

Legislative Council.

Thursday, 29th September, 1949.

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The PRESIDENT took the Chair at 2.30 p.m., and read prayers.

QUESTIONS.

CEMENT.

As to Production, Imports and Price.

Hon. W. J. MANN asked the Chief Secretary:

(1) What was the amount of Portland cement produced in this State during the years 1946-47, 1947-48, and 1948-49 respectively?

(2) What was the amount of Portland cement imported into the State by the Government during the same periods from overseas sources?

(3) What was the relative difference in price between the local and imported articles?

The CHIEF SECRETARY replied:

(1) 1946-47, 43,575 tons; 1947-48, 56,450 tons; 1948-49, 59,130 tons. Plant now being installed and expected to be ready early in 1950 should increase production by 30,000 tons per annum.

(2) 1946-47 and 1947-48, nil; 1948-49, 4,828 tons.

(3) Imported, £10 17s. 11d. into store; local present price, £6 2s. 11d. at works.

PETROL.

As to Distribution to Government Departments.

Hon. A. L. LOTON asked the Chief Secretary:

(1) What quantity of petrol was distributed through the Government garage at the P.W.D. during the months of June, July and August, 1948?

(2) What amount was distributed during the same three months for 1949?

(3) What has been the average monthly distribution during each month of 1949?

(4) What was the total amount of petrol used or distributed through Government instrumentalities for June, July and August, 1948?

(5) What has been the total amount of petrol used or distributed through Government instrumentalities for June, July and August, 1949?

The CHIEF SECRETARY replied:

(1) June, 1948, 4,760 gallons; July, 1948, 5,721 gallons; August, 1948, 5,269 gallons.

(2) June, 1949, 5,420 gallons; July, 1949, 5,896 gallons; August, 1949, 6,158 gallons.

(3) 5,500 gallons.

(4) and (5) The required information would take some time to prepare. It would have to be obtained in respect of all Government departments, including those departments and instrumentalities operating in country districts.

INFECTIOUS DISEASES HOSPITAL.

As to Buildings and Equipment.

Hon. G. BENNETTS (for Hon. J. M. A. Cunningham) asked the Chief Secretary:

(1) When did work begin on the poliomyelitis after-care ward at the I. D. H.?

(2) Is the Minister aware that the work on the Infectious Diseases Hospital polio-myelitis after-care branch has come almost to a standstill?

(3) That the saline bath installation has been hung up for many months, and that patients and staff have to waste up to three or four hours' each trip to Hollywood for treatment?

(4) That the plaster room and splint-making equipment are housed in an Army tent erected adjacent to the ward?

(5) That the tin roof being placed on the new building is most unsuitable owing to the intense heat radiated on to patients unable to help themselves in hot weather?

(6) Will the Minister give some indication—

(a) when materials and equipment can be made available to complete the work;

(b) what can be done to provide tile roofing instead of tin, as both are in short supply, and it is not yet too late to strengthen the timber-work in the roof for tiles?

The CHIEF SECRETARY replied:

(1) The 9th March, 1949.

(2) No. There are 24 men employed on this work.

(3) The saline bath is a special appliance, to be constructed of stainless steel, and will be installed as soon as available.

(4) Yes. The construction of the permanent plaster room is being proceeded with as quickly as present conditions will allow.

(5) Two of the existing ward buildings are roofed with galvanised iron. The plan calls for the linking of those two buildings together, and the only iron roofing being used is on this link. The roofs of all other new portions of the work are being covered with corrugated asbestos. The whole of this material has either been fixed or is on the job ready for fixing.

(6) (a) Under present conditions, it is impossible to say when all the materials and equipment can be obtained for the completion of the work, but everything possible is being done to expedite supply and installation.

(b) As asbestos, and not iron, is to be used on the new buildings, and this material is all on the job, it would be a waste of money, and little or no benefit, to switch to tiles at this stage.

BILL—COAL MINE WORKERS (PENSIONS) ACT AMENDMENT (No. 2).

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban) [2.45] in moving the second reading said: The object of the Bill is to deal with what the miners at Collie consider to be an anomaly. Members will recall legislation being passed some time ago to set up a coalminers' pensions fund. Provision was contained in the legislation that any pension received from the social services should be taken into consideration and after they reached the age of 65 miners had to apply for the social service pension before they became eligible for the miners' pension. This is not effective between the age of 60 and 65. If a miner has private means he receives no social service pension, but he gets the pension under this Act. But if by chance he has nothing, then he receives the social service pension and the miners' pension makes up the difference.

Hon. W. J. Mann: They make up the difference?

The CHIEF SECRETARY: Yes, generally speaking. It depends upon how much the social service pension is when assessing the amount to be taken from the coalminers' pension fund. At present, it is a small amount only; from memory, I think it is about 5s. We do not want the State to relieve the Commonwealth from having to pay these moneys and peculiar anomalies have existed. Where a man is entitled to partial social service pension, because he has certain means, every penny received from the coalminers' pension is deducted from his social service pension. For instance, one person's miners' pension should have been £4 and the Commonwealth pension would have been £3 5s.

Hon. G. Fraser: Did you say £3 5s.?

The CHIEF SECRETARY: Yes, this is a widow. These figures I am quoting are correct. That person gets nothing at all from the pensions fund and receives only 15s. from the social service pension. There is also the case of a man whose gross coalminers' pension should be £5 5s. He receives only 15s. from the social service pension and receives no pension at all from the coalminers' pension fund. Therefore, the provisions of the Act have worked most unfairly. Section 14 provides that any amount received from the social service pension shall be deducted from the coalminers' pension. That provision is not in any of the Acts of the other States. If this Bill is passed, it will involve an extra payment of £2,000 per annum by the State, but the measure is designed to bring the Act into conformity with those of the other States. Whatever members may think of this particular pension fund does not really matter, because the Act is on the statute book and pensions are being paid, but under Section 14 anomalies are being created and must be rectified.

Representations have been made by the Miners' Federation at Collie and after due and complete consideration the Government has felt that it cannot do otherwise than amend the Act so as to give effect to the miners' wishes and have this particular provision rectified. Out of their own pockets the miners pay certain sums towards their pensions, and it does seem rather rough that a man should get nothing from the fund and only a small amount from the Commonwealth social service pension—merely because he has been frugal. If he had ample means and did not require the social service pension, he would receive the full miners' pension. The result is that where it is possible for a retired miner of 65 years of age somehow to avoid being paid a social service pension, he benefits considerably.

All sorts of subterfuges have been resorted to. For instance, a miner has borrowed money so that he could make what he considered an honest declaration that he had so much money in order that he might be turned down for the social service pension as he would get more from the miners' pension. That is the position that arises today. Both the Government and the pensions board have given the matter thorough consideration, and I commend the Bill to

the House. If any further information is required, I shall be glad to supply it in Committee. I move—

That the Bill be now read a second time.

HON. W. J. MANN (South-West) [2.52]: I am sorry that we have not had an opportunity to amplify the illustrations the Chief Secretary has mentioned as indicating what has been happening in connection with the payment of pensions. Had more time been available I think we could have produced conclusive evidence of the anomalies in connection with the Collie Miners' Pension Scheme. It has been a source of some anxiety to many of the men.

I understand the present arrangement was arrived at after the position had been examined fully with a view to determining whether any other means could be adopted in order to make the position more uniform. I am assured that the method proposed is the only equitable way to deal with the situation. Seeing that the men and the Government are satisfied and that the amount involved is comparatively small, I have no hesitation in supporting the Bill. The miners in the past have contributed very liberally to their own funds, some of which have been almost dissipated because of the calls made upon them.

HON. E. H. GRAY (West) [2.54]: It is a pity we have not had more time to examine the Bill closely. However, seeing that on this occasion Mr. Mann and the Chief Secretary are in accord, we can take it that the position is amply safeguarded. Here again is an instance indicating that people who are most frugal are most penalised, and certainly justice should be done to those against whom the Act has operated unfairly. Seeing that the miners' federation, the Government, the employers and the parliamentary representatives of the district in this Chamber all support the Bill, I shall do so as well.

HON. G. FRASER (West) [2.55]: I have endeavoured quickly to traverse the Bill in order to see what it contains, and I naturally called for the principal Act that it seeks to amend. Here again I have to voice a complaint similar to that which I mentioned yesterday with regard to these amending Bills. In this instance the measure indicates that it proposes to amend

Section 14 of the 1948 Act, but I see that it really applies to the section of an earlier measure.

I have endeavoured to dovetail the amendment in so that it will appear in its proper place, but I have not been able to do so to my satisfaction. As I interpreted the remarks of the Chief Secretary, the Bill will save the local fund any moneys that can be paid by the Commonwealth. If my interpretation is not correct, I trust the Minister will explain the position when he replies to the debate. I took him to mean the effect will be that the State will not pay moneys that ordinarily would be paid by the Commonwealth.

The Chief Secretary: We will pay, not the Commonwealth.

Hon. G. FRASER: I was favourably disposed towards the proposal; but in view of that, I do not know about it now.

The Chief Secretary: I wish you had met the union representatives.

Hon. G. FRASER: What we have done all down the years with regard to pensions is to alter our Act so that the local funds can be conserved wherever it is possible for the Commonwealth to pay instead.

Hon. W. J. Mann: They looked into that question and there were some difficulties.

Hon. G. FRASER: Unless a man has a certain income, the Commonwealth will pay him a pension. I certainly want to save the State expenditure that could better be undertaken by the Commonwealth. I would like to look over the figures from which the Minister quoted when he referred to the Commonwealth paying a pension of £3 5s. That is something new to me.

Hon. G. Bennetts: The pensioner must have had a lot of children.

Hon. G. FRASER: The maximum old-age pension is £2 2s. 6d., which would mean that a couple would receive £4 5s. by way of pension if their joint income was less than £3 a week. I have never heard of a pension of £3 5s. being paid. We have amended various Acts to save the State expenditure but we have never minded doing things at the expense of the Commonwealth.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Chief Secretary in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Amendment of Section 2:

The CHIEF SECRETARY: I must apologise for not having explained this clause on the second reading. A man desiring to enter the coalmining industry must be under the age of 30 years. An anomaly has arisen in this respect, as a lad might go into the mines at 18 or 19 years, leave the industry for 20 years and then return to it, when he would be able to qualify for a pension. This section will correct that anomaly.

Hon. G. Bennetts: Suppose a man left the industry for 12 months, would he be able to enter it again and pay up the arrears of his contributions?

The CHIEF SECRETARY: I do not think there would be any difficulty in such a case.

Clause put and passed.

Clause 4—Amendment of Section 14:

Hon. G. FRASER: I must thank the Chief Secretary for having sent me the chart to which he referred, but, having examined it, I am still more fogged. I find that it mentions pensions varying in amount from £1 8s. 9d. to £7 16s.

The Chief Secretary: The hon. member will therefore realise how anomalous the position is.

Hon. G. FRASER: If the Chief Secretary can tell me that this Bill has been introduced at the request of the Colliery Miners' Union, I shall be satisfied.

The Chief Secretary: Most decidedly.

Hon. G. FRASER: Then I am satisfied.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and *passed*.

BILLS (2)—RETURNED.

1, Pearling Act Amendment.

2, Bread Act Amendment.

Without amendment.

BILL—FISHERIES ACT AMENDMENT.

Read a third time and returned to the Assembly with an amendment.

BILL—FOOTWEAR REGULATION ACT AMENDMENT.*First Reading.*

Received from the Assembly and read a first time.

Second Reading.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban) [3.14] in moving the second reading said: This is a Bill to bring in uniform legislation to prohibit shoddy footwear. Uniform legislation to maintain quality of footwear has been the subject of discussion between the States for some time. The Premiers of all the States conferred on the matter in July, 1947, when the majority favoured the implementing of uniform State legislation for the purpose of protecting both the public and the reputable manufacturers.

In Queensland and Victoria shoddy footwear has become a menace to the manufacturer, the former State suffering so badly that legislation dealing with the matter was passed in December, 1946. New South Wales, while waiting for all the States to pass uniform legislation such as that now being introduced, found it necessary in October, 1947, to promulgate regulations in respect of other types of leather goods such as travelling trunks, handbags, saddles, harness, gloves, sporting and fancy leather goods. Those regulations became operative on the 1st January, 1948. In this State, the Act, which is to be amended, was passed in 1917. It has not been implemented for some years owing to the fact that it was considered unfair to the retailer as well as somewhat prejudicial to the manufacturer in this State. This position, however, has been changed by the proposed uniform legislation in all States.

It is intended that the amendments now submitted, and any regulations to be promulgated, will not be proclaimed until the Government is satisfied that similar legislation has been enacted and will be implemented on a mutually agreed date by all the States of the Commonwealth. Should some of the other States put such legislation into operation; then the State which does not do so is open to dumping of shoddy footwear. The

Commonwealth Import Regulations are also being amended to require the oversea manufacturers to mark footwear in a similar manner to that required by Australian manufacturers. The amendments are simple and are being made, firstly, for the sake of uniformity, and, secondly, to enable legislation to be implemented in a more practical manner. I move—

That the Bill be now read a second time.

HON. G. FRASER (West) [3.17]: The introduction of this measure has caused some consternation amongst manufacturers of footwear. Members may smile when they think of me standing up here speaking for the manufacturers, as generally I speak for the workers. I wish to be fair to everyone and, as the manufacturers are so much concerned about this matter, I made inquiries from them. I saw the secretary of the Chamber of Manufactures this morning in an endeavour to get their side of the story, and I was informed that they have some doubt as to whether this Bill is in the terms agreed upon by all the States.

During his speech the Chief Secretary said that a Bill to be introduced in all States had been agreed upon at a Premiers' Conference but, at 11.30 a.m. today, the secretary of the Chamber of Manufactures was endeavouring to discover from the Eastern States, by wire, just what had been agreed upon. He said he would inform me of their views later today after he had ascertained what was the position. When that information comes to hand, I will probably support the Bill.

We all desire to protect the public against manufacturers and sellers of shoddy footwear. The average person does not look at shoes closely enough to know whether they are soled with leather or with some substitute, which may be hard to detect. Many mothers have complained to me about the quality of children's school shoes and boots. These shoes and boots are sold at high prices, and quite often, after a child has worn them for a week or two, they are ruined. As the Bill will protect the public, I shall support it.

HON. H. K. WATSON (Metropolitan) [3.21]: In the absence of further information, I am inclined to vote against the second reading, and in any event I think this measure could well be left for consideration next

session, by which time further information would be available. The Chief Secretary has mentioned that the object of the Bill is to ensure that persons using materials other than leather in the manufacture of footwear cannot sell those boots and shoes as though they were made entirely of leather. Members will agree that anything that would prevent such a practice is worthy of support, but I feel that the Bill, as at present drafted with provision for the branding of all footwear, whether of leather or not, is like using a sledgehammer to crack peanuts.

Hon. E. H. Gray: At all events, it would identify the crooks.

Hon. H. K. WATSON: If the Bill were confined to providing that any shoe not soled or made wholly of leather should be branded to show what it was made of, that would be sufficient. I am reminded of the position with regard to notifiable diseases. A person does not have to notify the authorities with regard to disease unless he has contracted it. If it were mandatory for manufacturers of shoddy boots and shoes, with soles containing cardboard or some other substitute, to brand them, that would be sufficient, and that is provided for under the law at present.

I do not think we should be worried about what the Eastern States have done, or what the Premiers may have agreed upon, with or without full knowledge of the existing legislation in the various States. The present statute is adequate to ensure that shoddy footwear is branded as such and that the public are made aware of the fact. Section 4 of the parent Act of 1916 reads as follows:—

If any person manufactures for sale, or sells or exposes for sale, or has in his possession for sale any boots or shoes, the soles of which do not consist entirely of leather, he shall, unless a statement of the materials composing the sole is conspicuously and legibly stamped upon or impressed into the outer surface of the sole of each boot or shoe, be liable to a penalty not exceeding twenty pounds.

And so on. The object of this Bill is already achieved by the present Act. This measure will merely impose on the manufacturers and importers of shoes in this State—the manufacturers and the retailers—the formidable task of branding every shoe they manufacture or import. I am inclined to vote against the Bill as being simply another unnecessary control.

HON. L. A. LOGAN (Central) [3.25]: Having only now seen the Bill, and not having had time to study the parent Act, I find it hard to follow the purport of the measure; but, as one who has six children for whom to buy shoes, I am wary about voting for the measure, as I do not know that it will protect the purchaser. The Bill lays down that the manufacturer shall describe exactly what the sole of the boot or shoe consists of. I think it will be agreed that, although a sole is branded "all leather," it might still be leather of any grade. The leather made from the belly of the hide is vastly inferior to that made from other portions of the hide. A sole might be branded "all leather" and yet be made of belly leather, which would not be worth a fifth of the value of leather made from the right portion of the hide. I think the Queensland Act is probably the best, because it lays down that the manufacturer must brand his name on the shoes or boots.

The Chief Secretary: That is already provided for.

Hon. L. A. LOGAN: If that is done, the public can decide the matter for themselves. The people have sufficient commonsense not to buy a second time goods that have previously proved unsatisfactory. That is the only way in which the various manufacturers will find their true place on the market.

Hon. G. Bennetts: The trade mark!

Hon. L. A. LOGAN: The manufacturer's name is necessary also. It might be better to provide that the different grades of leather used in soles should be clearly shown, together with the name of the manufacturer and the trade mark. I do not think the Bill, as at present drafted, is satisfactory.

HON. G. BENNETTS (South) [3.27]: Like Mr. Fraser, I have had many complaints from mothers of large families about the poor quality of children's footwear today. Even if a shoe is branded "all leather," it might still be made of any grade of leather. At present, children's shoes are being sold at high prices, though made of leather of the poorest possible grade. The name of the manufacturer should be branded on the shoe. Today it is almost impossible to trace the real owners of many businesses.

Firms are trading under different names that deceive the public. I think the Jews who own big businesses should be forced to have their names clearly displayed on those establishments. With the poor quality of leather in children's shoes today, I do not know how many workers can afford to provide footwear for their children. From experience, I know that my grandchildren's shoes often last not more than two or three weeks. In the days when I reared my own family, we had to pay only 4s. 6d. or 5s. 6d. for children's shoes, which were made of the very best quality leather. Today the people are being exploited. I support the second reading.

HON. H. HEARN (Metropolitan) [3.30]: With Mr. Fraser, I feel that this Bill is being hurried through without any notification being given to the people interested. I understand that the Chamber of Commerce was notified that this legislation was to be brought down but the people who were really interested, the Chamber of Manufacturers, knew nothing about it until it was introduced in another place. In all these matters, I believe that the Government would be well advised to take the people concerned into its confidence.

The manufacturers in this State have no objection to branding. They have an extremely serious objection in that they believe that information will be made available—we trust later on during this sitting—disclosing that the regulations proposed under this Bill are not uniform, and the result of this particular measure will not be to place Western Australia on the same footing as the other States. I believe the motive of the Government in bringing this legislation down is to have uniform legislation throughout the Commonwealth.

Hon. A. Thomson: Without any advantage or disadvantage to the Chamber of Manufactures.

Hon. H. HEARN: That is a fact. I think we should have an opportunity of looking into this measure very carefully. I therefore hope the Chief Secretary will grant us that opportunity before this Bill reaches the Committee stage in order that we may have the information which we know has been sent for urgently to the Eastern States. It is only fair to remind the House

that today in Melbourne it is a public holiday and it may still be difficult to obtain that information. What astounds most of us is that a Bill such as this must be rushed through without fair notice being given.

The trade is anxious to see that a fair thing is done by the public. I think Mr. Bennett's remarks do leave a little doubt in the minds of members, because he generally thinks that manufacturers must of necessity be thieves and robbers. I resent that definite imputation, which is often advanced by the hon. member. I do hope that the Chief Secretary will give us time so that interested parties particularly will have an opportunity of forming a proper appreciation of what the Bill contains.

HON. E. H. GRAY (West) [3.33]: I am sorry that evidently there has been a mistake by somebody with this Bill or else the manufacturers would have known about it. What we all know is that there has been serious exploitation of the public who in the majority of cases comprise people with families. Such exploitation is generally directed to the sale of children's boots.

Hon. G. Bennetts: Not only boots but also shoes.

Hon. E. H. GRAY: Well, boots and shoes. Everywhere there have been complaints over this matter. During the war Commonwealth regulations were enforced to try and prevent exploitation. Those regulations have now been waived and since then, at a Premiers' Conference, agreement was reached between all the States respecting the introduction of uniform legislation. The Commonwealth has also agreed to pass the necessary legislation this session to deal with leather goods imported from other countries. I cannot understand all the trouble about waiting for information from the Eastern States.

Surely to goodness the manufacturers can rely upon the officers in the Factories and Shops Department, which I think is the department concerned in this legislation. No-one can persuade me that they would put a joke over Parliament, and they would not dare to mislead the Minister. Therefore, if there is a holiday in Melbourne today there will be no possible likelihood of obtaining that information at an early date. I think it is an insult to the

department to have the temerity to say that information has been sent for from the Eastern States.

Hon. H. Hearn: It has been deemed necessary.

Hon. E. H. GRAY: I think it is absolute humbug. I was amazed yesterday to meet a small army of manufacturers in the precincts of the House, including one man who comes from the West Province. He was here because there is a big factory in that area and this Bill would be a great protection to him. There is no mistake about that. He has a firm that built up a wonderful reputation for manufacturing soldiers' boots during wartime, and I was surprised to see him here yesterday, protesting about this Bill.

Hon. G. Fraser: No, he was not.

Hon. H. Hearn: No, he was not protesting.

Hon. E. H. GRAY: He seemed to be panic-stricken.

Hon. H. Hearn: Well, the Bill was only introduced two days ago.

Hon. E. H. GRAY: I agree with Mr. Hearn that the parties should be notified of impending legislation and all should work together. Supposing we do not pass this Bill and leave it over until next session, and our two biggest competitors, Victoria and New South Wales, pass this legislation, then all the inferior quality footwear will be dumped into Western Australia. So for our own sake we should pass this Bill during this sitting. The Minister in another place gave the assurance that this legislation will not be implemented until all the other States are ready to implement theirs.

Hon. H. Hearn: On a uniform basis?

Hon. E. H. GRAY: Yes. The terms have been agreed upon. Surely we can accept that. Seeing that the Bill is of great concern to the working class people, we should pass it now. Furthermore, we must take notice of the people engaged in the industry. I read a copy of the Minister's speech in another place and I noticed that he read letters from the two unions concerned.

Hon. A. Thomson: Two unions?

Hon. E. H. GRAY: Yes, from the employees. Surely in these days of shortage of labour we do not want highly skilled

men and women making cardboard soles for babies shoes. Also, we desire to protect the decent and honest manufacturer. I resent Mr. Bennetts's remarks in singling out certain people of Jewish origin.

Hon. G. Bennetts: They have full control of the industry.

Hon. E. H. GRAY: Any man who refers in a derogatory way to the Jewish people suffers very badly from an inferiority complex. I am sorry Mr. Bennetts made that statement because some of the Jewish people in our midst are numbered amongst our best citizens. I am a Presbyterian but I know that there many that call themselves Presbyterians whose business methods are questionable. I hope the hon. member will not repeat such statements again. This is an important Bill from the point of view of the people engaged in the industry, the employers, the employees and, last but not least, the heads of families who are put to considerable unnecessary expense because they are compelled to buy rubbish. I support the second reading.

HON. C. F. BAXTER (East) [3.40]: I am astounded that a Bill of this nature should be brought up so late in the session and rushed through this afternoon. I have just obtained a copy of the Bill and have tried to reconcile it with the Act, but what chance have members to do that? Mr. Gray said we all knew that this Bill was coming on, but I can assure the House that we knew nothing of the sort. Mr. Gray may know something about bread—

Hon. E. H. Gray: I know nothing about shoes!

Hon. C. F. BAXTER: Then why speak to the Bill this afternoon? With reference to the Eastern States competition, perhaps it will satisfy Mr. Gray to know that the competition in the footwear industry is the most keen of any.

Hon. E. H. Gray: That is why we want protection.

Hon. C. F. BAXTER: No; it is because of that keen competition that manufacturers must produce boots and shoes of a high quality. I will quote an illustration of what State enterprise can do. Just after the commencement of the last war, a firm was granted a contract to supply half soles for 'Army boots for sol-

diers and they had to be of good quality because inspectors were checking them. All at once a wire was received from the Eastern States stating that they were unsuitable for Army use and that no more leather was to be exported to this State. I approached the controller, who was a State officer, and his argument was "Why should we be importing leather when we are exporting it?"

As Mr. Gray probably knows, there are several grades of leather. Western Australia will always be an exporter of light leather to the Eastern States. When it comes to heavy leather, necessary for Army and other requirements, the hides have to be secured from other States, mainly from Queensland. The upshot of the instance which I was quoting to the House was that I informed the controller of the unfortunate position we were in and that we were right up against it for leather to fulfil the orders for the Army. He immediately sent a wire to countermand the previous order from the Eastern States. However, it took several weeks to get the machinery going and in the meantime all the Army orders were held up. So much for what happens under State enterprise.

I say advisedly that we are legislators and are here to protect the industry and the people. I defy anybody to analyse this Bill and do justice to it in the brief time we have available. If it were discussed tomorrow or next week it might be all right, but I do not think we can go on with this Bill today. From what I can see of it, I do not think the Bill will be of any use in protecting the public. It will inflict more trouble on the manufacturers with no benefit to the consumers. Mr. Logan said that there are different grades of leather and I definitely agree with him.

With the keen opposition in the industry no manufacturer is going to use leather of an inferior quality. But people will ask for cheap footwear; and if they want it, they certainly cannot expect it to be manufactured of first grade leather. It would be a fatal mistake to proceed with the Bill this afternoon before we have had time to analyse it thoroughly and especially the regulations relating to it. We have the 1916 Act on the statute book now and it will take some time for members to analyse

that. I advise the House to tread very warily with this measure, because I think it will do more harm than good.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban—in reply) [3.45]: I am not at all surprised that members are not fully conversant with the Bill as it has only just been received from another place. Therefore, I shall ask that the Committee stage be taken later in the sitting. Meanwhile I point out that there is a statute in existence and that we have been requested to change the law in order to bring it into line with the Queensland Act. It will not be word for word with the statute of that State. For instance, one provides for "boots" to include shoes, and the other says "shoes including boots" but the effect is the same.

I direct attention to this amendment. The Act provides that shoes do not include slippers and sandals, whereas under this measure they will. Further, provision is made for a definition of "statement of materials." Then the term "to sell" will include hire purchase. Goods are sold on hire purchase and that is not included in the ordinary acceptance of the term "sell." There is also an addition to the definition of "sole."

Section 4 of the Act is very drastic. It sets out what must be stamped as follows:—

If any person manufactures for sale or sells or exposes for sale or has in his possession for sale any boots or shoes, the soles of which do not consist entirely of leather he shall unless a statement of the materials composing the sole is conspicuously and legibly stamped or impressed into the outer surface of the sole of each boot or shoe be liable to a penalty not exceeding twenty pounds.

That part of the section was read by Mr. Watson, but he did not read the proviso, which says—

Provided that this section shall not apply—

(a) Where the outsole consists entirely of rubber; or

(b) Where the only material in the sole other than leather consists of one or more of the following:—

Then the materials are set out. Clause 4 of the Bill is to a large extent similar, but it is simpler, and the alteration is being made to bring our law into line with the legislation in other States. A penalty of £20 is being provided, as in Section 4 of the Act. Other alterations to the Act are really drafting amendments.

When the Bill was handed to me to introduce, I asked where was the need to worry about it as we already had legislation on the statute book. The reply was that an undertaking had been given by the Premiers of the various States to bring in uniform legislation, and that some of the States had already done so. I asked whether this Bill could not wait, and the reply was, "No, Parliament will be adjourning for some time and our legislation should be ready to be put into force when the other States enforce theirs." Hence I propose to move an amendment to provide that this measure shall come into operation on a date to be proclaimed.

As I have pointed out, we already have an Act on the statute book. This Bill will merely tighten up and improve certain provisions, but it will not affect the matters that have been mentioned by members. I hope that members will closely scrutinise the Act and compare it with the Bill, and they will then find that what I have stated is correct. I inquired whether any information had been received from the Eastern States and learnt that there has been no word so far.

Hon. C. F. Baxter: When did the Premiers give that undertaking?

The CHIEF SECRETARY: In 1947. Since then there has been a change of Premiers in some of the States. The arrangement was that the legislation should be put on a uniform basis throughout Australia. It would be of no use our prescribing that manufacturers shall brand the soles of shoes unless there was a similar law in Victoria, for instance. To be of any value and to be fair to our own manufacturers, there must be uniform legislation throughout Australia.

Hon. H. Hearn: This measure will not be proclaimed if you find that it is not uniform?

The CHIEF SECRETARY: That is so. One of the reasons why action was not taken after the agreement in 1947 was that control was exercised by the Commonwealth, which extended its regulations for another 12 months.

Hon. C. F. Baxter: What information did the Premiers have to guide them in making this agreement?

The CHIEF SECRETARY: Full and complete information.

Hon. C. F. Baxter: Where did they get it?

The CHIEF SECRETARY: From people having the knowledge. I have no knowledge of the subject from my own experience, but I have information from knowledgeable people.

Hon. C. F. Baxter: That is the trouble.

The CHIEF SECRETARY: I assume that the Premiers were able to judge whether they were getting good or bad information, and I feel sure that the Premiers of a majority of the States acted on solid and reliable information. As I have stated, we already have an Act on the statute book, and this Bill will merely bring it up to date and into line with the legislation in other States. Our Act in its present form does not include slippers, and we see in the shops many slippers made of leather or purporting to be made of leather. They will be included under this measure.

Hon. H. K. Watson: Under this measure you may cause slippers to be stamped irrespective of whether they are made of leather.

The CHIEF SECRETARY: To what clause is the hon. member referring?

Hon. H. K. Watson: Clause 4.

The CHIEF SECRETARY: That clause reads—

No person shall manufacture for sale or sell any boot or shoe, other than one the outside of which consists entirely of rubber, unless it is marked in the manner prescribed by regulation with a statement of materials.

Hon. R. M. Forrest: Are not there many materials in a shoe?

The CHIEF SECRETARY: This refers to the outer sole. Under this measure, if felt slippers are offered for sale, they will have to bear the name of the manufacturers, such as Jones & Co., manufacturers, Perth. We are aiming at the person who is not game to put his name or anything else on the footwear he manufactures.

Hon. E. H. Gray: That is the point.

The CHIEF SECRETARY: Shoddy goods can easily be palmed off on to an unsuspecting child who might be sent to buy shoes.

Question put and passed.

Bill read a second time.

BILL—INCREASE OF RENT (WAR RESTRICTIONS) ACT AMENDMENT (No. 3).

Returned from the Assembly without amendment.

BILL—RESERVES (No. 2).

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban) [3.55] in moving the second reading said: Members will recognise this as a Bill of the sort usually introduced towards the end of the session. It relates to a number of reserves that are being altered and which can only be altered by statute. Clause 2 deals with a reserve at Broome. The Commonwealth Government desires to acquire from the trustees of the Public Education Endowment Broome lot 587 of 25 acres and 37 perches which is part of a Class A reserve held in trust as an endowment for public education. The lot is required for a wireless station and the trustees have agreed that it should be so used.

A reserve at Cottesloe on the south side of the jetty is being handed over to the Commonwealth for a marine biological station. The only piece of land that will really be taken from the public is that on which the building will be erected. There will be no interference with the beaches. Of all the sites inspected by Commonwealth officials, this one is deemed to be the most suitable and the Cottesloe council has agreed to the proposal. The next reserve dealt with is also at Cottesloe. Lot 9 is held in fee simple by the trustees of the Public Education Endowment and representations were made to the trustees by the council on behalf of the kindergarten and infant health movements requesting that separate sites be made available for the erection of a kindergarten and an infant health centre. A small area is also required for water supply, sewerage and drainage purposes, the excision of which will have no detrimental effect on the adjoining areas.

A reserve at Denmark for recreation and show grounds was amended last year, at the request of the Denmark Road Board, to include certain lots which had been ear-

marked for inclusion in a re-subdivision of certain suburban lots for building purposes. Therefore they are being excised. Their inclusion was due to a misunderstanding in connection with the surveys. Kalgoorlie Lot 207 was reserved in 1901 for a site for a railway institute, and in 1902 the Crown grant issued to certain trustees. The trustees are now deceased, and to avoid the necessity for continually changing the names of the trustees on the title, it is desired to revest the land in His Majesty as of his former estate, and then reserve it for a railway institute. This is purely a formal matter to legalise the position.

The reserve dealt with in Clause 7 involves a matter of considerable moment. An area of 13,000 acres was gazetted in 1886 for the use of New Norcia Aboriginal Mission, subject to the condition that the mission authorities might acquire the fee simple at any time under the regulations in force at the time of purchase. There is no question that that was the arrangement, and the agreement was duly gazetted. That was in the days before Responsible Government. The Benedictine Community of New Norcia, Incorporated, is the present authority in charge of the mission, and the Crown Solicitor has advised that they are the people who are entitled to exercise the option. Unfortunately in this case, the Land Act limits the area of C.P. land that may be purchased to 1,000 acres, or, with special approval, up to 2,000 acres and, as members know, conditional purchase land is cultivable land. The Land Act further provides that it must be thrown open to public competition. It is desired to give effect to the promise of the then Government of the Colony; and in order to fulfil that obligation and permit the New Norcia authorities to purchase the land, this clause provides that they shall have the right to buy on a 20 years' basis at the fair and reasonable price of the unimproved value at the present time.

Hon. G. Fraser: They are going to pay today's price?

The CHIEF SECRETARY: Yes, the unimproved value; and they have 20 years in which to pay, on the same basis as for conditional purchase leases. The next clause provides for the subdivision of certain land at Northampton into 11 home-building blocks in order that the Housing Commis-

sion may erect houses thereon. There will be 11 home sites of 1 rood 36 perches each. The final clause permits endowment land held by the Fremantle Municipal Council to be acquired by the Housing Commission for home-building purposes, with the consent of the Fremantle council. I move—

That the Bill be now read a second time.

Sitting suspended from 4.3 to 4.25 p.m.

HON. E. M. DAVIES (West) [4.25]: Clause 9 refers to Cockburn Sound locations Nos. 551 and 839 which are within the boundaries of the Fremantle municipality. I would like the Chief Secretary to say whether the Bill is drawn in accordance with the agreement made between the Fremantle council and the Minister. I make this request because the Fremantle council made available certain portions of its endowment land to the State Housing Commission for the purpose of building homes. A number of houses were built there. When the question of the sale of homes came about it was necessary to subdivide the land into blocks and it was found that the value of the land was £600. Someone desired to charge the Housing Commission that amount.

The Fremantle City Council did not concern itself at all as to who should receive the £600. As a matter of fact, it was opposed to any charge being made for the land, having in mind the purpose for which it was made available to the Housing Commission. However, there has been some correspondence between the Lands Department and the council on the matter, and I understand an agreement was reached that there should be no charge for the land. If £600 was charged for it, then that amount would be charged against those who purchased the houses. The council felt that in making the land available to the State Housing Commission, it was offering an inducement for it to build houses so that people could live in the municipality of Fremantle.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban—in reply) [4.28]: I am afraid I cannot give the hon. member the information he has asked for, but I shall endeavour to obtain it for him before we reach Clause 9 in the Committee stage.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Chief Secretary in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Reserve No. A15513, Denmark:

Hon. A. L. LOTON: Did I understand the Chief Secretary to say that some of these blocks had been resumed by the State from the agricultural society, and that they were wanted for building purposes?

THE CHIEF SECRETARY: The reserve for recreation and showground purposes was amended in December last at the request of the Denmark Road Board to include Denmark lots 331 and 332 which had been earmarked for inclusion in a re-subdivision of certain suburban lots, together with other Crown land, for which purpose a design was prepared and approved by the Town Planning Board, but owing to shortage of surveyors had not been completed. The survey proposals were overlooked when consideration was given to the road board's request to add the lots to the reserves. As it is impossible to provide an alternative design to exclude the land contained in lots 331 and 332, it is necessary for them to be excised from the reserve.

Clause put and passed.

Clauses 6 to 8—agreed to.

Clause 9—Portions of Cockburn Sound Locations Nos. 551 and 839:

Hon. E. M. DAVIES: I am prepared to let this clause go through. If it is not in accordance with the desires of the Fremantle City Council, the land will not be transferred.

The Chief Secretary: I am afraid it will be.

Hon. G. FRASER: I suggest the Chief Secretary endeavour to get the information. We do not want the State Housing Commission to charge £60 for a block of land which has been given to it for nothing. That is all we are concerned about.

THE CHIEF SECRETARY: I know that Councillor Sampson and the Town Clerk saw someone in the Lands Department, but I do not know the result of the interview.

If either Mr. Davies or Mr. Fraser will ring me in the morning, I shall endeavour to let them have the information they seek.

Hon. G. BENNETTS: When the State Housing Commission takes over private blocks, how does it arrive at the price for them?

The CHIEF SECRETARY: I am so immersed in the Bill relating to certain reserves that I am afraid I cannot focus my mind on other aspects.

Clause put and passed.

Schedule, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and *passed*.

AUDITOR GENERAL'S REPORT.

Section "A," 1949.

The PRESIDENT: I have received from the Auditor General a copy of Section "A" of his report on the Treasurer's statement of the public accounts for the financial year ended the 30th June, 1949. It will be laid on the Table of the House.

BILL—ROAD CLOSURE (No. 2).

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban) [435] in moving the second reading said: This is another familiar Bill which we have every year. I will deal with the clauses as they appear in the Bill for the assistance of members. I have the plans and will make them available to any member who desires to see them, but I cannot lay them on the Table of the House because they have already been laid on the Table in another place.

Clause 2 deals with the closure of portion of Macauley-street, Bunbury. The State Housing Commission has acquired certain land at Bunbury which is at present vested in His Majesty. Re-subdivision of the area has involved the closure of a small portion of Macauley-street. This section of Macauley, street, about four chains in length, becomes

unnecessary as a new roadway has been provided from Kelly-street to Eccleston-street. The next clause deals with the closure of portion of a road in the Fremantle district. The State Housing Commission made arrangements with the City of Fremantle to acquire portion of the municipal endowment lands, for which purpose provision has been made in the Reserves Bill. Subdivision of the area into home sites involves the closure of portion of road No. 312. Adequate provision for roads has been made in the design for the subdivision of the area.

The closure of portion of Butterfly-street, Kalgoorlie, is contained in the next clause. The addition to the North Kalgoorlie school site Reserve No. 7647, of an area of 1 rood, 7.4 perches, involves the closure of portion of Butterfly-street. The school site reserve is less than the usual area, and extra playing ground is badly needed. Clause 5 deals with the closure of portion of Derby-street, Perth. On the application of an adjoining holder, Mr. A. R. Rowarth, the City of Perth has recommended the closure of the north-eastern end of Derby-street. The Town Planning Commissioner has no objection to the closure, which has been recommended by the Surveyor General. The land within the road is Crown land, and the question of its alienation will be decided in due course.

In constructing a bituminised portion of Melville-parade, Como, between Cale-street and Henry-street, the South Perth Road Board deviated the road through the board's freehold property, known as the Olives Reserve. Melville-parade has been widened by resumption from the road board's land to include the deviation, which has improved the alignment of the road and has rounded off the sharp corner of Lot 202. It is desired to close portion of the road with the intention that the land affected be declared a recreation reserve and classified as Class A.

The next clause deals with the closure of East-parade in the City of Perth. By Section 10 of the Road Closure Act, 1948, it was intended to close the whole of that portion of East-parade between Gardiner and Zebina-streets, but, through the omission of certain essential brackets in the printing of the Act, a small area was excluded from the desired closure. This clause will rectify

the omission and enable the Crown to issue a grant to the City of Perth of the whole area of the road as originally intended.

The last clause makes provision for the closure of road No. 3324 at Mahogany-Creek in the Mundaring-road district. A small triangular portion of road 3324 was previously portion of Greenmount Suburban Lot 281, and was donated to the Crown by the owner of the lot for the purpose of truncating the corner. The Mundaring Road Board considers the truncation excessive, and has requested that the area be reserved for a hall site. Provision has been made for a standard truncation of the corner. The present holder of Lot 281 has concurred in the proposal. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed*.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the previous day.

HON. G. FRASER (West) [4.45]: I have had a look through the Bill which contains only three amendments. Two of them are very simple and I shall not refer to them. I am happy about the third. Members generally will appreciate what it means. In case some do not, I would remind them that under the Act an inquiry regarding the basic wage has to take place within a certain period and a declaration made as from the 1st July each year.

Owing to the Commonwealth having embarked upon an exhaustive inquiry into the basic wage, it was decided here not to issue the ordinary proclamation. As the Commonwealth basic wage inquiry extended beyond July, it would not be possible to apply its benefits in this State before the 1st July of next year unless the Act were altered to allow it to be done. The object is to enable any benefits from the Federal basic wage declaration to apply in this

State. Unless that is done many workers in this State will be detrimentally affected. The fairness of the proposal should appeal to members and I support the second reading.

HON. H. HEARN (Metropolitan) [4.47]: I support the second reading with pleasure. I emphasise once more the correction already made in another place regarding the attitude of employers generally respecting this legislation. We recognise that a hardship could be inflicted upon the workers of this State if the legislation were not passed. We want to make it perfectly clear that all we promised was to facilitate a State inquiry into the basic wage, which would of necessity follow on the Commonwealth finding. As long as that is made clear, I shall be happy to support the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed*.

BILL—COMPANIES ACT AMENDMENT (No. 2).

In Committee.

Resumed from the previous day. **Hon. J. A. Dimmitt** in the Chair; the Chief Secretary in charge of the Bill.

The **CHAIRMAN**: Progress was reported after Clause 27 had been agreed to.

Clauses 28 and 29—agreed to.

New clause:

Hon. J. G. HISLOP: I move—

That a new clause be inserted as follows:—

“5. Section thirty-seven of the principal Act is amended by substituting for the word ‘twenty-one’ in subsection (1) paragraph (i), sub-paragraph (a), line eight, the word ‘fifty.’”

The purpose is to increase the number of shareholders in a proprietary company from 21 to a maximum of 50. The smaller number has proved a limiting factor in the working of such companies and 50 is the number of shareholders agreed to the world over. The principle embodied in the amendment has been previously discussed, and I think it appropriate to insert the provision in the Act at this stage.

Hon. G. FRASER: Has Dr. Hislop realised the effect of the amendment if it is carried? I want to be quite honest with him and I want him to be quite honest with the Committee. Does he want the Bill? If he does, he will jeopardise the measure, should the amendment be agreed to. I ask for some further explanation as to the possible effect of the proposal.

Hon. H. K. WATSON: If the amendment is agreed to and we then ascertain the reply of another place, the time will then arise to put the question to Dr. Hislop as to whether or not he wants the Bill. I support the amendment because it has been found in practice that 21 members of a proprietary company is an unreasonably small number. A proprietary company is distinguished from a public company in three or four material directions. A proprietary company is not allowed to make a public issue of its shares and is not entitled to accept deposits or loans from any persons other than its own shareholders. Thirdly, it must restrict the number of its shares.

That difference between proprietary and public companies is embodied in companies legislation throughout Australia, New Zealand and elsewhere. One of the principal advantages of a proprietary company is that it is not required to lodge a balance sheet or disclose its private affairs at the company's office. Cases have arisen where a proprietary company has had 20 members one of whom dies and leaves his shareholding to his five children. That automatically converts the proprietary company into a public company within the meaning of the Act and it is then liable to all the provisions of the legislation as though it were, in fact, a registered public company. The amendment, if accepted, will make the Companies Act of this State uniform with those applying elsewhere in Australia. Moreover, only 15 minutes ago the Chief Secretary urged members to pass a Bill for the sake of uniformity!

The CHIEF SECRETARY: I entirely agree with all the hon. member said, but I draw the Committee's attention to the fact that this provision has already been thrashed out in another place and defeated. We must keep our ears open as we move round the corridors, and I fear that if we pass this amendment the Bill will, when

returned to another place, be laid aside. I think we should leave well alone. The amendment could be introduced again in the next Parliament.

Hon. J. G. HISLOP: I have no desire to see the Bill defeated, although I think the new clause would make a vast improvement to the Bill. It would, however, be foolish to wreck the measure and if what the Chief Secretary has said is correct—

The Chief Secretary: It is my personal opinion.

Hon. J. G. HISLOP: We have to be guided by it. I ask leave to withdraw the proposed new clause.

New clause, by leave, withdrawn.

Title—agreed to.

Hon. H. K. WATSON: After the Bill has been reported, I propose to suggest that it be recommitted for the purpose of correcting what appear to be one or two obvious drafting errors in Clause 24.

Bill reported without amendment.

Recommittal.

On motion by Hon. H. K. Watson, Bill recommitted for the further consideration of Clause 24.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Chief Secretary in charge of the Bill.

Clause 24—Amendment of Section 347:

Hon. H. K. WATSON: Section 347 relates to foreign companies and imposes an obligation on them to maintain in this State a share register. Under the Act as it stands, banks and life insurance companies do not have to register, as they come under their respective Acts and consequently are exempt from provisions of this kind. It is felt that banks and insurance companies should, however, at least be liable to comply with the provisions of the Act which require foreign companies to maintain a share register in Western Australia. To give effect to that desire, Clause 24 was included, but if that clause be read in conjunction with Section 347 it becomes apparent that there are one or two serious drafting errors. There are other sections in the Act which also relate to share registers. These provide for penalties for not keeping such registers, how they shall be kept and so on.

Moreover, Section 347 only commences to apply when the foreign company or its agent has lodged a memorandum of appointment of agent. It is not necessary for a bank or a life insurance company to lodge such a notice. In order to make the clause effective, it should provide that the other provision in the Act relating to foreign share registers shall also apply, and that for the purposes of this provision the manager shall be deemed to be the agent of the company and the principal place of business of the company shall be deemed to be the registered office.

I have discussed this matter with the legal representative of the banks. The banks have no feelings in the matter at all and are quite agreeable to maintain a share register here, but they wish it to be clearly expressed just what they are required to do. I move an amendment—

That in line 2 of proposed Subsection (4) after the word "section" the words "and Sections 348 to 360 inclusive" be inserted.

Amendment put and passed.

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

That at the end of paragraph (b) of proposed Subsection (4) the following words be added "and in respect of such a company the following provisions shall apply:—

(c) The local register shall be established within two calendar months from the date of commencement of the Companies Act Amendment Act, 1949.

(d) For the purposes of this section and Sections 348 to 360 inclusive of this Act the manager in this State of such company shall be deemed to be the agent of the company and the principal place of business of such company in this State shall be deemed to be the registered office."

These amendments should be understandable even to the legal fraternity.

Hon. G. Fraser: That has a sting in it.

The CHIEF SECRETARY: Here is one lawyer who thinks the last amendment is wrong. Instead of the letters "(c)" and "(d)," there should be the small Roman numerals "(i)" and "(ii)".

The CHAIRMAN: That correction will be made.

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

Bill again reported with amendments and the reports adopted.

Third Reading.

Bill read a third time and returned to the Assembly with amendments.

BILL—WAR SERVICE LAND SETTLEMENT (NOTIFICATION OF TRANSACTIONS).

Second Reading.

Debate resumed from the previous day.

HON. A. L. LOTON (South-East) [5.15]: Many members of this House were of the opinion that, when the Land Sales Control (Continuance) Bill was defeated, a free movement in land sales would take place. Unfortunately, that will not be the case if the provisions of the measure now before us are agreed to in their present form. Members will probably agree that the department administering the War Service Land Settlement Scheme should be given power to have the first option over properties offered for sale, and I think that is the only power that should be given under this Bill.

Unfortunately the measure embodies powers that were not included under the land sales control legislation. It includes provisos making it compulsory for persons to notify the Minister that they propose to give, or take, options over rural land or to let rural land or execute a transfer or assignment of any lease of rural land. More remarkable still are the words, "Otherwise dispose of, or acquire any estate in rural land," which cover a very wide scope indeed.

That wording means that an owner of land, whose children have grown up, cannot subdivide the property and transfer portions of it by deed of gift to his children without first obtaining the consent of the Minister. I do not think members will allow that provision to remain in the Bill, or that they will agree to the wording, "except as provided in this Act, a person shall not—(a) without first notifying the Minister—" and so on. The schedule lays down the road districts where properties of less than 150 acres come within the provisions of the Bill.

The Chief Secretary: Land of an area over 150 acres!

Hon. A. L. LOTON: Land under 150 acres.

The Chief Secretary: No, the Bill says, "Of not less than 150 acres."

Hon. A. L. LOTON: Land of over 1,500 acres is not included in the schedule, and it therefore embraces the whole area of part of the State as laid down by the boundaries of the South-West Land Division, as defined by Section 28 of the Land Act, 1933-1948.

The Chief Secretary: Read on, and you will see the word "excluding."

Hon. A. L. LOTON: The definition of "rural land" is set out in the Bill and if we examine the schedule we see there all the road districts affected. They are the land areas embraced in the provision dealing with land of not less than 150 acres. Definition (b) deals with areas of not less than 1,500 acres, but excludes the land referred to in the schedule. It is provided that without the consent of the Minister a person shall not let or take any lease of rural land or give an option for purchase.

Those who have had dealings in land must realise that in private negotiations for the sale of property it is only by the personal approach and sometimes considerable persuasion that it is possible to get a vendor to agree to a sale, and in that case the purchaser frequently takes an option. The Bill would make it an offence to give or take an option until the Minister had given his consent. That does not seem right, because after six weeks had elapsed the vendor might say the property was no longer for sale, whereas had the intending purchaser been able to take an option immediately he would have had the right of exercising it and the deal would have gone through.

Clause 4 provides that the Governor may, by regulation, exempt from the whole or any of the provisions of the Act, and either unconditionally or subject to such conditions as are specified in the regulations, the following:—

(a) persons of any particular class specified in the regulations;

(b) lands of any particular class specified in the regulations;

(c) lands situated in any particular part of the State specified in the regulations; or

(d) transactions of any particular class specified in the regulations.

Clause 8 provides that the Governor may make regulations prescribing all matters and things, "which by the provisions of this

Act are required or permitted to be prescribed, or are convenient for carrying into operation, or for facilitating the operation of the provisions and purposes of this Act."

There have been many debates in this Chamber about regulations, and here we have an open cheque. Under this provision the Governor may bring in regulations and neither House will have a chance of debating them until Parliament meets again some time in 1950. Such regulations could easily prevent the person wishing to make a genuine sale from doing so, and I hope that provision will not be agreed to. Any regulations that are necessary should be set out in the Bill. I hope to hear further debate on the measure. At present I am prepared only to concede that the Government should have the six weeks' option. There is no provision as to when the six weeks shall elapse and nothing as to the date upon which the Minister is to be notified. It is not stated whether it is to be the date upon which the letter is posted or that upon which it is acknowledged by the department. That should be defined. If it is the date upon which the letter is posted—

Hon. L. Craig: That is not notifying the Minister.

Hon. A. L. LOTON: Even when the Minister in charge of a department is notified, it often takes weeks to receive a reply, if, in fact, any reply is received. I would be agreeable to a provision that the date of notification should be taken as the date shown by the date stamp on the envelope. At all events I do not think that question should be left open, as it is in the Bill. I have voiced my main objections to the measure and I hope other members will throw further light on the matter.

HON. L. CRAIG (South-West) [5.27]: The Bill has been brought down in order to give the Government opportunity of honouring the obligation placed on it by its promise to settle returned men on the land. Rural lands have been released from control—

Hon. H. L. Roche: When?

Hon. L. CRAIG: The hon. member knows as much about that as I do. The Bill proposes to give the Land Settlement Board a six weeks' option over the purchase of any land that may be offered for sale

if, in its opinion, the land is suitable. That provision may be irksome to many of us, but we must take into account the obligation placed on the Land Settlement Board. I think that board should have the first claim on land, so that it may honour its obligation. I do not ask that it should be given preference as to price, and whatever price is asked by the vendor must be either accepted or rejected by the board.

I have been in touch with the Director of Land Settlement, Mr. Baron Hay, in the matter of land to be sold by auction. I think that if land is to be sold by auction that should be sufficient notice. The director agreed that land sold by auction should not be subject to notice to the Minister. Trustees having land for sale are under an obligation to get the best price available for it and if they came under the provisions of this measure they could not do that. The price offered to the Minister might not, in the opinion of the court, be the best price, and the trustees would therefore be liable for negligence. They are bound by law always to get the best price, and the only way that can be achieved is by offering the property at auction or by some similar method. So the director has agreed that that shall be so—but it is not in the Bill. I presume that it will be done by regulation.

I think it would be an excellent idea to insert in the Bill that very clause. Therefore, I propose at the appropriate time to insert after the end of the clause, something like this: "Provided that this section shall not apply to any rural land offered or proposed to be offered for sale by auction." I think that is a fair thing, and it will not be objected to by the director. With that exception, I think we ought to pass this Bill. There is an obligation, and the Land Settlement Board is not in a position to know what lands are for sale unless it has an officer continually going among the stock and land salesmen.

Hon. H. L. Roche: Do you not think that properties will be offered to the board?

Hon. L. CRAIG: This will make it so that they shall be offered to it, and it must have some time in which to look the land over. There might be 40 properties offered to the board in a week and of that number 10 might be worth inspecting. Six weeks is not much time in which to decide on the

suitability and value of a property, and expert valuation is necessary. In the meantime the vendor of the property can have other people interested in it, but I am informed that a reply will be obtained from the board in much less than six weeks, which is the maximum time provided.

Hon. H. L. Roche: It is about time it changed its methods.

Hon. L. CRAIG: That might be so, but they must give a reply within six weeks; today it could be six months. I do not like this any more than anyone else, but we have an obligation to settle soldiers on the land and we must give them some priority over other people. I think the least we can do is to give them a time in which to make up their mind, and I do not think six weeks is too long. Sales by auction are advertised publicly and if the department is interested its officer can attend the auction and bid. Therefore, anybody who does not want to offer his property to the Minister, from the interpretation I have received from Mr. Baron Hay, can auction it and the Government, if it so wishes, can bid at that sale.

Hon. H. K. Watson: I believe that only three weeks' notice is given of an auction.

Hon. L. CRAIG: I do not know about that, but I think it would be a good idea to insert such a clause in the Bill. The man who wants the best price is anxious to give all the publicity he can to the sale of his property so that buyers from all over the country can inspect the property for themselves. As a rule, they give much more than six weeks' notice. A man is foolish to advertise an auction sale and only give four or five weeks' notice. With that proviso I have mentioned, I support the second reading of the Bill.

HON. H. L. ROCHE (South-East) [5.35]: It does seem that this measure has been prescribed and designed for departmental convenience, and yet before I discuss certain aspects of it I think that the House should realise that this legislation, as with similar measures, deals with the control over the individual which we are asked to exercise time and again. Further, it only makes provision that the department shall be notified that a property is for sale. Presumably it will be notified of the price also. If a man decides to sell his property as a

private transaction between himself and a long standing friend, he will have to notify the department which will then decide whether to buy it.

The Bill goes further than the original Act, inasmuch as if a farmer wishes to transfer his property to his son he would have to notify the department, presumably owing to the law relating to gift duties and so forth, that he intended to transfer it at a figure. Presumably, the department would then be able to approach that farmer and offer him that figure. While some assistance to the department may be desirable, I cannot help thinking that if perhaps some of our Government departments had less arbitrary control over certain matters, they might make a great deal more progress. Within four or five years after the armistice had been signed for World War 1, there were 5,200 men placed on farms in this State without these powers that are now held by the department.

Hon. G. Fraser: They were placed all right.

Hon. L. Craig: And many were driven off their properties because of the harsh conditions which were imposed upon them.

Hon. G. Fraser: And many were driven off because the land was so poor.

Hon. H. L. ROCHE: In the majority of cases those men selected the property they desired and in every case departmental approval was granted. Now, after three or four years, the department, although clothed with a lot of authority under the land sales legislation, has, I think, settled four or five hundred men; and I should imagine that some of them are settled in the same way as the hon. member referred to when he interjected.

Hon. G. Fraser: I understand that 99 per cent. of them will prove a success.

Hon. A. L. Loton: I hope your figures are reliable.

Hon. H. L. ROCHE: We have a few prophets amongst us.

Hon. L. Craig: How do you spell "prophet"?

Hon. H. L. ROCHE: Not the way the hon. member has in mind. In the circumstances, and while doubtless the House will carry the second reading of this Bill, I think we might well delete some of the pro-

visions of Clause 3 dealing with options and leases which, in conjunction with the regulations under Clause 8, seem to me to give far too much power at this stage to the department and too much opportunity for holding up the business of the individual. I think we have just about reached a stage where we ought to be placing a period to that sort of thing.

Whilst the balance of the Bill gives the department what it wants—six weeks' notification—I think that ought to be sufficient. It is for the department now to go into the market and buy properties which it thinks are worthy of purchase and not tie up people for months and months as we know it has done in the past. People have had to wait for months and months at the department's convenience until it made up its mind and then it would notify the vendor of the property that it had decided not to buy the land, but later changed its mind again and decided to take the place, thus upsetting all arrangements that had been made in the interim.

I have not a great deal of sympathy with the methods adopted to date and they should be altered. The department will certainly have to move a great deal quicker than it has been doing, but at the same time I have every sympathy with the men who are seeking properties. If the department would be a little more sensible in its attitude it might find that many of the men still waiting for properties could find them and then obtain the department's approval of the purchase, because the department does not seem able to find properties for itself.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban—in reply) [5.40]: I would like to correct a few mistakes which some members have made when speaking. The first question was as to how long it would take to serve a notice and give notification to the department. The Bill shows that, except as provided in the Act, purchase shall not be effected without notifying the Minister. Section 31 of the Interpretation Act says—

(1) Where by any Act any notice or other document is required to be served, whether the expression "serve" or the expression "give", "deliver", "send", or any other expression is used, the service may be effected on the person to be served—

(a) by delivering the notice or document to him personally; or

(b) by leaving it for him at his usual or last known place of abode, or, if he is in business, at his usual or last known place of business; or

(c) by posting the notice or document to him as a letter addressed to him at his usual or last known place of abode, or, if he is in business, at his usual or last known place of business:

Provided that no place shall be deemed the place of business of any person unless he is a principal in the business.

Then later it states—

(3) In the case of service by post, whether service by post is required by the Act or not, the service shall be presumed, unless the contrary is shown, to have been effected at the time when, by the ordinary course of post, the letter would be delivered.

So it is not a difficult matter to fix the time when the notice was served. There is nothing to stop any person granting an option. He grants an option which is not binding because it contains the words "option subject to the consent of the Minister," and that is what has been happening during recent times. When a person fixes the price of any land he does so subject to the approval of the controller. It is the same with any documents relating to transfers, sales, etc. So there is no difficulty there. This Bill definitely gives six weeks and no longer so if the vendor notifies the department and it does not act within six weeks he is free to go ahead and sell it to any other person. In introducing the Bill I pointed out that it is not expected that transactions will be held up for six weeks.

It has also been suggested that this Bill will tend to act harshly. Surely we cannot say it is harsh when within all these road board districts—and there are a great many of them—practically all dairy farms are excluded. If a man is selling land up to 150 acres the Soldier Land Settlement Board is not concerned. The Bill proposes to exempt land of an area of less than 150 acres, and any man with an area up to 1,500 acres in any of those road districts also will not be subject to the measure. I made inquiries as to the reason for those provisions, and was informed that the vendor of a large property would go to the board because no-one else would be in a position to buy it. The measure will apply only in those districts where we desire to get a lot more land for the settlement of ex-

Servicemen. These men should have first priority in the right to purchase a property that the owner desires to sell. The measure is not likely to work harshly; in fact, I think it is very reasonable and its duration is limited to the end of next year.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Interpretation:

Hon. A. L. LOTON: Why are not areas of less than 150 acres in districts such as Manjimup and Pemberton included?

The CHIEF SECRETARY: The Government is being lenient and does not want to compel a man who has improved a property of 150 acres to submit it. The board is interested in larger areas.

Hon. J. G. HISLOP: It has been suggested that the measure might prevent a man's dividing his land so as to place a member of his family on a portion of it, unless he first notified the board.

The CHIEF SECRETARY: The desire of the Government is to keep as many people as possible on the land. If a farmer gave portion of his land to a son who was not a farmer, the board might be interested, but if the son intended to work it, no objection would be raised.

Hon. H. L. Roche: Why do you want this power?

The CHIEF SECRETARY: In these matters, an overall power is required. Perhaps the hon. member has no idea of the ingenuity exercised by some people to get around the law.

Hon. W. J. MANN: In some of these matters, we require overall prohibition. A person might have acquired a few hundred acres of land and improved it with the idea of making it available to a son, and I am not satisfied that the department would be kindly disposed in such a case. In the South-West, the department has gone to almost any legal length to acquire land. We should safeguard a man who is endeavouring to do his duty by his family.

Hon. L. Craig: The measure is to operate for only a year.

Hon. W. J. MANN: But the tendency is to continue such controls.

Clause put and passed.

Clause 3—Notification of transactions:

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

That in subparagraph (i) of paragraph (b) the words "or purchase" be struck out.

There is no need to require both the vendor and the purchaser to make a notification.

The CHIEF SECRETARY: The amendment would defeat the object of the measure. Without those words, anyone could purchase a property.

Hon. H. L. ROCHE: But no-one could sell.

The CHIEF SECRETARY: All that would happen would be that the seller would be liable to a penalty, but the purchaser would have possession of the property and would have committed no offence.

Amendment put and negatived.

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

That subparagraph (iii) of paragraph (b) be struck out.

I fail to see why it should be necessary to notify the Minister of a desire to let or take any lease of rural land. In the Land Sales Control Act there is no such prohibition.

The CHIEF SECRETARY: If the subparagraph is deleted, an owner desiring to sell could lease on such terms as would be equivalent to a sale. A property worth £1,000 could be leased at a rate of £500 a year, and, after the measure had expired, the parties could complete the deal. There was a limited period of lease. This is a lease for any period.

Hon. A. L. Loton: This Bill is to operate for only 12 months.

The CHIEF SECRETARY: I know; but there is nothing to stop a man from leasing the land for 12 months and charging £1,000 for the lease. This does not relate to a compulsory purchase of land. It deals only with land suitable for soldier settlement if the owner wants to sell.

Hon. H. L. Roche: Why try to stop him from leasing it?

The CHIEF SECRETARY: Any man who wished to avoid this Act could simply lease the land and get his purchase price on the lease.

Hon. W. J. Mann: He might be leasing only for agistment or grazing purposes.

The CHIEF SECRETARY: If that were so, does the hon. member think for one moment the Minister would object? If the Minister did, the man would say, "All right, I am not going on with it," and the other man would still occupy it without any difficulty, without the department knowing anything about it.

Hon. H. L. ROCHE: The Chief Secretary's explanation in opposition to the amendment satisfies me regarding the desirability of supporting it. I presume the Chief Secretary contemplates that if this provision is included, it will be possible for the Minister to prevent anyone from leasing land which the Minister thinks would be suitable for purchase for war service land settlement purposes. Unless that is the object behind it, I cannot see why the Chief Secretary should be so insistent on this provision remaining in the Bill. The Minister stated a hypothetical case of a sale for £1,000 and the lease might be executed for £500 a year for two years to achieve that. How, unless regulations are going to be used to that end, is the Minister going to stop that?

The Chief Secretary: You have only to give notice to the Minister. That is all.

Hon. H. L. ROCHE: Then there is a clause towards the end of the measure which provides for regulations.

The Chief Secretary: They cannot alter the Act.

Hon. H. L. ROCHE: If this provision is retained, I am suspicious as to what purpose the regulations will be framed to serve. People who have genuine transactions to conduct should be allowed some measure of freedom, and when they wish to execute a lease of their rural land they should be permitted to do so. This bar should be removed from the Bill.

The CHIEF SECRETARY: If a man is going to lease a property of over 1,500 acres, or, if it is a dairy, a place of over 150 acres, all he does is to give notice to the Minister.

Hon. H. L. Roche: What do you want a notification for?

The CHIEF SECRETARY: To prevent leases which are in reality transfers. If notification of a lease is given and the rent

is such that it is obviously a sale, the Minister says, "I will not let you lease it." It is necessary to have this provision in order to prevent any fraud.

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

Ayes	10
Noes	12

Majority against	..	2
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Ayes.

Hon. R. M. Forrest	Hon. H. L. Roche
Hon. H. Hearn	Hon. A. Thomson
Hon. L. A. Logan	Hon. H. K. Watson
Hon. A. L. Loton	Hon. F. R. Welsh
Hon. W. J. Mann	Hon. J. G. Hialop
	(Teller.)

Noes.

Hon. G. Bennetts	Hon. Sir Frank Gibson
Hon. R. J. Boylen	Hon. E. H. Gray
Hon. L. Craig	Hon. G. W. Miles
Hon. H. A. C. Dallen	Hon. H. S. W. Parker
Hon. E. M. Davies	Hon. O. E. Simpson
Hon. G. Fraser	Hon. J. M. Cunningham
	(Teller.)

Amendment thus negatived.

Hon. L. CRAIG: I move an amendment—

That the following proviso be added—

"Provided that this section shall not apply to any rural land offered or proposed to be offered for sale by public auction."

I am informed that it is proposed this section shall not apply to land to be sold by public auction, but it is a good idea to have that stated in the Bill in order to make sure.

The CHIEF SECRETARY: It would be just as well if something were added to the amendment to provide for notice of the sale to be published in certain papers. It would be very easy for a man who wished to avoid submitting his property to the department to send a few dodgers round in a small local town to the effect that there would be an auction, and not many would know about it or attend. I am not speaking of genuine auctions but of those in which the seller would already have arranged a price with a friend.

Hon. W. J. MANN: There is nothing to prevent a man who desires to avoid the provisions of the Act from arranging for one advertisement to be inserted in a paper that does not circulate in his district.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. W. J. MANN: We want something more than that the properties to be submitted by public auction shall be advertised. We should provide the period for which the

advertisement shall run, and that it shall contain a description of the property, otherwise it would be simple for a person to do the wrong thing and arrange for a small newspaper to insert an advertisement, giving just the barest references, in an inconspicuous place. To prevent anything of that description there should be an addition to the amendment. We should stipulate a period over which the advertisement should run otherwise a man might submit an advertisement to a country newspaper on the day before publication and hold the sale the next day.

The CHIEF SECRETARY: I suggest the following words be added to the amendment:—"Provided that the advertisement is approved by an officer authorised by the Minister." That would give a safeguard. Supreme Court notices in connection with deceased estates are approved by the Minister before being published.

Hon. L. CRAIG: I have no objection to anything that is reasonable and which will permit of the carrying out of the intention I have to exempt from control properties that are to be sold by auction. I have no objection to advertisements being submitted to an officer authorised by the Minister. Trustees have to sell by auction.

Hon. H. K. Watson: They can sell by tender.

Hon. L. CRAIG: It is much the same thing. I think a provision that a copy of the advertisement be sent to the Minister would be sufficient.

The CHAIRMAN: Does the hon. member propose to amend his amendment in that way?

Hon. L. CRAIG: Yes.

The Chief Secretary: I suggest that the clause be postponed.

The CHAIRMAN: We have to deal with the amendment before the Chair. If Mr. Craig wishes, he can withdraw his amendment and the clause can then be postponed.

Hon. L. CRAIG: I ask leave to add to my amendment the following words "and advertised in a newspaper, a copy of which shall be sent to the Minister."

Leave given.

The CHAIRMAN: The amendment will now read—

"Provided that this section shall not apply to any rural land offered or proposed to be offered for sale by public auction and advertised in a newspaper, a copy of which shall be sent to the Minister."

Amendment put and negatived.

Clause put and passed.

Clauses 4 to 9, Schedule, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and passed.

BILL—LIQUID FUEL (EMERGENCY PROVISIONS).

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban) [7.43] in moving the second reading said: The Bill is of great importance, but I trust we shall never have occasion to use it. It is not the intention of the State Government to introduce petrol rationing by tickets under State management unless all other expedients fail and dire necessity dictates it. By paragraph (37) of Section 51 of the Commonwealth Constitution, the Commonwealth Government is enabled to make laws on matters referred to it by any State or States so that the law shall extend only to the States by whose Parliaments the matter is referred, or which afterwards adopt the law. Members will recall that we did pass a law handing this matter over to the Commonwealth. I will deal with that phase later. Personally, I am not satisfied of the absolute need for a rationing system.

Hon. E. H. Gray: Apparently you are not a private car owner or you would be.

The CHIEF SECRETARY: If the hon. member will be patient, I will explain that to him. All must be quite clear, however, that Commonwealth insistence on import quotas rendered consideration of that system necessary. This difficulty was accentuated by recent monetary changes. In the period immediately following the High Court's decision it was not expected that

panic buying would result. Public statements, Press publicity and the lack of wisdom on the part of many citizens rapidly increased the effect on import quotas. Increases in buying became much higher than was expected and, as a result, reports indicate hoarding of very large quantities of liquid fuel by a substantial number of people.

If ticket rationing were to be adopted by either State or Federal authorities, something like 200,000 licenses would have to be dealt with in Western Australia alone. This is not considered an action which we in this State should attempt under local machinery. Two or three months would elapse before applications could be received, dealt with and licenses issued. Meanwhile strong indications are that essential industries, let alone private users, would be hamstrung. School bus proprietors and local authorities have already approached the Government to use what influence it can to ensure supplies. Private users with legitimate requirements would be in a parlous condition.

I would like to take this opportunity to inform the House of the decisions of the conference held yesterday between the representatives of the States, and reported to the Premier by the Minister for Transport. The advice received from the Minister was that the conference had arrived at the following determinations:—

(1) The Commonwealth Government has complete control over the importation of petrol.

(2) If as the result of the exercise of such control, rationing becomes essential to ensure an equitable distribution to essential users, the imposition of such rationing is a matter for the Commonwealth Government.

(3) The States of New South Wales, Queensland and Western Australia having already referred powers to the Commonwealth raise no objection to the exercise of such powers by the Commonwealth.

(4) Victoria, South Australia and Tasmania agree to introduce legislation to give Commonwealth regulations the effect of State law to enable a uniform system of rationing to become operative.

Members will recollect that by a measure passed by this Parliament in 1943—the Commonwealth Powers Act—power was referred to the Commonwealth to ration goods in short supply in this State, provided there was no discrimination between the States and provided that the fact that goods were in short supply was affirmed by a resolu-

tion of the Commonwealth Parliament. That power was for a period of five years from the cessation of hostilities and will be operative until August of next year. The resolutions adopted by the conference held yesterday indicate that if they are implemented, the Commonwealth will establish a rationing system in all the States and that rationing system will be in similar terms in all the States, with the possible exception that some reservation may be made as to the North-West area of this State.

That area had not been subject to Commonwealth control previously in respect to liquid fuel, and the Premier, at the recent Premiers' Conference in Canberra, represented to the Prime Minister that if rationing were reintroduced by the Commonwealth, the same exemption should apply to the northern areas of this State as obtained previously. By and large, however, it would seem that there will be a rationing system introduced by the Commonwealth which will not discriminate between the States. In those circumstances, it is thought that there will be power operating under the State Commonwealth Powers Act, 1943, to enable the Commonwealth to proceed with a rationing system for Australia, when the other States implement the proposals or undertakings which are contained in the resolutions passed at yesterday's conference.

I ask members to direct their attention to the Bill. Very briefly it gives the power to obtain information as to the petrol which is hoarded and to deal with that petrol; such power to come into operation as soon as the Bill is assented to by the Governor. That is a most important matter. Secondly, the Bill provides that Parliament may adopt, in respect to rationing by the Commonwealth, a procedure similar to that which is proposed to be followed in the States of Victoria, South Australia and Tasmania, by which Commonwealth regulations are given the force of State law. Thirdly, the Bill contains power for the control of liquid fuel to be undertaken by the State itself, irrespective of any Commonwealth control at all. The last two powers come into operation by proclamation, if and when required.

The view of the Government is that notwithstanding such conference resolutions Parliament should be invited to pass the

measure now before the House. The reason is that unless there is some degree of control it is possible that a condition of great difficulty might occur in the very near future. It is hardly necessary for me to enlarge upon the situation of farmers in connection with harvesting, or the condition of essential industries if there should be a shortage of petrol for those purposes.

Notwithstanding the resolutions of the conference yesterday, we are aware that there is always a possibility of some hitch occurring in their implementation. It may be that some difficulty will be experienced in some States on account of the views taken by one House, or both Houses of Parliament. If that be so, the whole scheme, as proposed at the conference yesterday, might be in danger of breaking down. The Government feels that if this Bill is passed, there will be a reserve power under our law which could be exercised in case of need. If the resolutions of the conference yesterday were not by some chance put into execution, that power under State law would be available to enable the Government to exercise such control over liquid fuel as would safeguard essential industries and ensure some measure of equitable distribution.

It is felt, therefore, that the measure should be proceeded with. If the proposals of the Melbourne conference, for Commonwealth distribution, are implemented that, I think, would be the most desirable way in which the distribution could be undertaken throughout Australia in the circumstances obtaining today. But if there should be a difficulty, or some factor which hinders Commonwealth rationing, the existence of a State law would be an important safeguard to industry and essential users of liquid fuel in this State. Members are therefore invited to consider the measure in that light and as one which it will be most wise to pass so that we may have the additional protection of our State law to meet any emergency that may arise.

Information will not be sought from suppliers who did not sell in bulk; therefore the small service station proprietors will be excluded. It could not be expected that they would have particulars. The people that it is desired to control are those who purchase large quantities in bulk supplies

other than for normal legitimate sale by retail. The immediate coming into operation of this part of the Act will—

- (a) have a salutary effect on hoarding;
- (b) enable unnecessarily large hoarded quantities to be redistributed;
- (c) will be of inestimable value to the Commonwealth authorities if they ultimately take action, and will have obviated much of the delay and difficulty which they would have to face.

It is provided, regarding the Governor's proclamation referred to in the first five clauses of the Bill, that the regulations may be made to operate only in certain parts of the State, or for specified periods, or under certain specified conditions. In order that members of Parliament shall have full information it is provided that, if and when made, a copy of all regulations shall be posted to each member.

There is provision for assistance to be obtained from local authorities. There is also provision that, if necessary, such local authorities can be paid for that purpose out of moneys to be appropriated. There are very heavy penalties provided for breaches, particularly with regard to false declarations as to quantities of liquid fuel held. There will be the certainty, if this Bill is passed, that the reasonable requirements of every section of the community, within the quota available to the State, can be provided for. Circumstances may change very rapidly and it is therefore necessary to have the very wide discretionary powers which are conferred upon the Governor. It can be accepted, however, that every effort will be made to interfere as little as possible with legitimate trading in, or use of, liquid fuel, and to ensure that the requirements of essential industry are met as closely as possible.

It will be necessary, of course, to have discussions with the representatives of the oil companies to seek their co-operation, for by that means much can be achieved. The regulations in such a case would be to support the actual desire of the majority of the oil companies to ensure reasonably equitable distribution. If ultimately ticket rationing under Commonwealth control comes into operation, it is quite clear that any action taken by the State under this legislation will have been of assistance to the control which the Commonwealth may itself decide to exercise.

Liquid fuel and the various oils and spirits comprised in that general term have been defined similarly to the definitions contained in the former Commonwealth regulations, excepting that rectified spirit and shale oil, which is of little interest to Western Australia, have been excluded. For many reasons the Government has been most reluctant to bring down any State legislation, but for reasons given, the better opinion appears to be that powers of the kind proposed in the Bill are warranted and necessary.

I draw the attention of members to the schedule which provides that we may bring into force in Western Australia, if the Commonwealth fails, the Commonwealth regulations with various amendments. I propose to amend the schedule in one respect because the Commonwealth regulations provide, among other things, that a license may be revoked or refused and there is no appeal from the decision under those regulations. I propose to submit an amendment providing for an appeal in those circumstances. I move—

That the Bill be now read a second time.

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

BILL—MARKETING OF APPLES AND PEARS (No. 2).

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban [8.0]) in moving the second reading said: This measure is substantially the same as the Marketing of Apples and Pears Act, 1948, and is designed to provide for a similar plan in respect of the 1950 crop, the operation of the 1948 Act being confined to the 1949 crop. This is one of the measures that we can extend from year to year because it refers to an annual crop. The plan of the 1948 Act, which is related to the agreement between the State and the Commonwealth referred to in the Act, has been found to be entirely satisfactory.

Briefly, the structure of the plan provides for the acquisition of the crops in the terms of the State legislation by the State board which is created under the Act and is identical with the State committee of the Australian Apple and Pear Marketing Board. By virtue of the provisions of the Act and of the agreement with the Commonwealth, the marketing arrangements have been carried out by the Australian Apple and Pear Marketing Board as agent for the State board and the Commonwealth Government maintained the Australian board in existence for that purpose. The necessary finance, which is very considerable, has been provided by an overdraft made available by the Commonwealth Bank to the Commonwealth board on the guarantee of the State. The important factor is, however, that the State is indemnified in this respect by the Commonwealth Government in the terms of the agreement.

In seeking the application of this plan for the 1949 season, the W.A. Fruitgrowers' Association had in mind that it was necessary in order to facilitate the adjustment of all sections of the industry to a transition from the acquisition plans of 1940-48 to circumstances of open marketing. Unfortunately, the 1949 season proved very trying in many respects, especially as regards damage suffered by crops through hail and other difficulties. Nevertheless deliveries approximated 1,420,000 bushels of apples and pears, and quantities which will qualify for advances have ensured to growers payments on a further figure of almost 130,000 bushels. The operations of the scheme were seriously embarrassed by many difficulties, especially of transport both by land and sea. The quantities that could be disposed of for processing have been less since processors concerned in dehydration have not been able to see their way to continue their operations for reasons both of labour and costs. It is of interest to note that some 9,000 bushels of pears were exported to Sweden and the United Kingdom, this representing the first re-entry into this trade.

I am advised it is not practicable at this stage to forecast the result of the pool in terms of extra payments to growers, and members will appreciate that quite a substantial proportion of the total quantities have yet to be disposed of, which represents

the reason why we cannot terminate the operations of the Act, which must be continued. In facing the 1950 season, the view was taken by many growers that serious disabilities and handicaps in marketing matters must be anticipated. The W.A. Fruit Growers' Association called a special meeting of representatives of growers' organisations from all districts concerned, and that meeting determined to hold a poll of growers to ascertain their wishes. The result of the poll showed that 65.55 per cent. of the growers voted in favour of the scheme and 34.29 per cent. against.

Although the majority in favour of the scheme for 1950 was not as great as that secured in the previous year, it was nevertheless substantial. It is relevant to mention that the circumstances associated with the poll differed in three respects. At the previous poll, the association advocated a "Yes" vote, whereas on this occasion it determined to bring the essential factors before the growers without any recommendation. Secondly, the franchise was enlarged to provide that even growers with only two acres under apples and pears should be included on the roll, while, thirdly, the association emphasised that any scheme for 1950 would have to be designed on more realistic lines.

As a result of the poll, the executive of the Fruit Growers' Association became responsible for seeking the approval of the State and Commonwealth Governments for the promotion of such a plan. The Government was approached, through the Honorary Minister for Agriculture, and on his behalf the matter was discussed with Mr. Pollard, the Federal Minister for Commerce and Agriculture. Representatives of the association subsequently interviewed the Prime Minister and I am advised that he examined the proposals and the outcome of the poll closely, and he undertook to bring the matter before his Cabinet. The association has been advised by Mr. Nelson Lemmon, M.H.R. for Forrest, that he is confident of the Commonwealth Government's approval and that he hopes the matter would be dealt with by Cabinet in the near future. In the circumstances, the Government has felt it necessary to take steps to provide for the plan, and in consequence the Bill is now presented to Parliament. Steps have also been taken

to submit to the Commonwealth Government a form of agreement, a copy of which I shall lay on the Table of the House so that members may peruse it. Its terms are identical, except as to the dates in the recitals section, with the agreement signed by the Commonwealth and State in the terms of the 1948 Act.

The Bill itself, with the exception only of certain minor drafting amendments, is identical with the Marketing of Apples and Pears Act, 1948, except that it applies to the 1950 crop of apples and pears instead of to those of 1949. As members will see from the early clauses of the Bill, it will be effective only in the event of the Commonwealth's completion of an agreement. I understand that the Commonwealth has indicated that it can see its way to maintaining in existence the Australian Apple and Pear Marketing Board to undertake the necessary marketing functions, as the agent of the State board, in the event of the plan coming into effect.

One of the important continuing difficulties with which the industry is faced is in respect of the supply of semi-seasoned hardwood cases. In the production of these, many difficulties have been experienced and at this stage a particularly critical position has been reached insofar as three of the main producing mills—I refer to Nannup, Jardee and Jarrahdale—have been destroyed by fire and production from the reconstructed or new mills planned to make good in this respect has not yet become available. Further, extensive new milling facilities at Shannon River, Quininup and the Donnelly River cannot be expected to contribute to the requirements of the 1950 crop.

The Conservator of Forests has recognised the need in this respect and has made available to the State Saw Mills an extra area of karri country. In turn, the State Saw Mills has been authorised by the Government to proceed with the construction of a new mill at Pemberton designed for case production only and involving new methods, which are expected to contribute very substantially to the requirements. There is, however, no possibility of that unit being available to contribute to the industry's requirements of semi-seasoned karri cases for the 1950 season. For this reason, imports will again be essential if the industry is to have an opportunity of marketing to the extent of its packing facilities, from a normal crop.

Briefly, the position in this respect is that the target packout is estimated, as to apples, at 1,550,000 bushels. The indicated case production for 1950 is only 980,000 cases, which means that with an inward carryover of 200,000 cases—150,000 of these are white-woods imported this year and financed by the 1949 plan—and with allowances for a very limited outward carryover stock, it is estimated that importation will be necessary of 450,000 apple boxes and 50,000 pear boxes. Fortunately the price of these is somewhat less than it was last year, but will be very considerably higher than that of local cases. If the plan can be brought into effect, it is anticipated that finance will be provided to ensure the provision of these and other requirements. I move—

That the Bill be now read a second time.

HON. A. L. LOTON (South-East) [8.8]: Again I voice my protest at major Bills of this nature being introduced at this stage of the session in this manner. This measure deals with an important matter upon which I have no hope of consulting the growers, the marketing authorities, or anyone else. We come here and are just told by the Minister that everything is in order, and we are expected to agree. I do not know how many measures have come before us in this manner but I suggest that if we had them at this rate throughout the session, we would be asked to deal with thousands of Bills instead of hundreds.

The first point I will touch upon relates to the board that is to be set up by the Governor. The Bill states—

The State board shall consist of the members for the time being of the State committee constituted for the State of Western Australia under the Commonwealth regulations, or, if such State committee shall cease to exist as such, then the same or such other persons as the Governor may appoint.

From whom will the Government appoint the committee? What names will be submitted to the Government and on whose recommendation will they be submitted?

Hon. L. Craig: Your guess is as good as ours.

The Chief Secretary: The position will be exactly the same as last year.

Hon. A. L. LOTON: This time it is proposed that the number of the growers' representatives shall be increased from three to four. No mention is made in the Bill

that there shall be any growers appointed to the board. It will be seen that later on the Bill states—

The chairman and deputy chairman for the time being of the State committee constituted for the State of Western Australia under the Commonwealth regulations, or such other members as the Minister may appoint, shall respectively be the chairman and deputy chairman of the State board.

Perhaps Mr. Craig or Mr. Mann, who represent the fruitgrowing section of the State, know more about the Bill than I do. For my part, I do not know who is to be appointed or how the appointment will be made.

Hon. Sir Charles Latham: You represent Mt. Barker, which is an important fruitgrowing centre.

Hon. A. L. LOTON: I know that, but what hope have I of consulting anyone there? Had the Bill been before members a week ago, I could have made inquiries. As it is, we have to take the Bill or leave it.

Hon. G. Fraser: Are you going to leave it or take it?

Hon. A. L. LOTON: I am not going to tell the hon. member that.

HON. W. J. MANN (South-West) [8.13]: I can understand Mr. Loton feeling incensed at a Bill of this nature being brought down at this late hour of the session. A similar procedure has been adopted in past years but, as I said last night, this House has this session had less work to do than during any previous session of which I have recollection since I have been a member. It would have been comparatively simple for these Bills to have been brought down and explained to members at a much earlier stage so that they might know what they were voting on. It so happens that the Bill under discussion is almost identical with that of last year, with very minor alterations.

I have had the measure before me for a matter of minutes only and I have not been able to study it closely. On the other hand, I have been advised respecting it by some closely associated with the apple and pear growing industry, men who are in a position to judge and whose opinion I am prepared to accept fully. Mr. Loton was in some doubt as to the constitution of the

board. I would like to inform him that I happen to know two of the members, who are among the most progressive and successful growers. Their whole livelihood depends upon the production of fruit.

Hon. A. L. LOTON: How are they chosen?

Hon. W. J. MANN: They are elected by their fellow-growers. The provisions of this Bill have, I understand, been practically decided by a poll of growers.

The Chief Secretary: That is so. I gave the figures.

Hon. W. J. MANN: For some years it has been felt that there should be a lessening of the operations of the board and I understand this Bill goes some little distance in that direction. There is a feeling among growers that this type of legislation should not continue longer than is necessary. Some are hoping that this will be the last year in which it will be required, but it is necessary this year. The scheme could not operate were it not for the assistance granted by the Commonwealth. I am informed that representatives of the board discussed the matter with the Prime Minister, who conceded that they had a case and agreed to submit it to the Treasury to ascertain whether it was possible to grant some assistance.

I heard the Chief Secretary say just now that one of the members of the Federal Cabinet, Mr. Lemmon, had told those associated with the board that it was practically certain the Commonwealth would grant assistance. The apple and pear growers undoubtedly have a fair claim to sympathetic assistance, as they have been up against tremendous odds in the last year or two. It has been exceedingly difficult to get labour for orchards. There are so many avenues in which men can find work today that they are keeping away from the country districts. This has meant that orchardists have had to work not 40 but many more hours a week to keep their orchards in production. In addition, there have been shortages of essentials in quite a number of directions.

The position regarding the supply of cases was dealt with by the Chief Secretary. That has been a positive nightmare. This year 500,000 cases will have to be imported for the coming crop. We who live in the timber districts regret this very much; but the Chief Secretary explained that the position was partly due to fires that had de-

stroyed timber mills. It is hoped that the crop this year will be handled as expeditiously and successfully as were crops in previous years. The figures for the past three years are most encouraging. In 1948-49, there were 920,000 cases; this year, 1,340,000 cases; while next year it is anticipated the number will be over 1,500,000 cases. I would have preferred members to have time to examine and study the Bill themselves, but I give them my assurance, just as we accepted an almost similar Bill last year, there is nothing in this measure which they need fear or to which they can take exception.

HON. G. FRASER (West) [8.22]: We are told that this Bill is similar to the Act passed last year. If so, why must we pass the Bill? We know that the Commonwealth originally constituted a board and that when it relinquished its control of the industry a State board was appointed. One can readily understand the provision in the Act of last year stating that the board was constituted under the National Security Regulations; yet we find exactly the same provision in the Bill, notwithstanding that we have a State board. Now that the Commonwealth regulations have been repealed, I cannot see the necessity for the inclusion of those words. The Bill provides—

The State board shall consist of the members for the time being of the State committee constituted for the State of Western Australia under the Commonwealth regulations—

Why should it be necessary to have this repetition in the present Bill?

Hon. H. L. Roche: Because the same procedure is being adopted.

Hon. G. FRASER: The Commonwealth regulations are not now in force.

Hon. H. L. Roche: Yes. We are carrying on under the apple and pear acquisition legislation.

Hon. G. FRASER: I admit that I do not know much about this legislation.

Hon. L. Craig: You are not the only one.

Hon. G. FRASER: I want to know what the position is. We should not be asked to sign a blank cheque. By the Act of last year it was provided that it should remain in force until a proclamation in the "Government Gazette" ended the board.

Hon. Sir Charles Latham: That proclamation has not been made.

Hon. G. FRASER: That is my point. If that is so, why pass a similar Bill this year?

Hon. W. J. Mann: But that Act was for 1949.

Hon. Sir Charles Latham: It is the same wording.

***Hon. G. FRASER**: From a quick examination the wording is the same. If it had been intended that the Act last year should remain in force for only 12 months, the Act would have so provided and it would have been necessary to introduce a continuance measure. One other point I desire to be satisfied about relates to the method of selecting the members of the board. Are they elected by the growers?

Hon. W. J. Mann: They are nominated and then elected.

Hon. G. FRASER: Is a panel of names submitted to the Minister from which he makes a selection? I notice that in the case of some legislation the Government is more democratic, because provision is made for members of boards to be elected by particular interests. I was hoping a similar procedure would have been followed in this case. I hope the Chief Secretary, when replying, will give the House full information on this point. Are the members of this board to be elected by representatives of the consumers and of the producers, or are they to be Government appointees, or selected higgledy piggledy? This is information we should have before we are asked to pass legislation of this description.

On motion by **Hon. H. L. Roche**, debate adjourned till a later stage of the sitting.

BILL—PIG INDUSTRY COMPENSATION ACT AMENDMENT.

First Reading.

Received from the Assembly and, on motion by **Hon. A. L. Loton**, read a first time.

Second Reading.

HON. A. L. LOTON (South-East) [8.28] in moving the second reading said: This is a very small Bill and it is unfortunate that it should be introduced in the last moments of the session, but I cannot accept responsibility for that. Under the parent Act of 1942, a compensation fund was formed, to which contributions were

made by way of deductions from account sales. At first the amount was 3d. in the pound; later it was reduced to 2d. and it has again been reduced to 1d. Under the Act, an account has to be sent to the purchaser by registered post.

The amendment sought to be made by this Bill is to strike out the word "registered." It is now necessary for the vendor or his agent to register a letter containing an account at the post office to which is affixed a cancelled stamp. The purchaser then must go to the post office, sign for and take delivery of the letter. Why that provision was inserted in the Act I do not know. Section 14 of the Act provides—

Every owner of pigs or the carcasses of pigs or the agent of any such owner shall, upon the sale thereof, whether payment of the purchase money is or is not made in full at the time of the sale or is to be made by instalments or is otherwise deferred . . .

and so on. This provision has been in force since 1942, but now the Farmers' Union of Western Australia, Westralian Farmers Ltd., Dalgety & Co. Ltd., Goldsbrough Mort & Co. and Elder Smith's recommend the transmission of the account sales with the cancelled stamps attached, by ordinary mail. They say that is all that is necessary and that it will avoid any inconvenience or confusion. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and passed.

BILL—WHEAT INDUSTRY STABILISATION ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. G. FRASER (West) [8.35]: The Bill seeks an amendment to the Act whereby the wheatgrowers will be enabled to elect their own representatives. When a similar measure was before the House last year I stated that the representatives of the growers should be elected by the wheatgrowers themselves. The Minister adopted a different attitude. Eventually the House agreed with

him and it was decided that the Minister should appoint certain members of the board as wheatgrowers' representatives.

Let me remind members that during the debate last year I produced a copy of Federal "Hansard," which showed that an agreement had been arrived at between the States whereby the States, where they desired to do so, would constitute State wheat boards composed of a majority of wheatgrowers' representatives elected by a ballot conducted by the States concerned. Notwithstanding that that was the agreement arrived at between the States, the Minister was able to get the Bill through. He said, in effect, that this was not what the States had agreed upon, and a board was constituted of representatives appointed by the Minister.

I wish to emphasise that now, twelve months later, the Minister—or perhaps the Government—has seen the error of his ways and is honouring the original agreement with respect to the appointment of growers' representatives. I am pleased that the Government has followed this course, as it is the proper method of electing representatives of those concerned. I do not like the idea of the Minister asking for a panel and from it selecting the members he requires. The democratic way is for the persons who are to be represented to be given a say in who their representatives shall be. I am glad the Government has at last seen the light in this regard.

This is the second time in the last few days that it has differed from its previous method of appointing members to boards. The precedent will be useful in the near future when other boards are being created, and then we shall give the organisations concerned the right to have a hand in selecting their representatives. I wish to let the Government know that if it should, by accident, still be in charge of the Treasury bench next year, when further boards are being appointed, we shall ask it to follow the procedure it has here adopted.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and transmitted to the Assembly.

Sitting suspended from 8.40 to 9 p.m.

BILL—FOOTWEAR REGULATION ACT AMENDMENT.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—Short title:

The CHIEF SECRETARY: In accordance with the undertaking I gave during the second reading debate, I move an amendment—

That in line 1 before the word "This" the figure and brackets "(1)" be inserted, and that at the end of the clause a new subclause be added as follows:—

"(2) This Act shall come into operation on a date to be fixed by proclamation".

Hon. G. FRASER: The amendment sounds all right, but it does not give much information and we are no further advanced, as far as I am concerned at any rate, than we were earlier in the day. The insertion of certain words indicating that a date shall be fixed by proclamation does not mean anything, because it could be brought into operation next week or the week after. I was hoping the Chief Secretary would give us some information to the effect that the matter had been straightened out, and whether this was the type of legislation to be agreed upon by all the States.

The CHIEF SECRETARY: In Queensland the Act is already in force. In Tasmania they intend to bring it in and in some of the other States I think it is already in or is about to be introduced. However, all States have agreed to introduce the legislation. I gave an undertaking during the second reading debate that I would submit this amendment so that the Act would not be proclaimed until the legislation was uniform throughout the Commonwealth.

Hon. H. HEARN: I am glad to have that assurance from the Chief Secretary because I believe he will find that within the next few days things will not be looking so well as the Commonwealth Government anticipated. The manufacturers of Western Australia have no objection to this Bill providing such legislation is uniform as between all States of the Commonwealth. The Minister has assured us that the measure will not be proclaimed until uniformity has been achieved in all the States. This will overcome the objection of local manufacturers.

Hon. Sir CHARLES LATHAM: Why not provide in the measure that the Act shall not come into operation until uniform legislation has been passed by all the States? Under the amendment, I do not think we could prevent footwear from being imported though we might be able to prevent its being sold here. After the elections early next year, there might be a new Government, and any undertaking given now would not be binding on that Government.

The CHIEF SECRETARY: Assume that provision was made in the Act as suggested by Sir Charles Latham, whenever action was taken in the court, information would have to be obtained from every State to show that the local proclamation was not ultra vires the Act.

Hon. Sir Charles Latham: I think you will find a similar provision in other Acts.

The CHIEF SECRETARY: I hope it was not inserted during the regime of the present Government.

Hon. H. K. WATSON: The existing Act provides that boots and shoes shall be stamped.

The Chief Secretary: But not slippers or sandals.

Hon. H. K. WATSON: If slippers are of felt, it is not necessary to stamp them. Will the Minister allow the Bill to stand over to permit of further consideration? Two years have elapsed since the Premiers reached the agreement and the measure could well be allowed to stand over a little longer.

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

Clauses 2 and 3—agreed to.

Clause 4—Repeal and re-enactment of Section 4:

Hon. H. K. WATSON: The provision in the existing section is quite adequate, and the proposed new section should not be passed until we have had an opportunity to obtain further information.

The CHIEF SECRETARY: One reason for the proposed new section is that we are trying to get uniformity. The Act provides that a statement of the materials composing the sole be conspicuously and legibly stamped on or impressed in the outer surface of the sole of each boot or shoe. All we provide in the proposed new section is that

footwear shall be marked in a manner prescribed by regulation. What is provided in the Bill is much more simple than what is contained in the existing provision.

Hon. H. K. WATSON: Under the existing law it is necessary to stamp only footwear which is not wholly of leather. Under the proposed new section all footwear has to be stamped. It is unreasonable to expect a manufacturer or a retailer to see that the good is stamped as well as the bad.

The CHIEF SECRETARY: We do not know what the regulation will be. This does not say that footwear which is of pure leather has to be stamped, though I have no doubt the regulation will provide for that. I would like members to appreciate that this measure is designed to stop the operations of backyard factories, not here but in the Eastern States, which make shoes of all sorts of rubbish.

Clause put and passed.

Clause 5, Title—agreed to.

Bill reported with an amendment and the report adopted.

Third Reading.

Bill read a third time and returned to the Assembly with an amendment.

BILL—LIQUID FUEL (EMERGENCY PROVISIONS).

Second Reading.

Debate resumed from an earlier stage of the sitting.

HON. SIR CHARLES LATHAM (East) [9.20]: I intend to raise an objection to important Bills of this kind being introduced so late in the session and our being expected to have an intelligent understanding of their contents within an hour or two of their being introduced by the Chief Secretary, who has the opportunity of studying the material prepared for him.

From the speech delivered by the Minister, it would appear that the Government is undecided whether to hand over powers to the Commonwealth, which it proposes to do if the Commonwealth will take them, or to have a half-baked piece of legislation enabling the Government itself more or less to control petrol on sale by the oil companies. If the latter is the case, there are people in the country districts who sell petrol in drums,

acting as agents for the oil companies, and there may be some difficulty ahead for the Government, in those circumstances, if this Bill is passed.

I have previously raised my voice against handing over temporary powers to the Commonwealth Government. I do not think it is possible, under the Constitution Act, for the Commonwealth Government to take over any temporary powers. The Act provides very clearly that the Constitution may be altered by a referendum of the people, but it makes no provision for temporary powers to be handed over to the Commonwealth. If in the legislation referred to by the Minister—passed, I think, in 1943—which enabled the Commonwealth Government to exercise control when goods were in short supply, we handed over power to the Commonwealth, it can take that power for all time.

I believe that if the matter were submitted to constitutional lawyers, they would agree with my view that there is no provision in the Constitution for a State to hand over temporary powers or for the Commonwealth to accept them. I would refer to the Act passed by this State giving the Commonwealth Government the power to impose income taxation for a temporary period only. We know what happened with that. The power of taxation has not been handed back, although the period fixed for the exercise of the power by the Commonwealth has expired.

The Chief Secretary: I thought you said it could not be done.

Hon. Sir CHARLES LATHAM: I say that the Commonwealth Government has taken over the power permanently.

The Chief Secretary: I beg your pardon.

Hon. Sir CHARLES LATHAM: Many State Governments would be glad to have that power back. We should be extremely careful over this legislation. We should have a clear indication, either from a constitutional lawyer or as the result of a test case in the High Court, as to whether we can hand over powers temporarily or the Commonwealth can accept them temporarily. I do not believe that can be done. I am not opposed to the rationing of petrol at present; I believe there is a need for it. Quite a number of greedy people have hoarded considerable quantities.

The regulations controlling petrol, which previously operated in this State, proved very reasonable. I have been told that there are plenty of men in the country districts who did not have enough petrol; but I have been on the board for eight years, and I do not know of any case in which petrol was refused by the board when there was justification for its being supplied. The present position has been brought about by two circumstances. The first is that we were unfortunate enough to have a very severe strike, which affected the Eastern States considerably more than this State, and necessitated the consumption of a quantity of petrol far in excess of that normally used.

The second circumstance was the statements that appeared in the Press continually suggesting that there would be further rationing of petrol. As a result, greedy people, desirous of getting more than their share of petrol, purchased barrels of it, which they have stored somewhere on their properties waiting for the time when rationing will be reimposed. I have had only a limited time to read the Bill and I am not going to pretend that I understand it. I know that if I went to a lawyer and asked him to give me a clear statement about it, he would want two or three days to study it; but the wisdom of this House is considered to be such that members are expected to listen to a speech made by the Minister and then clearly to understand what they are expected to pass.

Hon. G. Fraser: That is a compliment to us.

Hon. Sir CHARLES LATHAM: I am not going to accept the compliment. I may be one of the dull heads in this House incapable of understanding the Bill.

The Chief Secretary: Why say "may"?

Hon. Sir CHARLES LATHAM: The Chief Secretary is not at all helpful in some respects. If it suits him, I will say that I am perhaps the only man in the House who does not understand the Bill. I think this sort of thing brings the House into ridicule and justifies what members of some political parties allege today, that there is no need for the Legislative Council.

Hon. J. A. Dimmitt: Do you know how long they considered this Bill in another place?

Hon. Sir CHARLES LATHAM: I do not think they considered it very long. I think members in another place are justified in saying that this House has very little to do and that this Bill may be passed on here for careful examination. The other House has worked very long hours. Whether that was justifiable is a matter for members there to decide.

Hon. W. J. Mann: Do you call it work?

Hon. Sir CHARLES LATHAM: I presume it is. It must cost some effort for a man to get up and speak for five hours without saying anything. I should say that requires a good deal of effort. I am extremely sorry that the Government, in its wisdom or otherwise, has said that this legislation must be passed tonight, because we are not going to have any more sittings.

The Chief Secretary: Not this Bill. It is important.

Hon. Sir CHARLES LATHAM: Again we have to rely on information that comes to us through the Press. I understand that if the Commonwealth Government takes over control of petrol—which the State Government hopes it will do—the control will come into operation on the 1st November. I do not think there would be any difficulty in imposing rationing within a week or a fortnight, because there is nothing to prevent the old licenses being used. I venture to suggest there are very few who will have destroyed their licenses, and they would be able to get a fresh issue because there is a duplicate of every person's file in the office.

Hon. H. Hearn: The staff will be able to give up dart-playing and get on with the job.

Hon. Sir CHARLES LATHAM: Yes, it may keep them employed.

Hon. E. M. Davies: Some will get all the petrol and others will get none.

Hon. Sir CHARLES LATHAM: I think it could be done within a week or two. The big problem today is the release of petrol to the distributing bodies—I refer to the oil companies—the release of the petrol that is being held in bond at the present moment by the Commonwealth Government. I know that all garages have had their quantities reduced by something like 15 per cent. The passing of the legislation will not release any petrol. Members need not think they will get large

quantities. I believe the garages are attempting to ration petrol on a fair scale to their own customers. The great trouble to-day is that when a person has to go into the country, he finds that country garages will not serve him. That applies also to country people coming to the city.

The Chief Secretary: Then you think this is necessary?

Hon. Sir CHARLES LATHAM: The legislation does not seem to do very much. I do not think it gives any power to ration petrol. It provides authority to find out what petrol is available, either through the oil companies or those who have made purchases since rationing ceased. The Minister has notes prepared, and is in a far better position than I am to tell the House what is in the Bill. He has introduced two measures, one of which contains 29 clauses and the other, 16 and a schedule. If we pass that schedule, I suggest that not one of us will understand what it means. We have not the regulations before us. All it says is that we shall adopt the Commonwealth regulations as they existed when disallowed by the High Court, and that we shall have the amendments. I say that I shall be voting on something about which I know nothing, because I cannot tell what the amendments mean.

Perhaps the Minister could have copies of the regulations made available, and give us until tomorrow morning to consider them. If he likes to call the House together at 10 a.m. tomorrow, I will look into them. Should that be done, we shall be in a position to pass legislation which is far sounder than it will be if the Bill is rushed through now. If this House does not know what the legislation is, how can we expect the public to know? I do not know what it means. I do not mind if we meet at 9 o'clock tomorrow. I am prepared to take the Bill home, but I am not prepared to say what the schedule means. I might be able to get a copy of the regulations early tomorrow from the Liquid Fuel Board office. The Government can simply say this is a Bill passed by the Government on its own initiative and without any reference to this House.

The Chief Secretary: Yes.

Hon. Sir CHARLES LATHAM: Therefore, why not have a dictator?

The Chief Secretary: Would you like to be he?

Hon. Sir CHARLES LATHAM: No, but I would not mind asking the Chief Secretary to be the dictator.

The Chief Secretary: He would be a very good one.

Hon. Sir CHARLES LATHAM: He would certainly satisfy himself. I hope he will give us time to give consideration to these two Bills. I am not going to oppose this measure, but I still think we might be given an opportunity of having some knowledge of it when we go into Committee.

Hon. E. M. DAVIES: I move—

That the debate be adjourned until the next sitting of the House.

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

Ayes	14
Noes	10
Majority for	4

AYES.

Hon. G. Bennetts	Hon. H. Hearn
Hon. R. J. Boylen	Hon. Sir Chas. Latham
Hon. J. M. Cunningham	Hon. A. L. Loton
Hon. E. M. Davies	Hon. W. J. Mann
Hon. R. M. Forrest	Hon. H. K. Watson
Hon. G. Fraser	Hon. F. R. Welsh
Hon. E. H. Gray	Hon. W. R. Hall
	(Teller.)

NOES.

Hon. H. A. C. Daffen	Hon. G. W. Miles
Hon. J. A. Dimmitt	Hon. H. S. W. Parker
Hon. Sir Frank Gibson	Hon. H. L. Roche
Hon. J. G. Hislop	Hon. C. H. Simpson
Hon. L. A. Logan	Hon. L. Craig
	(Teller.)

Motion thus passed.

BILL—LOAN (No. 2), £11,720,000.

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban) [9.40] in moving the second reading said: The object of the Bill is to provide parliamentary authority for the borrowing by the State of the amount necessary to carry out the programme of works detailed in the Estimates of expenditure from the General Loan Fund. The amount proposed to be raised, namely, £11,720,000, is by far the largest for which authority has ever been sought in one Loan Bill, being more than twice the

amount of the previous largest, but nevertheless it is no greater than will be required to complete the programme.

The First Schedule sets out the various items on which the money is to be spent, but the amounts shown therein do not necessarily coincide with the amounts for the corresponding items on the Estimates in another place. The reason for these differences is that there are unspent balances of amounts authorised to be raised by previous Loan Acts. Clause 6 is to authorise the re-appropriation of certain moneys which are not now required for their original purposes. Those moneys and the Acts by which they were first authorised are shown in the Second Schedule, while the Third Schedule sets out the works to which it is now intended to apply them.

The net public debt of the State on the 30th June last was £103,625,921, giving an average of £195 10s. 5d. per head of population, while the corresponding figures for June, 1948, were £100,120,245, and £194 5s. 11d. During the year, a conversion operation was carried out in London by the Commonwealth, acting on behalf of the States. The total amount dealt with was £17,968,187, consisting of $3\frac{3}{4}$ per cent. and 4 per cent. loans on which option of redemption had accrued, the Western Australian stocks affected being £877,408 of $3\frac{3}{4}$ per cent. and £4,866,583 of 4 per cent. An offer of conversion to 3 per cent. was accepted to the extent of £3,394,285 by holders of the Western Australian stock, and the remainder was paid off with funds provided by the Commonwealth Bank.

Of the former Western Australian debt of £5,743,991, £4,147,213 remained in London at 3 per cent. interest, while the balance, £1,596,778 was repatriated, the equivalent in Australian currency being £2,001,960, for which stock at $3\frac{3}{4}$ per cent. has been issued. This conversion will have the effect of reducing our interest bill by £66,763 per annum. Other conversions effected in Australia resulted in a further net saving of £6,114 per annum. Following on these and similar operations of recent years, the average rate of interest on the public debt has been gradually reduced, and now stands at £3 3s. 3d. per cent. Debt to the extent of £1,145,516 was redeemed during the year from sinking fund moneys and

approximately the same amount will be available for further redemptions during the current year. I am sorry Sir Charles Latham is not here because he will say, directly, that he has not heard the statement.

There are good reasons, however, why the expenditure for this year should be so heavy. There was an accumulation of works during the war years when it was either impossible or undesirable to carry them out. Notable examples are in respect of the railways and the electricity supply. In the case of the railways, a very large expenditure of moneys, both loan and revenue, will be necessary to rehabilitate the service to enable it to provide the people of this State with proper transport facilities. Heavy expenditure will be necessary in connection with the electricity supply on account of the new station at South Fremantle and the South-West power scheme. Another reason—it is a smaller contributing factor—is the depreciation in the purchasing power of money or, in other words, the increased cost as compared with the pre-war cost. That will be further emphasised, I fear, by the depreciation of the pound.

The programme approved for 1948-49 was £6,246,000 and of this programme we spent £3,819,000. The experience of Western Australia in regard to its loan programme was similar to that of the other States. The total of the approved programmes for the Commonwealth and the States for last year was £91,317,000, and the actual expenditure was £74,124,000. For this year the gross programme approved by the Loan Council at its recent meeting totalled £116,887,000, of which, as I have already said, Western Australia's share is £12,262,000. In the case of this State, I think it will be readily admitted that, despite our heavy loan expenditure in past years, there still remains a great deal more developmental work to be done. In a State like Western Australia, whose population is so widely spread over such a large area, it is inevitable that the problems of development must be great and expensive. If, however, the State is to grow into a well-balanced economic unit of the Commonwealth of Australia, it is necessary that its resources be developed to enable it to absorb a much larger population and to increase production. The Govern-

ment is confident that the programme contemplated for this year will assist materially in this development.

Last year it was estimated that for the railways we would spend £896,000 from loan funds. The actual expenditure was £352,000. The effect of the shortage of materials and labour is well exemplified in the case of additions and improvements to opened railways, where the actual expenditure was only £194,000 compared with an estimated expenditure of £604,000. Much of the anticipated expenditure had included provision for the purchase of specialised equipment, and great difficulty was experienced even in placing orders for the equipment. In addition, some of the proposed work included the erection of buildings, and on account of the shortage of houses, it was not easy to arrange with suitable contractors to have the work done. The rollingstock programme was estimated at £292,000 and the expenditure was £158,000. One of the most disappointing provisions was that in regard to the construction of new wagons. Progress was very slow and less than half the amount provided in the Estimates was spent. The need for more wagons is so acute that the Government has approved of tenders for the construction of these wagons being called outside of Australia.

One of the difficulties in regard to local construction is the limited capacity available at the Midland Junction Workshops and until the shops are enlarged and new machinery installed—provision for that is included in this year's Estimates—it will not be possible to undertake any very rapid extension of the wagon building programme there. Last year's Estimates also included provision for the six diesel railcars and 12 trailers. On account of the late arrival of the power units, the whole of the work contemplated in the Estimates could not be carried out, but as members know, the first of the diesel trains is now on the road, and it is anticipated that during this financial year all of them will be available for service. The expenditure last year on the power coaches and trailers was £137,000, and a further £91,000 will be spent this year and should complete the work.

This year the estimated expenditure for the Railway Department is £2,840,000. The proposed expenditure for the coal-burning plant at Collie—this item is dependent on

experimental work now being conducted at Collie—is £50,000, while for the Perth-River-vale section, £22,000 has been provided for the installation of automatic signalling. The south-western railway centralised train control—which is portion of an estimated expenditure of £500,000—has an estimate of £75,000, while the purchase of 25 Australian Standard Garrett engines from the Commonwealth Government is expected to involve an expenditure of £300,000. As members know, the price to be paid for these engines was the subject of an investigation by His Honour Mr. Justice Wolff, who submitted a report to the Prime Minister.

The report shows that some reduction has been made in the price originally agreed upon because of alterations which had to be made to the engines to render them suitable for work with our system. Interest is payable, however, on the reduced capital sum as from the date when the State took delivery of the engines and the total price will be about £300,000. The purchase of 35 P.R. engines from Great Britain is expected to cost £1,165,000 and the purchase of 40 other locomotives from Great Britain, £215,000. This amount represents a deposit on the contract for £1,562,000 for the purchase of these locomotives. It is anticipated that the first of the 35 P.R. engines will arrive here early next month, and should be in use by the end of the calendar year or by January next at the latest. A provision of £100,000 has also been made for new rollingstock, vans and wagons, and, as I previously indicated, the Government is calling tenders overseas for the manufacture of these vans and wagons.

Last year provision was made for an expenditure of £276,000, approximately, for the tramways, and the actual expenditure was £97,000. The main difference between the estimated and the actual loan expenditure is accounted for by the provision made last year for the purchase of 50 additional trolley-buses. Practically none of the money provided was spent owing to the late arrival of the chassis. This year £541,000 has been provided for the tramways. Most of this money is required for the 50 additional trolleybuses, and £326,000 has been set aside for this purpose. A sum of £160,000 has been included for portion of the cost of 50 additional diesel busses, and £50,000 towards the conversion of the tram routes to trolleybuses in the Mount Hawthorn and

Maylands routes, and in the extension of trolleybus routes from Newcastle-street via William-street to Charles-street.

As regards the Public Works Department, the estimated sum to be spent last year was £1,688,000 but the actual expenditure amounted to £1,148,000. The principal item of expenditure was £206,782 expended on school buildings. The provision for abattoirs and cool storage at Midland Junction and Kalgoorlie was £159,000, of which £69,000 was expended. The main construction work was connected with the Goldfields Water Supply Scheme, which includes the raising of the wall of the Mundaring Weir. Provision was made to spend £243,400 on this work, but the actual expenditure was £182,444. The estimates and expenditure on other works were as follow:—

	Estimate.	Expenditure.
	£	£
Bunbury harbour . .	80,000	55,393
Fremantle harbour . .	70,200	58,535
Water supply to towns	83,250	45,861
Drainage and irrigation and country towns		
Water supply to towns	83,250	45,861

Hon. G. Bennetts: Is there anything there for the harbour at Esperance?

The CHIEF SECRETARY: Those are the sums spent last year. Turning to the Estimates for this year, the total amount provided is £2,541,000. When the Estimates were prepared, it was anticipated that supplies of materials and manpower would be more readily available than they were in the previous year. With the arrival of migrants and displaced persons, the manpower position has improved substantially, but unfortunately the coal strike has interrupted seriously the flow of materials. In an endeavour to meet the situation arising from the coal strike and the interruption in the flow of materials, the Government is arranging for importation of steel from Japan, and an order has been placed for 4,850 tons.

In order to have the position clarified and to satisfy ourselves that the standard of the steel products available for purchase from Japan is up to the Australian standard, the Government has arranged for two officers to visit Japan, and these officers are now in that country. One is Mr. V. E. Rodda—the chemist attached to the Midland Junction Workshops—who will check on the technical

side, and the other is Mr. P. V. Andrews—the officer in charge of the materials supply section of the State Housing Commission—who will safeguard the Government's commercial interests in these purchases. The Government is also endeavouring to obtain water piping from Europe, and has also placed large orders for the importation of cement from England. A total of 12,500 tons of English cement has been ordered, of which 5,000 tons have been received. Unfortunately, the shipments arrive in somewhat small quantities and, to secure continuity of supply for work at Mundaring Weir, it has been decided to charter a ship to carry 3,000 tons. These importations cost more than the locally-produced article, but the Government feels that it is preferable to pay more for materials than to delay essential works.

In addition to the commodities already referred to, the Government has approved of the importation of rails for the Railway Department, and an order has already been placed for over 2,000 tons of rails and 120 tons of fish-plates, of which 680 tons should arrive next month. Again, the imported price is high, being more than twice the local figure. Returning now to the position of the Public Works Department, the programme provides for a substantial amount of work to be done at the Albany harbour, for which an amount of £78,000 is provided. More work will be done at the Bunbury harbour, for which £100,000 has been provided. A sum of £88,200 is estimated to be spent at the Fremantle harbour, and £50,000 on the Perth causeway reclamation work, which is being carried out in association with the provision of a new causeway. The new suction hopper dredge is under construction in England, and the new grab hopper dredge is under construction in Sydney, and a sum of £320,000 is expected to be spent in progress payments on both dredges.

For the North-West, provision is made for improvement to stock routes, improvements to jetties and water supplies—including Wyndham, Port Hedland and Carnarvon. Provision has also been made for sewerage of the town of Albany, and approval has just been given to extend the area to be sewered. Ample provision has been made for public buildings, which will cover hospitals, schools and such like, though these will

be limited by the availability of materials and skilled tradesmen, the great majority of whom will continue to be absorbed in the housing programme.

For the South-West power scheme the sum of £298,000 was provided last year, but only £101,305 was spent. The Estimates included a substantial sum for payment to the Collie Power Co. Ltd., for the power station at Collie, which was resumed from that company late in 1946. No settlement has yet been reached, though the company has now appointed its assessor, and it is anticipated that a settlement may be agreed upon this financial year. No payment will be made, of course, until a settlement is reached.

For this financial year the estimated expenditure for the State Electricity Commission is £3,535,000. Of this sum, approximately £2,500,000 is required for work on the new station at South Fremantle. The expenditure naturally depends largely upon the rate at which the plant is received from the British contractors. The provision of equipment and preliminary work on changing the frequency of current supplied in the metropolitan area from 40 to 50 cycles is estimated to cost this year, in round figures, £54,000. In this respect, for the South-West power scheme £749,000 has been provided. The Commission is extending the power station taken over from the Collie Power Company by increasing its capacity from 5,000 to 12,500 kilowatts. Work has already begun on the foundations for the new units. The total expenditure on this addition will be in the vicinity of £325,000. Extensions to the transmission lines radiating from the Collie power station are now being erected and the estimated cost for this during the year is about £267,000.

As regards the State Housing Commission, the Estimates include an amount of £750,000 for an increase in the capital of the Commission. The purpose of this increase is to enable it to finance the purchase of Commonwealth rental homes for those tenants who are eligible under the State Housing Act and who wish to purchase their dwellings. Dealing with the development of goldfields and mineral resources, provision is made for the further expenditure of £50,000 on the Wundowie charcoal iron furnace, and it is hoped that this will complete the capital expenditure on this work. The refinery is now in operation and

is proving satisfactory. A ready sale is taking place of the pig-iron produced by the blast furnace, and arrangements are being made for the sale of the wood distillates, which will be available from the refinery.

An amount of £75,000 is provided for additional work on the State alunite industry at Lake Campion. A new process for the extraction of salts from the alunite deposits is being investigated. The works manager at Campion is now in South America making inquiries and from reports received from him, the Government is very hopeful that an inexpensive and highly satisfactory method of extraction will be installed at Lake Campion. It is anticipated that the new process will ensure the financial success of the work.

Dealing next with the development of agriculture, £65,000 has been provided for work on abattoirs, mainly at Midland Junction, while £51,000 has been provided for the continuation of the scheme of pine planting for the forests and £150,000 for the purchase of the grain distillery at Collie. Under the sundry provisions an amount of £73,550 has been set aside for additional capital for the State Saw Mills. This amount is necessary to enable the undertaking to develop its new mill at Shannon River.

When the programme was considered by the Loan Council, it was felt that though they represented essential works, it might not be possible to carry them out in their entirety. The borrowing programme approved by the Loan Council was, therefore, fixed at 77 per cent. of the amount to be borrowed to finance the whole programme. It was agreed, however, that if any State was able to deal with the whole of its programme, additional moneys would be found to enable it to do so.

For the rehabilitation of our railway service, for the expansion of water supplies to country districts, and for the extension of electricity supplies, not only in the metropolitan area but in the South-West, the State will be faced with heavy capital expenditure over a number of years. Our State economy is changing from one of essentially primary production to a more balanced one of primary and secondary industries. To enable us to enjoy the full fruits of that more balanced economy, it is

necessary that we provide ourselves with the capital equipment. The policy of the Government is to push ahead as rapidly as possible with the developmental work which it thinks is essential; and it is with this policy in view that I submit the Bill for the favourable consideration of members. I move—

That the Bill be now read a second time.

On motion by Hon. G. Bennetts, debate adjourned.

BILL—MARKETING OF APPLES AND PEARS (No. 2).

Second Reading.

Order of the Day read for the resumption from an earlier stage of the sitting of the debate on the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. A. Dimmitt in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Construction:

Hon. Sir CHARLES LATHAM: Is it proposed to repeal last year's Act or is it intended that both that measure and the Bill shall apply? The Bill seems to be exactly the same as that of last year except that it provides for 1950 instead of 1949.

The CHIEF SECRETARY: It is well known to those conversant with the operations of the marketing board that crops cannot be completely disposed of in one year, sales effected and returns carried out. Last year's Act was passed to deal with special circumstances that cropped up during that period. The Commonwealth suddenly ceased its operations and the States combined to ask the Commonwealth to sell the product overseas, which was done.

Hon. Sir Charles Latham: The Commonwealth is financing Western Australia and Tasmania, is it not?

The CHIEF SECRETARY: About six weeks ago, other States dropped out of the arrangement and it became necessary to introduce legislation quickly in order to provide for the forthcoming crop. Although the wording of the Bill is identical with that of last year's Act, it deals with a different crop.

Clause put and passed.

Clauses 3 and 4—agreed to.

Clause 5—Constitution of State board:

Hon. G. FRASER: Is it the intention that what applied last year shall apply this time?

The CHIEF SECRETARY: Under the Commonwealth regulations provision was made for the Commonwealth board and the State board. When the Commonwealth dropped out, it told the States to carry on as in the past as everything was going well and it dealt with the legal aspect on our behalf. For all practical purposes, we are carrying on, except in respect of the legal phase, as under the Commonwealth regulations.

Hon. G. Fraser: It will be the same board.

The CHIEF SECRETARY: Yes.

Clause put and passed.

Clauses 6 to 29, Title—agreed to.

Bill reported without amendment, and the report adopted.

Third Reading.

Bill read a third time and passed.

RESOLUTION—STATE FORESTS.

To Revoke Dedication.

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

That the proposal for the partial revocation of State Forests Nos. 16, 35, 39, 50, 51 and 53 laid on the Table of the Legislative Assembly by command of His Excellency the Governor on Tuesday, the 27th September, 1949, be carried out.

THE CHIEF SECRETARY (Hon. H. S. W. Parker—Metropolitan-Suburban) [10.15]: I move—

That the resolution be agreed to.

This is the usual proposal submitted towards the end of each session for Parliamentary approval. It provides for the excision from State forests of certain areas for purposes considered more valuable than the retention of the areas as forest land. Full particulars of the excisions are contained in the papers and plans that I have laid on the Table of the House. The particulars, briefly, are:—

Area No. 1.—Approximately 39 acres of non-forest country about 10 miles west of Harvey. This has been applied for by an adjoining landholder, who has been unable to fence part of his boundary owing to swamp.

Area No. 2—Eighteen miles south of Nanup and containing approximately 70 acres. It is desired to exchange this for another area of 70 acres which is required for the extension of the Dickson Forest Settlement.

Area No. 3—This is about half a mile from Collins Siding, which is on the main road between Pemberton and Manjimup. The area comprises 108 acres of cut-over country, is partly improved, and is desired by a nearby settler.

Area No. 4—Approximately 5 acres of poor forest country two miles north of Mundaring Weir. It adjoins both the road and railway and is required as a suburban lot.

Area No. 5—This is in three small sections containing about 55 acres in all. It is situated 12 miles north-west of Narrogin and can be exchanged for 40 acres of good mallet planting country which would be a decided acquisition to the State forest.

Area No. 6—Three miles west of Yornaning, containing 80 acres, which has been applied for by an adjoining landholder to provide access and link two sections of his property. This will also improve the State forest boundary.

Question put and passed, and a message accordingly returned to the Assembly.

BILL—APPROPRIATION (No. 2).

Second Reading.

THE CHIEF SECRETARY (Hon. H. S. W. Parker — Metropolitan-Suburban) [10.18] in moving the second reading said: This is the annual Bill introduced after the Estimates of expenditure from the Consolidated Revenue Fund and the General Loan Fund have been passed by the Legislative Assembly. A Supply Bill has been passed granting £3,700,000 from the Consolidated Revenue Fund, £700,000 from the General Loan Fund and £300,000 from the Public Account for Advance to Treasurer, and this Bill authorises further supply up to the total amounts requiring appropriation as shown in Schedule A.

The total estimated expenditure from the Consolidated Revenue Fund for the present year is £23,509,873, but of this, £5,120,643 is covered by the specific Acts which authorise the expenditure, and the balance—namely £18,389,230, particulars of which will be found in Schedule B—is appropriated by this Bill. Expenditure from the General Loan Fund is estimated to be £12,262,247, as summarised in Schedule C, and this amount is likewise appropriated. Schedule D sets out the purposes for which the Treasurer may make advances from the Public Account, and also prescribes how and when that account

is to be recouped. The sum of £1,000,000 is provided. Another purpose of the Bill is to confirm the appropriation of expenditure incurred during 1948-49 in excess of the Estimates for that year, and details of the excesses are furnished in Schedules E and F. I will now deal with the financial results for the year 1948-49.

Revenue collections during 1948-49 amounted to £20,560,646, being £233,389 more than the estimate of £20,327,257. Under the heading of Taxation, there was an increase of £216,140, of which £5,632 represented an increased reimbursement by the Commonwealth under the uniform taxation scheme. Other taxation improved on the Estimates by £210,000 with collections under each head showing increases. Probate duty, estimated to return £275,000, rose by £87,000 to £362,000 owing to the increased number of large estates assessed for taxation. Of the same order was the increase in stamp duty, which yielded £531,000 or £81,000 more than had been expected, the variation being largely due to greater real estate activities and improved commercial business.

Collections from totalisator duties and liquor licenses exceeded the estimated revenue by £18,000 and £13,000 respectively, while in land tax an increase of some £10,000 reflected good progress in the issue of assessments under the new rates of tax. Territorial revenue from timber, affected by reduced sandalwood sales, was £27,000 less than the estimates, but increases in other territorial collections more than offset this decline. Mining collections at £42,000 were £6,000 above the estimate, while in "Territorial Land" the total collections of £328,000 represented an increase of £28,000. The higher price of wool reflected in pastoral rents, and the increased freeholding of repurchased estates acquired from the Rural Bank, were factors responsible for the variation. Under the heading "Law Courts" the estimate was bettered by £20,000, the rise being due to increased activities and collections from higher fees not provided for in the Budget.

From the various departmental sources, the revenue collections for 1948-49 amounted to £2,282,000 or £224,000 more than the amount anticipated in the Estimates. The main variation occurred in miscellaneous Treasury revenue, which, totalling £1,243,000, exceeded the estimate

by £189,000. An important element of this increase was additional interest collections from the Rural Bank agency section. Other departmental revenue was generally above the estimate, the only noteworthy exception being in the Forests Department collections, which were affected by reduced production of firewood.

Revenue from business undertakings as a whole fell short of the estimate by £243,000. Transfers to revenue on account of trading concerns rose from £114,000 to £122,000, but public utility earnings declined from the estimated total of £7,766,000 to £7,516,000. Railways and tramways revenue were in the aggregate £425,000 less than the estimated amounts, despite increases in fares and freights which began to operate early in the year. In railways, collections, amounting to £5,161,000, were £339,000 less than the estimate, the decline being largely attributable to the curtailment of train services during the miners' holidays, and to reduced activity during the periods of restricted electricity supply. Earning capacity was also affected by the need to use locomotive stock for water haulage in country areas affected by the abnormally dry summer.

Tramway revenue at £591,000 represented a decline of £86,000 on the estimate. The loss of passenger traffic reflected in these figures was largely due to the electricity restriction. With the exception of Cave House, all other public utilities enjoyed higher earnings than had been anticipated, the largest increase, viz., £94,000, accruing to the Fremantle Harbour Trust. Another substantial increase accrued from metropolitan water supply earnings, which benefited as a result of increased ratings from main extensions and new sewerage areas.

Provision was made in the Estimates for 1948-49 for expenditure totalling £20,492,000, including an amount of £400,000 under the item "Miscellaneous Services Expenditure," to cover prospective increases in the basic wage. Actual expenditure at £21,425,000 thus exceeded the estimate by £933,000. Factors other than the rise in the basic wage were responsible for the increase, since the special provision of £400,000 was just about adequate to cover the cost of the adjustment that lifted basic rates from £5 15s. 9d. to

£6 7s. 1d. during the course of the year. In total the successive quarterly increases in the basic wage were equivalent to an average increase of 6s. per week on the wage which was operating at the time of the preparation of the Estimates. The increase thus absorbed about £330,000 of the total allocation, leaving about £70,000 to cover minor contingencies, such as marginal adjustments in Public Service salaries and the like.

The overall increases on the estimated expenditure under public utilities were mainly due to additional costs arising from the operations of the railways, tramways and the State Shipping Service, and from the provision of hospital services. With regard to the railways, in connection with which the total expenditure of £6,788,000 rose £1,116,000 above the figure of the previous year, the published estimate was exceeded by £513,000. Of this increase, about £360,000 represented additional costs other than basic wage increases. Factors responsible for added costs included the adjustment of coal prices; the increased use of fuel oil due to coal shortages; new awards, involving in some cases retrospective wage adjustments, and additional maintenance work in the mechanical branch. Water cartage was also another factor increasing expenditure.

With regard to the tramways, the expenditure, which was £75,000 more than the estimate of £610,000, was increased by an amount of almost £60,000 on account of rises in costs other than those of the basic wage. Because the effects of the 40-hour week on staffing arrangements had not been anticipated in their entirety, a substantial proportion of the increased expenditure was incurred in connection with the payment of additional staff. Expenditure on sub-station operations, increased cost of materials and maintenance were also factors swelling expenditure.

Of the other public utilities, the Goldfields water supply and the State batteries were responsible for the more important of the increases incurred. The expenditure on State batteries, which was £81,000, advanced £16,000 on the estimate, largely as the result of increased activity, which was reflected in the higher earnings of the utility. Expenditure on Goldfields water supply was £26,000 more than the estimate and was increased by the rising cost of materials and

stores, notably firewood. Ordinary departmental expenditure showed only relatively minor variations from the Estimates, the more noteworthy being the increases under the headings of "Education" and "Public Works," which were £31,000 and £37,000 respectively, and the decreases under those of "Agriculture" and "Crown Law," to £23,000 and £14,000 respectively.

In education there was increased expenditure on bus contracts and furniture, while in the case of public works, additional expenditure was absorbed in maintenance works. Agricultural expenditure fell short of the estimate, largely as the result of the inability of the department to secure additional staff and materials, while in the Crown Law Department the decrease was due in the main to reduced expenditure for price control. Under the item "Miscellaneous Services" from which is met the cost of various subsidies and services, we incurred an expenditure of £2,896,000, compared with the estimate of £2,665,000. The estimate, however, included the special provision of £400,000 for basic wage adjustments, whereas the actual expenditure on this behalf was met from the votes of the departments concerned and not from the provision.

Excluding the amount of £400,000, miscellaneous expenditure therefore shows a net increase of £631,000, on the estimated figure. Important elements in this variation were increased payments to the Hospital Trust Fund, the increased provision to meet the loss on operations of the State Shipping Service, and the payment of subsidies for the transport of superphosphate by road.

The acquisition of additional hospital accommodation, the greater patronage of public wards, and increases in the cost of hospital treatment resulted in the Hospital Trust Fund requiring £147,000 more than has been provided in the Estimates. In the case of the State Shipping Service, the increase of £117,000 in the estimated loss was due to the cost of additional maintenance on the "Koolinda," the need for which was revealed only during the course of the overhaul of the vessel in Victoria. Expectations that subsidies for road transport of superphosphate would be unnecessary during 1948-49 were not realised, and we were obliged to provide an additional sum of £104,000 on this account.

Other noteworthy increases in "Miscellaneous Services Expenditure" were in respect of the loss on War Service Land Settlement, which was £54,000, representing our share with the Commonwealth; and in connection with the Reforestation Fund, the amount there being £33,000. The expenditure of £54,000 in connection with War Service Land Settlement relates to 64 dairy farms and represents our first contribution under the Commonwealth-State agreement, whereby the State pays two-fifths of the cost in excess of valuation of the developed properties made available to ex-Servicemen. The additional payment to the Reforestation Fund was largely in compensation for a decreased payment to that fund under Section 41 of the Forests Act.

Expenditure under special Acts was £49,000 less than the estimated amount. Interest and sinking fund payments accounted for £28,000 of the total decrease, the decline in this expenditure being mainly due to the expiry of the period for the payment of certain sinking fund contributions, which had been required under the Federal Aid Roads Agreement. In other special Acts, the overall reduction of £22,000 was mainly attributable to decreased payments to the Reforestation Fund.

Revenue for the current year is estimated at £22,670,946 and expenditure at £23,509,873, thus allowing for a deficit of £838,927. Additional payments from the Commonwealth and better earnings from Railway operations account for the bulk of the estimated increase in revenue, which, it is hoped, will exceed that of 1948-49 by £2,110,300. The income tax reimbursement, which last year was £4,494,000, is set down this year at £5,150,000, an increase of £656,000. This increase is brought about by the application of a formula, which takes into account variations in population and in the average earnings of employees as revealed in the pay roll tax returns.

The grant to be received from the Commonwealth under Section 96 of the Constitution is shown as £4,100,000, but until the Grants Commission has presented its report to the Commonwealth Government, this figure must be regarded as tentative only. In addition to the £4,100,000, we expect to receive £352,083, being the amount of the State deficit for 1947-48, but this will be applied to reduce the accumulated deficit and will not be brought in as revenue.

In 1948-49 earnings of public utilities amounted to £7,515,799, but it is hoped to improve on this figure to the extent of £981,915 during the current year. The major portion of the increase is accounted for by the railways, but revenue from metropolitan water supply, which will reflect increased ratings from new buildings, water main and sewerage extensions, is estimated to yield £30,910 more than last year, while tramway earnings may improve by £58,534 if operating conditions return to normal. Increased railway freights and fares are expected to return additional revenue to the amount of £550,000 during their period of operation in the current year, and are estimated to raise total railway earnings for 1949-50 to £6,050,000, which is an improvement of £88,782 on revenue for last year. Even at this level, however, earnings will still be approximately £1,050,000 less than normal working expenses; i.e. excluding deferred maintenance, £1,729,000 less than total expenditure, excluding interest; and £2,789,000 less than the overall operating costs inclusive of interest.

Payments to revenue by State trading concerns of profits and contributions for capital charges, have been estimated at £135,420 as compared with £121,505 last year. The increase of £13,915 is mainly attributable to additional profits from the State Saw Mills. Apart from the Commonwealth reimbursement, only minor variations are provided for under taxation, the net difference being a reduction of £11,000, due to an anticipated decline in probate duties. Territorial revenue as a whole shows an estimated increase of £31,924. Higher royalty charges are expected to increase timber revenue by £47,346 to a total of £230,000, but land revenue will be slightly less because last year's revenue included some arrears of rent which are of course non-recurring.

In departmental revenue, which as a whole shows a decline of £57,459, there are a few noteworthy variations. Under Public Health an increase of £29,752 has been budgeted for in anticipation of additional collections from the Commonwealth in recoup of expenditure incurred in respect of tuberculosis. There is an increase of £29,920 in estimated revenue of the Public Works Department, which in the main is attributable to recoups for reimbursement expenditure incurred last year. Under the heading "Treasury Miscellaneous," collections are estimated at

£1,114,353 or £128,172 less than the amount returned last year. The decrease is largely attributable to the estimated decline of £114,206 in interest collections from the Rural Bank, which last year included a substantial volume of arrears.

Increases in costs and normal expansion of services are expected to lift expenditure to £23,509,873 for the current year, which amount is £2,084,414 in excess of expenditure for 1948-49. As in the Estimates of previous years, allowance has been made for prospective adjustments of the basic wage in accordance with price changes. The provision made on this account—£400,000—is the same as that provided last year, and appears as a special item under "Treasury Miscellaneous." Excluding the cost of basic wage increases in prospect at the time the Estimates were prepared, total public utility expenditure is estimated at £9,489,350 or £1,129,170 more than the figure for last year. In Railways, where the estimated increase is £991,138, expenditure will probably be in the vicinity of £7,779,000 compared with £6,787,862 in 1948-49.

The Railway Estimates include an amount of £508,000 for rehabilitation and regeneration representing deferred expenditure, which cannot be classed as a normal operating cost for the year. As the first stage in a programme of depreciation, an amount of £535,000 has been provided in replacement of fixed assets. In addition, an amount of £167,200 is included for machinery at Midland Junction in accordance with a three-year programme of expenditure on this work. Tramways expenditure is estimated to rise by £82,115, as a reflection of increased costs, and provision for the replacement of plant and trolley-busses. Another significant increase in public utilities is in respect of "Other Hydraulic Undertakings," which is expected to incur additional expenditure of £31,784 largely on account of belated maintenance.

Provision has been made under "Special Acts" for the expenditure of £5,120,643 or £173,106 more than last year. Interest and sinking fund payments under Loan Acts show increases of £69,017 on last year, and additional payments of £103,646 are expected to be incurred under other statutes. The more important of the increases under the last mentioned head comprise additional payments to the Reforestation Fund, and for superannuation and pension benefits.

Amounting to £5,173,868 last year, departmental expenditure, excluding the cost of miscellaneous services provided for in the Treasury Vote and prospective increases in the basic wage, is currently estimated at £5,806,606. With a few insignificant exceptions, the estimates for all departments show increases which reflect to a large degree the cost of a full year's operation of the basic wage and other salary adjustments that operated for various periods last year.

In "Miscellaneous Services Expenditure," the Estimates show an increase of £196,952 on last year's actual expenditure of £2,896,322. Omitting provision for basic wage adjustments, expenditure on miscellaneous services shows a reduction of £203,048, the most important element of which is the decrease in the loss on the State Shipping Service. Last year the loss on operation of the State Shipping Service, excluding capital charges, cost the Revenue Fund £413,110, that being the amount required to make good the cash deficiency. This service, so necessary for the development of the North, obviously cannot be regarded as a business undertaking, but it is equally obvious that there are limits to the ability of the State to finance the mounting loss on operations. Representations were made to the Commonwealth for assistance, but the reply received pointed out that our shipping freights were much lower than those charged on other Australian coasts, and we were recommended to increase our charges. That an increase in charges was inevitable has been apparent for some years, and the stage has now been reached where we are obliged to make a revision of passage rates and fares.

In an endeavour to keep the increases to a minimum, we are proposing adjustments which will be equivalent to an overall increase on earnings of slightly over 20 per cent. There will be an increase of 30 per cent. on general freight and passage rates to all Western Australian ports and a further surcharge of 15s. per bale on wool and 3s. per head on rams. The Darwin freight, having been already substantially increased, will remain unaltered. Darwin fares will be increased by approximately 50 per cent., but no alteration is to be made in fares for women and children who are residents of the North-West. Additional earnings amounting to about £100,000 annually will accrue from

these adjustments, which will increase coastal charges to a level approximately 50 per cent. above that operating before the war. The increase is substantially less than those made in freight rates between Eastern States ports where, despite more favourable conditions for shipping operations, charges have been increased by 160 per cent. to 310 per cent. on pre-war levels. These proposals and a return to more normal commitments for maintenance should result in a reduction of the cash deficiency to £250,000, which is less by £163,110 than the figure for last year. As I have already explained, last year's expenditure included the cost of overhauling the "Koolinda," which was abnormally heavy.

The Hospital Trust Fund will receive £112,981 more in the current year than in 1948-49, notwithstanding the fact that it has been relieved of the cost of maintaining the Wooroloo Sanatorium. The total contribution to the fund, estimated at £1,000,000, provides for increased unit costs and heavier patronage of public wards and public hospitals generally. Turning to other departmental expenditure, we expect to incur substantial increases in public health and related services. In total, expenditure on Public Health, Medical and Mental Hospitals is estimated to amount to £720,774, at which level the figure represents an increase of £235,711 on that of the previous year.

Expenditure on tuberculosis services, including the cost of operating the Wooroloo Sanatorium largely accounts for the increase of £200,215 in Public Health. Last year the bulk of these costs was met from the Hospital Trust Fund. The expenditure on Education is expected to absorb £1,852,311, which is greater by £92,676 than the amount spent last year. The major portion of the increase is on account of salaries which will reflect the increased teaching staffs in schools, the increased number of students in the Training College and increases in basic wage adjustments and margins. The establishment of additional bus services as part of the programme of schools consolidation, modernisation of school furniture and payment of subsidies for the establishment of school libraries are also factors adding to expenditure.

It is expected that the Attorney General's Department will require to provide for an increase in expenditure of £50,764

owing to the additional cost of operating price control for a full year, the occurrence of the elections and the increased salary rates. Expenditure on agriculture, estimated to increase by £45,944 to £303,307, contemplates additional provisions for the activities of research stations and increased commitments for salaries. The only other departmental expenditure on which I propose to comment is that of the Police Department, where an increase of £31,791 is provided for additional strength and grade and basic wage increases.

This completes my review of the Estimates for the current year, and if members desire any further information I shall endeavour to supply it on receiving notice. Clause 4 of the Bill is to approve of the expenditure of £230,018 from the Reforestation Fund in accordance with the scheme of expenditure, which has been laid on the Table of the House, and which, under Section 41 of the Forests Act, requires the approval of Parliament. A summary of the proposed expenditure is given in Schedule G. I move—

That the Bill be now read a second time.

HON. J. G. HISLOP (Metropolitan)

[10.45]: It is quite impossible, at this stage, to wander through the maze of figures which the Chief Secretary has given to us. However, there is one matter in regard to appropriation which I would like to bring before the House. On page 7, members will note, under the heading of compassionate allowances, a statement of the amounts contributed to the widows of two late members of the Police Force. I think the time has arrived when we should make some more definite arrangements for those women other than a small amount of Commonwealth pension, plus an additional compassionate allowance. I believe that the wives and children of men in the Police Force who have lost their lives on duty should be looked after. Those two men were shot while doing their duty, and their widows should not want for anything of an essential character.

Some definite arrangement should be made whereby the dependants of these people receive adequate recompense for their husbands or fathers losing their lives

in the service of the State. I would like to draw the attention of both the Government and the House to the position of those two widows, who are now receiving compassionate allowances in addition to very small pensions. About two years ago I had the privilege of arranging the compassionate allowance for one of those cases. I trust that the fact that I have brought this matter forward will result in some more equitable scheme being devised to give to these people what is their just due, because their husbands did such sterling work.

On motion by Hon. E. H. Gray, debate adjourned.

House adjourned at 10.49 p.m.