being followed.

The Hon. R. Thompson: I did not say it was an improper practice.

The Hon. G. C. MacKINNON: The honourable member did not prove it.

The Hon. R. Thompson: I could not prove it.

The Hon. G. C. MacKINNON: This measure aims at eliminating from an Act many features which, to say the least, are extremely unpopular. I know that some people make quite a pastime of talking about the boss grinding the noses of his workers into the ground; that he makes an undue amount of profit; and so forth. The fact remains that we have to have people who are willing to invest capital, and firms who will employ labour to keep the wheels of industry turning. I can say that all the bosses I have met worry a darn sight more about the welfare and the continued employment of their workers than they are given credit for.

The Government seeks to repeal an Act and put in its place a measure which several members do not like. It has long been axiomatic that anything made public and brought out into the open for examination by the people is invariably kept clean. I have had reason—not as much as others—to criticise the Press in this State; but the Press in any State, whether it reports something to suit one person or to suit another, is untrammelled in being able to report the things it sees and hears in the law courts or anywhere else; and it is because of this, and the fact that things are aired, that many things are kept clean.

This measure proposes to bring all trade association agreements into the light of day. Surely that is a wise move. Some people have growled about the Bill and have said that it wants some teeth in it. Teeth for what? Teeth to enable officials to visit some fellow in the country, who is battling to establish a business, and demand his books and ask for copies of his various documents?

The Hon. F. R. H. Lavery: That is propaganda.

The Hon. G. C. MacKINNON: I have seen that happen. I have seen officers do that.

The Hon. F. R. H. Lavery: That is not in this Bill.

The Hon. G. C. MacKINNON: I am now referring to the existing legislation. Such officers, who are stationed in the city, apparently think, "Whacko! We can get this man into trouble under the Monopolies and Restrictive Trade Practices Control Act," and down they go to oppress that individual.

The Hon. H. C. Strickland: That is incorrect!

The Hon. G. C. MacKINNON: It is not incorrect.

The Hon. H. C. Strickland: Quote the circumstances!

The Hon. G. C. MacKINNON: I will tell the honourable member about them afterwards.

The Hon. H. C. Strickland: No. Tell the public! Come into the open!

The Hon. G. C. MacKINNON: I am not prepared to publish the facts concerning the case I have in mind without obtaining the permission of the person involved.

The Hon. H. C. Strickland: You have not got the facts.

The Hon. G. C. MacKINNON: Yes, I have. This Bill will not permit such practices to occur, but it will bring trade association agreements into the open so that the public can view them. The Press, quite rightly, said that an association could be formed to rob widows. That sort of action should be anticipated. However, if an association did claim to rob widows, who would have anything to do with it when the agreement entered into could be read by the public?

[The Deputy President (the Hon. W. R. Hall) took the Chair.]

I submit that is the strength of the measure. So long as this Bill contains a provision to repeal the Monopolies and Restrictive Trade Practices Control Act some members will not agree to it, but I hope that all other members will give it their support.

THE HON. E. M. DAVIES (West) [5.15]: I have listened to all the debate on this measure. I have not heard any reason given by the Minister as to why it is necessary to repeal the existing legislation. In the past, many derogatory statements have been made about the Act, but I regret to say that I must brand the people making them as disloyal to Western Australia.

This is not the only State where such legislation is on the statute book. Many great industrial countries have similar legislation. It is regrettable to find people who reside in this State endeavouring to belittle it, and in so doing to prevent industries from being established here.

I have mingled from time to time with trade representatives, consuls, and ambassadors of other countries. I have discussed with them the question of attracting capital to this State. They stated that failure to attract more industries did not result from the existence of the legislation, but from our isolation. One of the reasons why those people were not prepared to recommend to business interests in their own countries to establish new industries in this State was Western Australia's unfortunate geographical position.

We are on the western side of the Australian continent and there is 1,000 miles of no-man's-land between this State and South Australia. We cannot expect industries to be established in this State, which is so far removed from the markets for their products. The first consideration of industry is the establishment of a market; and the nearer the better.

In South Australia, many new industries were established as a result of the conditions during the last war. Industries were induced to go there because South Australia was regarded as the safest State in which to erect a factory. It is centrally situated and it is within reasonable distance of Victoria, New South Wales, Queensland and the Northern Territory. Although there was price-fixing legislation on the statute book of South Australia, new industries were prepared to go to that State. That was because of the ready market, and not because of any fear of legislation, such as we have in this State, being introduced in South Australia.

The people in this State who have belittled it and broadcast adverse information overseas in respect of this legislation can be branded as disloyal. I have heard it stated that Western Australia is unable to attract new industries, but I am proud to be associated with the success of attracting industries to the industrial centre of O'Connor. There is not a great deal of land left in that locality; nearly all of it has been taken up by industries which have come to this State.

Many more industries would have been prepared to come here, were it not for the fact that the Commonwealth Government introduced credit restrictions. I am aware of a number of reputable firms which obtained land in that area for the establishment of factories. They were unable to proceed further in this matter because the Commonwealth legislation which restricted credit prevented them from obtaining the necessary finance. That is one reason why this State has been denied more secondary industries.

Much of the propaganda which was spread during the last election campaign, and which was broadcast overseas, was untrue. Representatives of other countries resident in this State have assured me that the legislation on the statute book had nothing to do with the matter. If this State had a larger population or if it was nearer to ready markets, foreign investors would have been advised to establish industries here.

The present Government has been compelled by certain sections of the community in this State to introduce the Bill that we have before us, which seeks to repeal the Monopolies and Restrictive Trade Practices Control Act. The Government took this action because some people

thought they were suffering from a disadvantage as a result of that Act. I do not believe that people suffer any disadvantage under the Act. Any reputable firm desiring to establish industry and to carry on business in this State can do so without fear of prosecution, and its methods will not be questioned in any way.

The necessity to introduce the legislation originally arose from the fact that the principles adopted by certain business people were unfair. There are many other laws in force in this State, such as those relating to murder and similar crimes, which will not prevent crimes from being committed; but in certain instances they have a deterrent effect. The same thing applies to the legislation regarding unfair trading. The few people who indulge in unfair trading practices will be deterred by the legislation. If they contravene the law they will find themselves in court.

A retired farmer, who is now carrying on a mixed business adjacent to a school in the metropolitan area, approached me recently in respect of the supply of ice cream. There was a demand for ice cream manufactured by a new company, the Beach Ice Cream Co. He stocked this ice cream but was instructed by the big ice cream manufacturer that unless he ceased to obtain supplies from the new company, he would not get any supplies from the big manufacturer. This person asked me what I could do to assist him.

I said to him, "There is in existence in Western Australia the unfair trading legislation, but there has been a change of Government. Whether or not the Act is operative at present I cannot say. However, I shall refer your complaint to the commissioner who, I am sure, will do all he can to investigate the matter." I did refer the matter to the commissioner and I received an acknowledgment, but nothing has been done. We were told during this debate that no action was taken in this case because of the change of Administration. The present Administration does not agree that manufacturers should be compelled to supply their products to any particular shop, so nothing further was done about the matter.

That is one of the reasons in support of the legislation on the statute book. It is not a price control Act, and it is not similar to the legislation in South Australia. As Mr. Diver said, neither the existing Act nor the Bill will bring about any safeguard to the primary producers in this State.

The Country Party is part and parcel of the Government. If the price control in respect of certain commodities is desired by the Country Party, one would expect it, as part of the Government, to have brought about the incorporation of this aspect into the Bill before us. It is not there, and the only reason I can offer is that the fruits of office are very sweet. In

my opinion the Country Party has desired to sell its birthright. If some of the controls to which Mr. Diver referred were embodied in the Act, they would prove to be very beneficial to the people of this State. By leaving those aspects out of the Bill, the people are given an indication that the legislation will have no effect, particularly as the present Government has failed to put the existing Act into operation.

I have come to the conclusion that no good purpose would be served in supporting the Bill. There is justification for the retention of the existing legislation, because over the past few years there were cases where wholesale druggists refused to supply commodities to retail chemists, unless the latter were prepared to sell at the prices determined by the wholesalers. Some friendly societies conduct dispensaries. They are in some ways co-operative movements, and distribute any profits made among their members. In many cases they grant concessions to their members by supplying drugs at a low cost.

When it was found by the wholesale druggists that that was the situation, they were threatened with having their supplies cut off. Therefore, we know that that sort of thing has been going on in certain types of business; and I feel sure that a very small section of the community indulges in it. The legislation which is at present on the statute book would not affect businessmen, generally; it has only been placed there to keep some of them on the right track.

I believe that no benefit will be derived by repealing the present legislation and adopting the measure which we are discussing. Therefore, I cannot support the Bill, because I will not be a party to repealing the existing legislation.

THE HON. H. C. STRICKLAND (North) [5.31]: I am also opposed to this Bill. I think *The West Australian* summed up the position fairly when it referred to this matter as being one of political expediency rather than one designed for the needs of the public. We all know of the opinion expressed against the legislation introduced by the Hawke Government, which was to have a deterrent effect on unfair practices rather than a restrictive one. As Mr. Davies said, and I think Mr. Diver mentioned the same thought, there are laws on the statute book which would hang a man, but they are not placed there to hang him but to prevent him from committing serious offences.

The Hon. A. F. Griffith: Not to prevent him. They are designed to punish him if he does commit the offences.

The Hon. H. C. STRICKLAND: Mr. MacKinnon indicated that the existing legislation—until the present Government rendered it inoperative—had been the cause of traders being persecuted by investigators.

The Hon. G. Bennetts: Did he have any proof?

The Hon. H. C. STRICKLAND: When asked to quote one instance he could not.

The Hon. H. K. Watson: He gave you a definite case.

The Hon. H. C. STRICKLAND: Mr. Watson might be able to give us an instance. The same situation applies in regard to the public statement which was made to the effect that the legislation had driven several firms from this State. I think it was said that six had been driven away within the last six months. What a ridiculous thing to say! Why, the present Government has been in power longer than that, and if the firms had any confidence in the Government, this legislation would not have deterred them.

The Hon. G. C. MacKinnon: The legislation is still on the statute book!

The Hon. H. C. STRICKLAND: It is so much eye-wash and so much political propaganda of the Goebbels technique, which has been so thoroughly and persistently spilled upon the people.

The Hon. A. F. Griffith: You are going too far.

The Hon. H. C. STRICKLAND: It cannot be denied. I would challenge the Minister to name one or two of those firms. The Minister in another place made a statement to the same effect which was published in the paper; and he has been pressed and challenged day after day and hour after hour, but he has failed to name one firm. What firm or person who is deterred, obstructed, or prevented from establishing a business in this State and has therefore run away, would be ashamed to say so. Such firm or person would not be ashamed to have the facts published and to have its or his name made known, which is what Mr. MacKinnon says this Bill will do.

The Hon. A. F. Griffith: Do you think it was a bit like the firms which were supposed to be coming here, and which Mr. Tonkin would not name?

The Hon. G. C. MacKinnon: Yes!

The Hon. H. C. STRICKLAND: I can tell the Minister that one firm which Mr. Tonkin has interested in coming here is the Klinger organisation.

The Hon. H. K. Watson: It was coming here ten years before.

The Hon. H. C. STRICKLAND: I am not interested in what it was doing ten years ago. This was a direct result of Mr. Tonkin's interview with the firm overseas. Mr. Watson can rise and make his own speech later, but he knows that what I am saying is a fact.

The Hon. G. C. MacKinnon: Stick to the truth!

THE DEPUTY PRESIDENT (the Hon. W. R. Hall): Order!

The Hon. H. C. STRICKLAND: Also the guayule rubber company is experimenting here as a direct result of its contact with Mr. Tonkin.

The Hon. A. F. Griffith: Are there any more?

The Hon. H. C. STRICKLAND: I am naming two. I could name 60 firms which established factories here during the regime of the Hawke Government.

The Hon. A. F. Griffith: As a result of Mr. Tonkin's trade mission?

The Hon. H. C. STRICKLAND: No; I said during the Hawke Government's regime. There is no need for the Minister to make my speech.

The Hon. G. C. MacKinnon: He is only trying to help you.

The Hon. H. C. STRICKLAND: He is trying to help himself—as always! This is all so much eye-wash and political propaganda; and I am beginning to feel that the disciples of the Liberal Party are subject to so much brainwashing and to the injection of the "pitter-patter repeato" business, that they really make the members of their Party and the people who listen to them absorb it and believe it. Here we have Mr. MacKinnon repeating the patter that firms have been stopped from coming here, but he cannot state one instance or one firm which has been driven from the country.

The Hon. G. C. MacKinnon: I am not in a position to do so.

The Hon. H. C. STRICKLAND: If I were driven out of any country unfairly I would never cease to let it be known.

The Hon. H. L. Roche: Have you not heard of Sir Halford Reddish?

The Hon. H. C. STRICKLAND: Yes, and I have heard of the price of his cement, too. Unfortunately, as his cement is so dear, Western Australia has lost many contracts because of the excess profits which Sir Halford Reddish and his fellow directors demand from the sale of their cement. We know how many thousands of pounds have been lost in regard to Commonwealth Government contracts for supplies to Darwin, because of Sir Halford Reddish's prices. However, that is his business, and he cannot be restricted. He has done a disservice to Western Australia; and if anyone has done anything to frighten English firms from establishing themselves in Western Australia, I would say it is the same Sir Halford Reddish.

The Hon. L. A. Logan: Because of the Act!

The Hon. H. C. STRICKLAND: He was knighted, but whether for that reason or because of the price of his cement, I do not know. It should certainly not have been for the publicity he gave Western Australia in Great Britain.

The Hon. H. L. Roche: Would it have been on the strength of the £1,000,000 he got?

The Hon. H. C. STRICKLAND: I would not know. I know little of the little man.

The Hon. L. A. Logan: You should not talk so much about him if you do not know anything about him.

The Hon. H. C. STRICKLAND: Mr. MacKinnon stated that under the existing legislation, when it was allowed to operate, traders were persecuted. That is absolutely incorrect. At no stage whatever during the period that the commissioner was permitted to carry out the provisions of the Act did this occur. Several investigations were made but they were all made as a result of a complaint, and not a frivolous one either. The complainant had to give very substantial evidence to back up his accusations. If he was able to do that, the commissioners commenced their inquiries. I have never heard of any local firm which has protested openly about such investigations. I have read of the Chamber of Manufactures as a body protesting, and the Chamber of Commerce as a body protesting. I read of their protests in their own periodicals. They protest as a union.

However, I have heard of no individual firm or person protesting, but I do know that as a result of investigation—not of fear—co-operative arrangements have been arrived at in many instances.

The Hon. G. Bennetts: And some of the firms appreciate that, too.

The Hon. H. C. STRICKLAND: Every primary producer or agriculturist in the State should appreciate it, because when the investigations were made in relation to the superphosphate companies and their charges, as a result of complaints from farmers' organisations, an arrangement was made—without any fuss, bother, storm, or Press publicity—between those companies and the commissioner controlling the Act. As a result, during the operation of the Act in Western Australia, the price of superphosphate was reduced by 22s. per ton. The price of superphosphate in Western Australia on the 18th January, 1957, was £14 per ton, and on the 1st July, 1958, it was £12 18s. per ton.

The Hon. A. F. Griffith: What do you say happened?

The Hon. H. C. STRICKLAND: There was an amicable arrangement; investigators conferred with the super people who agreed to reduce the price of their product. There was no fuss or bother. But the price of super is still 17s. a ton above the price in Queensland, a State which, I suggest, distributes super further and wider than does Western Australia. In this State very little super goes beyond

Yuna or Ajana—we could say the Murchison River; and this embraces practically half the State. A little super goes to Carnarvon and some is used in connection with the experiments at Ahydos and Woodstock, and a little is used at the experimental station on the Ord River. But the total used in those places would be no more than is used on an average farm in the Northam area.

Although the Unfair Trading and Profit Control Office has been condemned, it achieved much. The price of super in Western Australia, in 1958, was still much above the price of super in Queensland where it was £12 ls. a ton. In South Australia it was £12 8s.; in Victoria it was £12; in New South Wales it was £12 17s. 6d.; and in Western Australia it was £12 18s.

When the Act came into operation the superphosphate prices were as follows:—Queensland £11 18s. 6d.; South Australia £13 3s.; Victoria £12 12s.; New South Wales £13 14s.; Western Australia £14. The Western Australian price was the highest at the time the Act came into operation. So there has been some achievement.

Goodness knows what might have happened in the fibrous plaster industry had complaints not been made by builders and owners who had to meet the cost of building. Those complaints were made when the plasterboard manufacturers decided that they would supply plasterboard only as long as they did the fixing of it themselves. This was deemed to be somewhat unfair. However, as a result of some conferences the manufacturers agreed that that proposition would not be put into complete operation, and that supplies would not be withheld from genuine builders who were able to do their own fixing.

The timber industry is probably the mainspring behind the agitation to repeal the existing legislation, because this industry was found by the Honorary Royal Commission in 1956—incidentally that commission sat in secret and nothing was brought out into the open, as Mr. MacKinnon said things should be—to have joined with many others in collusive tendering in regard to the supply of sleepers to the Western Australian Government Railways. Very early in my term as Minister for Railways, I found that to be so. I carried out the practice which is normally known and recognised as being the practice of private and free enterprise—I called tenders. I was told by a deputation from the Associated Sawmillers that I was doing the wrong thing; because its members were not successful in obtaining the contract. I was told that I had thrown them out the window. Those are the words that were used by the president of the association at the time—I was throwing them out the window. I could only retort "How could I be accused of throwing you out of the window when open tenders were called?"

That was an objection raised by a most powerful organisation in Western Australia against a practice of free enterprise—the practice of inviting everyone to submit tenders. The organisation never ceased being active in this matter, because it sent letters to the Press; and the Press itself came into the matter. There has been continued agitation through the Press for the repeal of the existing legislation, which has done no harm to anybody but has brought a lot of benefit to thousands of agriculturists.

Passing on from this matter, I point out that the only thing the Bill will do will be to cover the aspect of collusive tendering, which I have just described in relation to the supply of sleepers to the Western Australian Government Railways.

Numerous complaints were made by people involved in hire-purchase finance. There was no authority or legislation available by which the commissioner could help them. In 1957, however, this Parliament passed legislation which enabled the commissioner to render some help. As a result, a number of satisfactory adjustments were made.

These matters were not exposed to the Press, but they were of considerable benefit to the public. This dreadful legislation, as we are told it is, did not operate whilst the previous Government was in office, so far as the general public knew, except with respect to the Cockburn Cement Company case. The commission failed in this matter; and it failed because at that time it had no right of appeal. The legislation was later amended so that the commission could appeal. The public might have heard a lot more about the cement case had we remained in office.

Investigations were made into the selling of petrol and oils, and the major companies did not complain at all, but co-operated. As a result of their co-operation, the prices of oils and petrol were reduced in country areas, as far afield as Carnarvon. Another matter in which there was collusive tendering was that concerning tyres, tubes and batteries. In this industry all the parties were interviewed, and after discussion it was decided to deal with each case on its merits.

The film industry refused to supply certain cinemas with programmes. In this connection there were no prosecutions; there was merely a co-operative effort. Another industry that was dealt with was the one dealing with the quarrying of metal and stone. The newspaper industry hit the light of day, because it was the secretary of the A.L.P. who complained and asked the commissioner to make inquiries. We all know how the cost of advertisements jumped from a few shillings to some pounds. We also know that one of the factors involved concerned the agents. But much as the newspaper company hated the legislation, it

withdrew its objectionable agreements as soon as the action was started. The agreements were abandoned.

The Act did not include, and still does not include, any provision to attack unfair profits—excessive profits or profiteering. It deals with unfair trading practices—that is the restricting of supplies of goods and the withholding of them from certain persons. There is no profiteering Act. This Government, in the Bill before us, is following its usual practice. If members will recall, in 1952, on the last occasion when this Council agreed to renew price control in Western Australia—it used to be renewed from year to year—the McLarty-Watts Government introduced a Bill to continue price control, and the Bill also repealed the profiteering Act.

The Act, as a result, disappeared from the statute book; and in 1953, when there was a change of Government, price control disappeared because the Legislative Council would not agree to its continuance. We find the same thing here. We have a Bill which contains nothing save a provision to control collusive tendering; and even collusive tendering may not be effective unless the provisions of the Bill are carried out; and they do not have to be carried out.

The measure states quite clearly that the Governor may appoint a registrar. It does not say he shall appoint a registrar; and it does not say that anything shall be set up. There is nothing to say that an organisation shall be set up. Judging from the attitude of the Government since it has been the Government and has rendered the Unfair Trading and Profit Control Office inoperative by dispersing the office, it will take the Government a long time before it appoints someone as registrar and sets up an organisation to which people can take their complaints and have them dealt with in the open, as Mr. MacKinnon would desire.

This type of legislation is brought along, but its main object is revealed when we remember that both of the Government Parties committed themselves, prior to the election, to the repeal of the existing legislation. I remember that the Minister for Mines (Mr. Griffith) early in December last, some 11 months ago, told us that if there was a change at the elections, and his Party became the Government, its first action would be to repeal the legislation we were then dealing with—the Unfair Trading and Profit Control Act.

What happened? The Government was elected to office four months after making that statement. Parliament met and only now has this Bill been introduced. We saw banners, headlines, and pamphlets as well as Press advertisements during the election campaign reaffirming the present Government's proposal to repeal the legislation. The matter was considered to be urgent. Its first action would be to repeal the existing legislation. But it

was all smothered up. The law said that certain action had to be taken in relation to electoral boundaries. But the Government said, "No, this action will not take place. We will stop it." So the Government called Parliament together and now, in the dying hours of the session, we have this Bill introduced.

The Hon. A. F. Griffith: Firstly you complain that we are going to repeal the existing legislation; and then you complain that we are not doing it quickly enough.

The Hon. H. C. STRICKLAND: I am not complaining; I am showing that the Minister and his Party, although they used the Goebbels technique, did nothing about it when they became the Government. They took no action whatever. That is what I am showing, and what I can prove. If one looks at a leading article of *The West Australian* one day in June this year, just prior to Parliament meeting, one will see that *The West Australian* reminded the Government of its obligations. That newspaper was very concerned about the legislation, having been suspect.

The Hon. L. A. Logan: Are you agreeing with *The West Australian* now?

The Hon. H. C. STRICKLAND: No; I am not agreeing with either the Minister or *The West Australian*. I am showing the chain of events which took place to prove that this is all political poppy-cock, and with no foundation at all—I am referring to the action of this Government in respect to the legislation we are now discussing. That leading article in *The West Australian* reminded the incoming Government of what it had to do, and what it was expected to do.

The Hon. L. A. Logan: We are not influenced by *The West Australian*.

The Hon. H. C. STRICKLAND: What has been holding up this legislation? The Government sacked the commissioner and put the organisation out of commission and said, "There you are. It cannot work anyway because there is nobody to work it." By that action the Government denied anybody who had been unfairly treated the right to approach somebody in reference to the matter. That is what happened. It is amazing what happens when the Parties which now form the Government, and the newspapers, stir the people up with their Goebbels type of propaganda. They have been putting a fear into the people's mind and causing a hysteria about something which really does not exist. But then the Government does not do anything about it when it has the opportunity to do something. Is not that clear proof that all this fuss and bother was merely political propaganda?

The Hon. A. F. Griffith: It is surprising how much of your speech you can base on Goebbels and *The West Australian*.

The Hon. H. C. STRICKLAND: I cannot think of anyone else who was more efficient at that type of propaganda, and with whom I could compare the present Government. The poor German people suffered because of this fellow Goebbels and his propaganda; and I cannot think of anybody else who could have adopted the technique better than the present Government. The Government is practising it now.

The Hon. A. F. Griffith: You are making me cry.

The Hon. H. C. STRICKLAND: That is the last thing I desire the Minister to do. The people are certainly not going to be misled for ever by the propaganda of his Party; but the only channel in the State for the dissemination of news is the Press, which should do its duty and tell the people the plain facts and the truth, as Mr. MacKinnon desires should be done.

[The President resumed the Chair.]

In the Government's endeavour to justify abandoning or repealing the existing legislation, no doubt at the behest, request and direction of big business, it trots along a Bill like this which is puffed up with all sort of phrases and plausible clauses which have nothing in them. There is nobody to operate it. The Bill does not say that an organisation shall be set up, but only that one may be set up. If past performances are a true indication, I would say quite definitely that no organisation will be set up if the legislation is passed. It was claimed, by means of this Goebbels-type propaganda just prior to the election, that the country was in a state of stagnation, and that it was all due to the legislation which the Government desires to repeal by this Bill. We all know that Western Australia has never experienced such a wave of prosperity as that which followed the post-war years; and particularly since 1950.

We all know the great impetus given to industrial expansion in Western Australia which reached its highest peak during 1953-56. I do not say that was entirely due to the efforts of the Hawke Labor Government. I merely claim that Western Australia continued to expand; that businesses and commercial undertakings sprang up all around the metropolitan area. Those are facts; and it cannot be fairly claimed that this legislation which is on the statute book retarded that progress in any form whatever; or that it prevented the establishment of industries in Western Australia, or the expansion of those industries already within the State.

Members who spend time in and around the city, and who are able to converse with business executives, know very well

that there is no truth whatever in the assertion, or the claim, that the present Act has deterred capital from coming to Western Australia. Not one factual case can be submitted; not one statement can be advanced as evidence to verify that such is the case, or to show that any firm or person has decided against investing capital in Western Australia because of the existing legislation.

The propaganda and publicity produced along these lines for political purposes did much more harm in the minds of people outside of Western Australia—those in the other States, and those overseas; it did irreparably more harm—than did the legislation on the statute book. Similar legislation, and indeed more severe legislation, exists practically throughout the British Commonwealth of Nations. It also exists in the United States of America. We all know that Queensland is expanding very rapidly indeed; it is expanding far more rapidly than any other State; it has now outstripped South Australia.

In that State there is similar legislation with much more severe provisions. The legislation there contains penalties ranging from £1,000 to £2,000 for offences against the Act. That has not deterred anybody from establishing industry in Queensland. In the next few years Queensland will be one of the most progressive States in the southern hemisphere; and yet it has legislation with a purpose identical to that which the Government now desires to repeal in this State. Some of the clauses in the Bill will require debate in the Committee stage; and I will reserve my comments on the Bill generally until it is dealt with in Committee.

THE HON. R. F. HUTCHISON (Suburban) [6.13]: I agree that this is simply a 'camouflage' measure designed to repeal legislation which was placed on the statute book by the Hawke Labor Government for the protection of the people of Western Australia. This legislation will provide a happy hunting ground for what I might term "the Reddishes" of the community; it will enable them to exploit the consumers at their own free will. The Hawke Government set up the Trade and Industries Promotion Council, and I was chairman of the women's committee which worked within that council. We had on that committee members from each of the women's organisations, and the committee did untold good for the people of Western Australia; and its activities were certainly a credit to the women of this State.

We discovered some of the factors that were loaded against manufacturers operating in Western Australia; and, as it were, we discovered the "Reddishes" who imposed their will and might on the people of this State. Our activities led us to appreciate what the consumers were really

up against; and we discovered what the unfair trading legislation, introduced by the Hawke Government, really meant to Western Australia. It probably stopped more abuses than the present Government would like to name or admit. The present Government is certainly running true to form in its activities, and the legislation which it seeks to introduce. This is a Government which I described as a "Taxus Rangers" Government. This Government is running true to form when it introduces a Bill such as this in the dying hours of the session. This is a dishonest attempt, under camouflage, to repeal certain legislation and replace it with this measure.

The Government does not intend that this measure should protect anyone. It does not intend to protect the consumers in Western Australia. So much pressure has been brought to bear on organisations to which I belong that in the near future I hope to be able to make a move to bring about some protection for the ordinary people in the State. In a procession at election time, I think I saw this Government referred to as the "Caught and branded Government." It has certainly left its brand on Western Australia. It has done nothing but impose taxes; it has done nothing but put fear and worry into the hearts of the ordinary people; it has sacked hundreds of men without any compunction whatever; and it has destroyed everything that was built up by the people over many years. It does not mind what it does.

The Hon. A. F. Griffith: Rubbish!

The Hon. R. F. HUTCHISON: The Bill has been introduced into this House during the dying hours of the session, and members are not being given an opportunity to give the Bill the consideration which it deserves. We should have an opportunity of contacting various channels in order to find out the intention behind the measure. We have had to make a guess; and taking the Government's record up to date into account regarding legislation which it has introduced, we cannot paint a rosy picture as regards the intention of this measure.

The Hon. J. G. Hislop: You do not seem to be in favour of this Government.

The Hon. R. F. HUTCHISON: I do not mind anyone knowing what I think of this Government; and it need not be flattered by my thoughts, either!

The Hon. L. A. Logan: We are under no illusions.

The Hon. R. F. HUTCHISON: I have been reminded by Mr. Heenan in regard to a move which is being undertaken to counteract some of the ill-effects on consumers

that this legislation will have. I am referring to the foundation of a consumer council which has been registered throughout Australasia; and it will be open to the public in a very short time. I am hoping that its existence will bring some amelioration to the people.

This council will let people know just where things are going astray; and it will give protection to the people who avail themselves of its advice, and also to the public at large. I heard some members speak last night regarding protection from collusive tendering. It seems to me that members of Parliament speak behind a smokescreen of speech and tell untruths when they say that this legislation will give protection from collusive tendering and the abuses which arise therefrom. As every speaker on the Opposition side of the House has said, this measure is simply to repeal the Hawke Government's restrictive trade practices legislation and put nothing in its place.

The Hon. A. F. Griffith: I notice that you used the correct expression when referring to the Hawke legislation. You called it the "restrictive trade practices legislation."

The Hon. R. F. HUTCHISON: In some conditions, a control over restrictive trade practices would be about the best thing that could happen. This Government went to the people with a blare of trumpets and told them that the first thing it would do if it were returned would be to repeal the measure which was on the statute book. We have about 10 minutes to go to-night, and the remaining hours of tomorrow in which to consider a measure like this. It must be remembered, too, that we have been sitting until all hours of the morning. Last year I heard the Minister make an attack on the then Government about sitting late hours. I do not think we ever had any record as good as this one.

The Hon. A. F. Griffith: You have only had two late nights this session.

The Hon. R. F. HUTCHISON: What is really needed is about a dozen good house-keeping women in this House. Then it would be kept in good order, and everyone would be able to go home happy for Christmas.

The Hon. L. A. Logan: Too many cooks spoil the broth.

The Hon. R. F. HUTCHISON: Under the present Government, Western Australia will continue to be a Cinderella State if legislation like this goes on our statute book; and the wise men of the East will exploit the people here. I heard mentioned in a speech by a man from the

Eastern States that Western Australia was not a State; it was a dependent Colony.

The Hon. G. Bennetts: There will not be many people coming here, because of all the taxes that are being imposed.

The Hon. L. A. Logan: The bookmakers will be frightened away, anyway.

The Hon. R. F. HUTCHISON: As it has been admitted that this is no longer a House of Review, I cannot appeal to members on that ground; but I do appeal to those who have the welfare of the State at heart not to accept this Bill. I only hope that there are enough ethical thinkers who will have the same ideas as did the statesmen of former days, and that they will be responsible for the defeat of this Bill. If we passed this measure, it would certainly please the Reddishes of the community, but I do not think that to do so would be to our credit. Although I know enough about the cement question to discuss it, I shall not do so now. However, I do know that vicious propaganda has been hurled at one of the best Governments this State has ever had, and for that reason I have no love for Sir Halford Reddish. He reminds me of Scrooge when he rubbed his hands together and was so pleased at the downfall of the other person.

The Hon. G. C. MacKinnon: Perhaps he will reform like Scrooge now!

The Hon. R. F. HUTCHISON: It would be worth a term of any Government if we could reform men like him. I accuse the Government of trying to do nothing but camouflage this Bill which contains no protection. It is merely designed to repeal the legislation which was passed during the regime of one of the most solid Premiers we ever had. I therefore oppose the second reading.

On motion by the Hon. F. R. H. Lavery, debate adjourned.

BETTING CONTROL ACT AMENDMENT BILL

Assembly's Message

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

ADJOURNMENT SPECIAL

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines): I move—

That the House at its rising adjourn till 11 a.m. tomorrow.

Question put and passed.

House adjourned at 6.28 p.m.

Legislative Assembly

Thursday, the 26th November, 1959

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