

Legislative Council.

Wednesday, 13th September, 1922.

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

MOTION—MACHINERY INSPECTION REGULATIONS.

To Disallow.

Debate resumed from 6th September on motion by Hon. E. H. Harris—

That the regulations of the Inspection of Machinery Act, 1921, laid upon the Table of the House on the 1st day of August, 1922, be disallowed so far as regards the following: Regulation charges. 1, Boilers. 2, Digesters. 3, Vulcanisers. 4, Steam-jacketed vessels. 5, Receivers for compressed air or gas. 6, Machinery (not worked by steam). 7, Winding engines worked other than by steam. 8, Holman hoists. 9, Hoists, the cylinders of which exceed 6in. in diameter. 10, Extension certificates. 11, Machinery driven by steam. 12, Special work (boilers and machinery). 13, Testing pressure gauges. 14, Search fees. 15, All fees enumerated in the seventh schedule.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [4.33]: I sincerely hope the motion will not be agreed to. There is only one question at issue, that is whether the inspection of machinery by the department is to be self-supporting or not. Is it a just and fair thing that the ordinary taxpayer should have to pay something towards the cost of inspecting machinery where such inspection is necessary? No other point than this can be raised. When the Bill was before the House last session I made it quite clear, and I was supported by several members, that when the schedule of charges was prepared it would cover the cost, and no more. That is all that is aimed at, at present. If at the end of the year the revenue of the department shows an excess over the cost, an adjustment will be made for the following year, but I fear there is no prospect of such a thing occurring. The revenue of the department to the 31st December, 1921, was £4,981. It fell short of meeting the expenses of the department by £1,907. These altered rates were not put on in a haphazard way. I have here a table giving a complete list of the machinery to be inspected, the fees derived from the inspection under the previous scale, and the

fees required to make the revenue of the department meet the expenditure during the current year. In every case the adjustment appears to have been made on an entirely equitable basis. So far, we have had only two months' experience of the operations of this new scale. For the first two months of the financial year 1921-22 the activities of the department showed a deficit of £481. That scale was practically continued for the whole of the year. The loss was not quite so great for the whole year, but there was a loss for the year of just under £2,000. For the first two months of the present year the deficit has been reduced to £8 12s. 7d. The assumption is that the department will now pay its way. It was a comparatively simple matter. There was a certain revenue, just under £5,000, and an additional £2,000 was needed to make up the amount required. That amount has been made up. In submitting his motion Mr. Harris referred to the greatly increased scope of the Act as compared with the Act of 1904. The scope of the Act has been increased in certain directions. It includes boilers working under 10 lb. pressure, which were previously exempt, air and gas receivers with a pressure exceeding 30 lbs. to the square inch and a capacity exceeding 5 cubic feet, but it does not include containers used for transport. The Act also applies to digesters, but not to an instrument of the kind produced by Mr. Harris. No charge whatever is made for a digester of that dimension.

Hon. A. Lovekin: The Act says so.

The MINISTER FOR EDUCATION: An officer of the department who inspected that instrument told me no charge was made for it. Under the 1904 Act digesters were inspected, and provision was made for a fee, although they were not specifically mentioned in the body of the Act. Steam-jacketed vessels are now also specifically included under the provisions of the Act. Apart from these things no additional machinery has been included, but on the other hand extensive exemptions of certain classes of machinery—far more extensive than under the 1904 Act—have been made. It is not correct to say that the scope of the activities of the department has been greatly increased. It has only been increased in one or two directions where it was considered necessary from the point of view of safety. On the other hand many exemptions have been allowed in connection with agricultural machinery, for instance, which were not allowed under the 1904 Act.

Hon. A. Lovekin: On what ground are vulcanisers included except to get fees?

The MINISTER FOR EDUCATION: I will come to that. Mr. Harris mentioned that CO₂ and oxygen containers were chargeable under the Act. He referred to the model which has been placed on the Table as one that was chargeable. I can assure him that no charge whatever is made upon such a model. Mr. Harris also produced a motor, for what purpose I do not know. I do not

think he or anyone else suggests that any charge is made upon a motor of that kind.

Hon. E. H. Harris: I said I could not produce one of 4 h.p.

The MINISTER FOR EDUCATION: I am at a loss to know why the hon. member produced that motor. Surely he did not expect it would grow.

Hon. E. H. Harris: I did not.

The MINISTER FOR EDUCATION: His idea evidently was to make hon. members think the department was doing something ridiculous in imposing a charge upon a motor of that size.

Hon. E. H. Harris: I said there was no charge for that, but that I could not get a 4 horse-power motor.

The MINISTER FOR EDUCATION: He could not have carried one of the size into this Chamber. The motor he exhibited conveyed no information to the House. He also pointed out that under the 1904 Act a reduction was made for the nests of boilers examined on the same day at the same place. He went on to say that the examinations were made for £1 5s. per boiler, whereas the present charge was £4 10s. per boiler. That is hardly a fair statement of the case. Throughout the State there are only 50 boilers of a sufficient size to be charged at the rate of £4 10s. each.

Hon. E. H. Harris: The major portion of them would be charged £3 each.

The MINISTER FOR EDUCATION: I am advised that the actual work involved in the inspection of these boilers is such as to justify the charge. He also said that under the old Act no provision was made for locomotive or traction boilers, but that these were now included. Under the 1897 Act such boilers were inspected, and they have been inspected ever since. There is nothing new from that point of view in the present Act as compared with the 1907 Act. Mr. Lovekin also has raised the question of vulcanisers (spirit-heated contrivances) that are used in private garages. I am assured these are not charged for, that they never were charged for, and that there is no intention of doing so.

Hon. A. Lovekin: It says, "For every vulcaniser £1."

The MINISTER FOR EDUCATION: I am informed that the vulcaniser referred to, one that is used in private motor garages, will not be charged for.

Hon. E. H. Harris: What are the vulcanisers covered by the Act for which fees are to be charged?

The MINISTER FOR EDUCATION: I suppose it is some contrivance of a larger character than the small one referred to by the hon. member.

Hon. A. Lovekin: I think your regulations say a fee is to be charged for every one.

The MINISTER FOR EDUCATION: With regard to lifts, the hon. member said that the previous charge was £1 for an annual inspection, but that £2 is now charged and an inspection made twice a year. The

question is whether in the interests of the public the department is not justified in inspecting lifts twice a year. I have not much knowledge of lifts, but I use them, and I have read in the papers of the accidents that occur from time to time in connection with them. From what I know, I am prepared to accept the decision of the department, that it is necessary that these lifts should be examined twice a year; the public safety demands it. Speaking as a layman, but with some knowledge of what goes on, it seems to me entirely reasonable that lifts should be examined twice a year. That disposes of that point. The hon. member says that the fee, which was once £1, has now been increased to £2. It is nothing of the kind. The fee has been increased to 30s. In commenting upon steam-driven machinery, Mr. Harris suggested that all steam-driven machinery was now being charged for at the rate of from £1 to £4 10s., and mostly at the rate of £4 10s. That is not the case. The only class of steam-driven machinery for which fees are charged is the winding engine and the charge is £4, not £4 10s.

Hon. J. Cornell: Nearly all those in Boulder pay £4.

The MINISTER FOR EDUCATION: It does not apply to all steam-driven machinery. As a matter of fact I am also advised that the work of inspecting a winding engine takes up almost as much time as the inspection of a boiler.

Hon. J. Cornell: Who told you that?

The MINISTER FOR EDUCATION: I am so advised by the Machinery Department.

Hon. J. Cornell: Whoever said that should be sacked.

The MINISTER FOR EDUCATION: I am advised that it frequently involves much more work even than the inspection of boilers.

Hon. J. Cornell: If the Inspector of Machinery says that, it shows he does not know anything about it.

The MINISTER FOR EDUCATION: That is what the hon. member may say, but I am so advised.

Hon. H. Stewart: In any event, the inspectors do not devote the time to it.

Hon. J. Cornell: Some of them do not require an inspection at all.

The MINISTER FOR EDUCATION: Mr. Harris also referred to the question of inspection fees for special work. These fees were provided for the purpose of legalising a practice that has been observed for a long time past. If a merchant or a dealer wishes to sell a boiler or a machine carrying a guarantee by the department, and requests an inspection for the purpose, it seems to me entirely equitable that he should pay for services rendered. The inspection is required in such instances for the sole purpose of aiding in the sale of that machine. Very often the officers of the department are placed in the position of acting as consulting engineers either on the question of repairs or on the

question of pressure, and, for rendering services of that kind, I do not think the general taxpayer should be called upon to pay, nor do I think the charge made is excessive. The charge may seem large in itself for the actual amount of time occupied in the work, but the job has to bear its share of the general maintenance of the department. The question of engine-drivers' certificates has been raised, as well as the loss of such certificates. The charge previously was 5s. for the first certificate and 10s. for any subsequent copy. These charges have been raised to 10s. and 15s. respectively. They have been raised in common with practically every other charge because the revenue fell about a couple of thousand pounds short of the requirements of the departmental expenditure.

Hon. E. H. Harris: The expenditure will be greater, perhaps.

The MINISTER FOR EDUCATION: No, it is not contemplated that the expenditure will increase. If it did so, there would be so much more loss. The expenditure is left as it was last year.

Hon. H. Stewart: It is usually more than that of the previous year.

The MINISTER FOR EDUCATION: I do not know whether it will, or will not, be more. I am informed, however, that it will not be more than the expenditure of last year, but that the revenue will be increased to meet the expenditure. Mr. Duffell, in supporting the motion, said that in no other State were such fees charged. That is not correct. In Queensland the regulations provide for fees ranging up to £5 10s. Boiler inspection here costs up to £4 10s., which is the maximum in our charges. In Queensland there are fees prescribed for all steam-driven machinery. For machinery, whether driven by gas, air, oil, steam or hydraulically, the fees range from 5s. to £5 in eleven grades, and for electrically driven machinery, from 5s. to £5. Electrical generators are charged for as well. That is not so in Western Australia. Many other things are charged for in Queensland that are not chargeable here. The rates in South Australia and Tasmania are practically the same as in our own case. In Victoria, I do not think they have any such charges.

Hon. J. Cornell: That is why they have no deficit.

The MINISTER FOR EDUCATION: Probably there are reasons for the fact that they have no deficit there. I do not know that it is necessary for me to go into details. The whole question resolves itself into this: Is the general taxpayer to be charged with the maintenance of this department or is it to be charged against the people using it?

Hon. A. Lovekin: Get a little economy and you won't want these extras!

The MINISTER FOR EDUCATION: I do not know that. It is part of the public policy of the State that the machinery shall be inspected in the interests of both life and limb. It is all very well to talk about economy. So far as I know the department

is managed as economically as it can be, and our experience in the past shows that there has been a considerable loss. In Queensland, as a matter of fact, although the charges are considerably higher than here, their loss was £6,077. In South Australia their boiler fees range from 10s. to £4 10s., which is the same as ours, and their revenue did not meet the expenditure by 50 per cent. In Tasmania, the fees are not quite so high. Their boiler fees range from 10s. to £3, but last year their expenditure was £3,248 and the revenue was only about half, or £1,579. In New Zealand, the expenditure for the last financial year, which in their case ends in March, was £28,000, and the revenue was only £13,000, showing a deficiency of £15,000. In New South Wales and Victoria they have no Inspection of Machinery Act in operation. In our case, we have simply aimed at an all round percentage increase in the fees charged, with the hope that the loss shown by the department last year will be obviated.

Hon. J. CORNELL (South) [4.53]: I support the motion and I do so for the reason that all the Minister has said to-day, in reply to the arguments put forward by Mr. Harris, goes to confirm the opinion gained of the intention of the Chief Inspector of Machinery, when the measure was introduced last session, namely, that it was required for more revenue. I think the wisdom of the House in creating a precedent by fixing a date for the proclamation of the Act—this being achieved by an adverse vote against the Minister—has been fully justified. The primary reason for fixing specifically the date of the proclamation in the measure was occasioned by the fact that a large majority of the House was under the impression that regulations would be framed under the new Bill for the purpose of adding to the taxation levied on the users of machinery. Because of that, they fixed the date of the proclamation in the Act, such date being made to conform, as nearly as possible, to the date when the House would meet again, and for the purpose of reviewing the new regulations before they had been nine months in force. The Minister has said that the users of machinery should be charged adequate fees whereby they would be assured that the loss upon the running of the department would be made up. The epitome the Minister has given of the first two months' operations has shown that there has been a small deficit on the operations. In approaching matters such as this, we have to view the situation in its fullest and broadest aspect. Why is an Inspection of Machinery Act placed upon the statute-book? It is not for revenue purposes and is not so viewed in any country where such a measure is on the statute-book. It is for the purpose of protecting the lives and limbs of the workers engaged in, on, or about such machinery. The workers in the community generally benefit by the introduction and enforcement of such legislation. It is unfair to saddle the full cost of such legislation, which is in the in-

terests of the State and the general community, on the users of that machinery themselves. It would be just as logical to say that we should fix such a scale of fees and fines as would ensure that the breakers of the law would pay for the upkeep of the civil police. After all, there is a close analogy between the inspection of machinery for a specific purpose and the keeping of the peace by the police. I have yet to learn that it has ever been argued that because the community as a whole bear the cost of the police force of Western Australia, there should be a radical change and property owners made to pay for that protection. We come to the question of the mines themselves, and we have a provision for the inspection of mines and fees charged for that work. What are our mining inspectors for? They are there for the identical purpose for which we have inspectors of machinery. They are there to go through the mines to inspect the workings in the interests of the men employed on or about the mines, and for the protection of life and limb. Equally is it so with the inspection of machinery. It has never been suggested that the mining industry should bear the full cost of the inspection of mines. It does not bear that cost. It is in the same category as the police force of this State. I view the inspection of machinery from this standpoint: the users of machinery confer a very great benefit on the State and on the community and should not be saddled with the whole cost of the inspection and of the department. Take my own constituency, where it is proposed to charge a fee of £4 for a winding engine. No mining company puts in a winding engine for the pleasure of the experiment; it is put in for a definite object. I do not profess to be a mechanic, but I have acquired considerable knowledge from working in or about mining machinery. For the Minister to say that it takes as much or more time to inspect a winding engine as a boiler is beyond my comprehension. The officer who put up that statement to the Minister either was taking a rise out of him or does not know his job. If an inspector proceeded to make a thorough inspection of a winding engine, he would probably have to spend a month on it, and then it would be quite possible on the following day to have a repetition of the Horseshoe mining disaster.

The Minister for Education: Do you advocate, then, that winding engines should not be inspected?

Hon. J. CORNELL: No.

The Minister for Education: It seems that you do.

Hon. J. CORNELL: But they are only formally inspected to-day and the department should not be entitled to charge £4 for it. If the Machinery Department are so assiduous in their inspection of such machinery that they can justify this high fee, how did it happen that five men were killed in the Horseshoe Mine as a result of a winding accident? A boiler presents a totally different proposition. The mineowners in and around Kalgoorlie

and Boulder are just as anxious to keep their machinery keyed up to a high pitch of efficiency and safety as the Machinery Department, and they do it too. They want no accidents; they want to ensure continuity of work. If they allow an engine to get into such a state of disrepair that an accident or a breakdown occurs, the effects redound on the users of the machinery.

The Minister for Education: You could say the same thing of all machinery.

Hon. J. CORNELL: I am speaking for the owners of mining machinery on the Eastern goldfields. They will be the hardest hit of all under the new regulations. On the Golden Mile there is hardly a winding engine which would not come under this regulation. Instead of saddling the industry with new imposts we would be acting in its interests if we endeavoured to remove some of the high imposts already in existence. This is one way in which we could and should relieve the industry. The salient reason for suggesting these high fees can be found in the staff of the Machinery Department. The present organisation of the machinery branch under the Mines Department is not warranted. The machinery branch should have been brought under the same roof as the Mines Department long ago. In the present circumstances the expense of maintaining an ornamental head sitting in Perth is not warranted. The civil service list for the present year shows that this department, exclusive of district allowances, costs £3,864 in salaries alone. If we turn to mining inspectors, we find that in two districts there are vacancies, and the cost of the remaining salaries is £2,856. Assuming that these vacancies will be filled and that the appointees will start on the minimum rate, we must add an extra £720, making a total of £3,576 for the nine inspectors of mines. The amount paid by way of salaries to the staff of the Machinery Department in comparison with the work done by the inspectors of mines and their costs, is not warranted, and it is time we put a stop to it. The Machinery Department has grown and grown. First, a man and then a typist has been added to the staff, and so it has continued; it is only human nature that the head of the department should endeavour to maintain the importance of his department in order not to lose status. I intend to vote for the rejection of the regulations primarily for this reason. We have almost as many inspectors of machinery as we have inspectors of mines. At Kalgoorlie we have as many inspectors of machinery as we have inspectors of mines, and no one but a lunatic would think of comparing the amount of work done by the two classes of inspectors. I and other goldfields members have long contended that the time was overdue when the Mines Department and its sub-departments should be reorganised and brought under one roof. If this were done there is no doubt that economy would be effected. There is another innovation which could be given a trial in

order to minimise the administrative expenditure, that outside of boiler and other technical inspections, a good deal of the work of inspecting mining machinery could be done equally well by inspectors of mines as by inspectors of machinery.

Hon. J. EWING: That is the point.

Hon. J. CORNELL: I maintain that it could be done as well. After a little tuition one of the messeggers would be quite competent to say whether the protection required for certain classes of machinery was adequate. The alternative should be tried before we agree to the imposition of new burdens on the industry, merely in order that the revenue of the department might be made to balance the expenditure. Economy could be effected by better organisation, and thus the present expenditure could be reduced to square with the revenue. Members now have an opportunity to express a definite opinion in favour of economy in at least one department. If we disallow these regulations the department must continue their deficit or effect economies. Whether the department take the line of economy and thus decrease their deficit is no concern of ours. It is the concern of the Minister for Mines and of the Government who are administering the affairs of State. By rejecting the regulations members will show that they are opposed to the principle of making these fees a revenue proposition.

Hon. J. EWING (South-West) [5.14]: The debate has been very interesting, especially as a result of the speeches of goldfields representatives who have a full knowledge of what is required in those districts. The question at issue seems to be whether the department is to be self-supporting or whether people outside of the industry—the people of the State—should contribute something towards the upkeep of the department. Mr. Cornell seemed to think that if there is any surplus expenditure, the burden should be borne by the taxpayers generally. What has made me speak on this occasion is that I am much interested and impressed by what the hon. member said just now in regard to the inspectors of mines. He suggested that they could do this work, thus relieving the Machinery Department of the inspection. In looking through the list which the hon. member desires to have deleted, it occurred to me to ask whether there is one inspector for each of the branches of work specified.

Hon. E. H. HARRIS: No. The same inspector covers them all.

Hon. J. EWING: I do not think the man who inspects the boiler inspects everything else.

Hon. J. CORNELL: No.

Hon. J. EWING: There are numbers of inspectors who travel all over Western Australia doing this important work.

Hon. E. H. HARRIS: There are only seven inspectors in the department.

Hon. J. EWING: Then the cost seems to me very high indeed for seven inspectors. I

know that in connection with the coal mining industry, for instance, inspection is very important indeed. Everything should be done to protect life, and these inspectors are undoubtedly necessary. If the motion is put to a vote this afternoon, it is very difficult to know what will happen. Personally, I should like to have some further inquiry made. I do not for a moment doubt the Minister's statements; but, after all, they are only departmental statements. The Minister cannot be versed in everything connected with mining machinery, and the statements he has given us this afternoon are those of the Mines Department. Whether we can achieve anything in the way of economy as suggested by Mr. Cornell, remains to be seen; but the cost of inspection to the mining companies, coal as well as gold, is very severe. I would like the Minister to inquire whether economy cannot be effected as suggested by Mr. Cornell. I am quite undecided as to how to vote on the motion.

Hon. F. E. S. WILLMOTT (South-West) [5.19]: I am inclined to agree with the mover. The argument used by the Minister for Education was that sufficient revenue should be obtained from the owners of the machinery and other things mentioned here to meet the expenses of the departmental inspections. Where is that going to stop? That is the point. If this Chamber agrees to the present regulations, then next year another 50 per cent. may be added on, and the cost of the department increased accordingly. As has been pointed out by Mr. Cornell, in the Public Service there is unfortunately an idea prevalent among many heads and subheads that if they increase their staffs sufficiently they will be enabled to go before the Appeal Board and get increases of salary. I have no reason to trust the department in the matter of, say, vulcanisers. The Leader of the House says it is not likely that fees will be charged in respect to small vulcanisers. But the department have already come down to my farm and charged me 5s. for a three-quarter horse-power internal combustion engine. What for?

The Minister for Education: Under this new Act?

Hon. F. E. S. WILLMOTT: I do not know. Under the new Act they will probably charge me 10s. That is what I fear. What good was done to me or to anybody in the State by an inspector coming along and saying to me, "You have an internal combustion engine, and therefore you must pay 5s.?"

The Minister for Education: Was not such a case exempted under last year's Act?

Hon. F. E. S. WILLMOTT: That may be; but if we agree to these regulations, some new regulations may be brought in next year, because the department will have to find some way of getting funds to keep the ever-swelling ranks of their officers going. I have been bitten once, and I am twice shy. The House would, in my opinion, do well to clip the claws of these people before they scratch us deeper. Now as to the vulcanisers.

If the department charge me, or any other farmer, 5s. in respect of a little domestic engine, I have no doubt that in the event of these regulations being allowed the department will presently come into my garage and charge me inspection fees for the two little vulcanisers I use to patch up the tyres of my "tin Lizzie."

Hon. J. Ewing: The Minister says they will not.

Hon. F. E. S. WILLMOTT: But I say they will; and the Minister, strangely enough, has no more say in the matter than I have.

The Minister for Education: They cannot do it after saying they are not going to.

Hon. F. E. S. WILLMOTT: If that is so, it is something entirely new to me. I do not trust the department. They have come down to Greenbushes and inspected machinery there. Then, because one boiler was sold to a man who owned the adjacent block, merely because of that change of ownership, there was a re-inspection, for which the man was charged £13 odd, notwithstanding the fact that the boiler had been inspected a few months previously. Most of the amount was made up of travelling expenses. An inspector was sent down specially from Perth. In reply to the owner's protest the department said, "You cannot expect a man to be sent all the way from Perth to Greenbushes without paying for it." The unfortunate owner pointed out that there was already an inspector in Greenbushes within a quarter of a mile of where the boiler was installed. The department, instead of wiring instructions to the other inspector to go that short distance and make the re-inspection, sent a man down from Perth, and the unfortunate owner was billed to the tune of £13 odd. When the department do such a thing, it behoves us to view them with the gravest suspicion. Anything we can do to prevent the extraction of money from people, I was almost going to say, under false pretences, we should do. We are entrusted with the safeguarding of the people's rights, and we should not be doing our duty if we did not safeguard their rights against this rapacious department.

On motion by Hon. A. Lovekin, debate adjourned.

MOTION—WATER SUPPLY DEPARTMENT, BY-LAWS.

To Disallow.

Debate resumed from the 7th September on the motion by Hon. A. Lovekin—

That by-laws promulgated by the Metropolitan Water Supply and Sewerage Department, dated 24th March, 1922, and numbered 7, 43, 52, 69, 93, 100, 105, 125, 130, 131, 132 be and are hereby disallowed.

The MINISTER FOR EDUCATION: (Hon. H. P. Colebatch—East) [5.25]: This is another matter almost on all fours with

the one we have just been debating. The question really involved here is whether the loss at present resulting from the operations of the metropolitan water supply is to be continued or increased. The by-laws, as the mover has pointed out, are for the most part identical with those which have been in force for a great number of years; but I quite agree that it is entirely within the discretion of the House, now that the by-laws have been put before it, to disallow even those by-laws which have existed for a long time. Had the department so desired, they might have put up merely the few alterations which have been made; and then it would have been competent for the House only to challenge those amendments. But the department thought fit to act in a different way, repealing the whole of the old by-laws and setting up new ones, with the result that all the by-laws are now subject to challenge by this House or another place. The first by-law to which the mover has taken exception is No. 7, a by-law which has been in existence for the past eight years. I fully expected that when the hon. member attacked this by-law he would have given us an instance of where it had operated harshly during that period. But he did nothing of the kind.

Hon. J. Cornell: One instance of hardship is the 50 per cent. increase in the price of water.

The MINISTER FOR EDUCATION: What we are now talking about is the specific by-law No. 7, which relates to powers of inspectors to order the removal of closets or urinals on catchment areas for water supply. The by-law has no reference to anything else at all. It simply gives that power.

Hon. A. Lovekin: Without any appeal at all.

The MINISTER FOR EDUCATION: But merely for the purpose of protecting the water supply. It seems to me the mover should have given us some instances where the by-law has operated harshly. He says there should be some appeal. As a matter of fact, although no appeal is expressed in the by-law, obviously there is the appeal to the Minister, because the thing can only be done with the sanction of the Minister. The inspector makes an order, and if anybody thinks the order unjustifiable, it is always open to him to appeal to the Minister, who can, if he thinks fit, override the inspector.

Hon. A. Lovekin: Does it say so here?

The MINISTER FOR EDUCATION: No; but it is an obvious fact. Plenty of people do appeal to the Minister without any specific right under a by-law. One can appeal to the Minister against anything done by a departmental officer if one does not agree with it. I think hon. members will admit that it is absolutely necessary inspectors should have the right to order the removal of such conveniences to other places.

Hon. A. Lovekin: After the conveniences have been there for years?

The MINISTER FOR EDUCATION: They may have been there for years, but if because of any alteration in the water supply they become a menace, then undoubtedly it should be competent for someone to order their removal. This particular by-law, I say, has been in existence for eight years; and I know of no single instance of hardship which has been done under it. The second by-law objected to by the hon. member was No. 43, which provides that any work in connection with the water supply of any premises shall be done only by persons duly admitted by the Minister as "licensed water supply and sanitary plumbers" or "licensed water supply plumbers." This by-law has been in operation for the last seven years. By Section 146, Subsection 24, of the Act it is provided that the Minister may make by-laws to regulate the licensing of persons to perform work in connection with sewers and so forth. The Act clearly contemplates that there shall be some qualification for the people who undertake to do this work, and the Act goes on to say, "Prohibiting any but licensed persons from doing such work." This by-law has been in operation for the last seven years and is in exact conformity with the Act. The by-law does not go a single step further than the Act instructs. As a matter of fact, every authority controlling sewerage work in Australia has a similar provision. In Melbourne, not only the master plumbers, but the working plumbers as well, are licensed. In Adelaide the plumbers are registered, as they are here. In Sydney the provisions are the same as in Perth. In Brisbane they have first-class and second-class plumbers' licenses. In Newcastle it is the same as in Perth. The licensing of plumbers is recognised by all authorities as essential in order to keep the sanitary plumbing up to a standard which will preserve the health of the public and avoid the evils likely to result from having amateurs tinkering with the business. It is a system which is adopted by almost every water supply and sewerage authority throughout the world and, as I say, the by-law is merely the Act. No other construction of the Act is possible than a by-law of this description.

Hon. F. E. S. Willmott: That is why they say it is better to have a burglar than a plumber in the house.

The MINISTER FOR EDUCATION: I do not know. By-law No. 52 practically follows on the previous by-law. This has been in force since 1914, with a very trifling amendment which does not in any way alter its meaning. It is in exact accordance with Section 146, subsection 24 of the Act. Then we have by-law 69 (n). This is the existing by-law which came into force on the 1st January 1914, except for one or two amendments which do not increase fees. There is one case, namely, lead pipes 1½ in. to 4 in., 1d. each; whereas under the old regulations 1½ in. to 2 in. were ½ d. each. That is practi-

cally the only difference. This by-law comes in Division 6 and relates only to sewerage. The by-law makes provision for the testing of material used on sewerage connections, the object being to see that the pipes are of regulation thickness, free from obstructions and up to standard. Water pipes are not required to be stamped, so long as they are up to the weight given in the by-laws. It has been found that unless some provision is made for this, the material in the lead pipes will be reduced in thickness, the brass fittings will be practically useless after a little wear, and the sheet iron will be brought down to 28 gauge. Another by-law to which exception was taken, is by-law 93, providing that it shall be at the discretion of the Minister to supply water to individual consumers, or to land, whether rated or not. This has been in existence since 1914, and its abolition would not make the slightest difference, because Section 46 of the Act makes precisely the same provision.

Hon. A. Lovekin: Read that with Section 36.

The MINISTER FOR EDUCATION: It is Section 46 of the Act, and if the by-law were to be wiped out the section would be found to have the same effect as the by-law. I have heard the hon. member say that when two sections of an Act are in conflict, the last prevails. Now he wants to set up Section 36, which has some relation to the obligation to supply water, as over-riding Section 46, a later section which provides that it shall not be compulsory on the Minister to supply, and that nevertheless the Minister shall not be liable.

Hon. A. Lovekin: I say it should be read with Section 36.

The MINISTER FOR EDUCATION: It does not alter the clear wording of the section. That by-law is merely carrying out the wording of the Act. By-law 100 provides that no person, whether entitled to receive water from the Minister or not, shall without the written permission of the Minister carry away or allow to be carried away such water from his premises or sell the same to any other person. This by-law has been in existence since 1914. I believe a word or two has been altered, but without any alteration of meaning. Section 146 of the Act provides for by-laws prohibiting the sale of water supplied by the Minister, except with the authority of the Minister. That by-law is carrying out the specific intention of the Act. It has no relation to water which a person may obtain from a private well, or which is pumped by a wind-mill. He can do whatever he likes with that water. But the Act distinctly contemplates that the water supplied by the department to one premises shall not be disposed of to another premises without the consent of the Minister.

Hon. A. Lovekin: After he has paid for the water—his own property!

The MINISTER FOR EDUCATION: Quite so, but it is the clear intention of the

Act. Section 146, subsection 6 prescribes that very by-law.

Hon. A. Lovekin: But is not the principle wrong?

The MINISTER FOR EDUCATION: No. It is absolutely right. Let me suggest what might happen without this provision. Many properties in the city pay for water rates which would entitle them to use a great deal more water than they can consume. It is only by imposing these rates on those properties that we can give water at a reasonable price to the city. If we could not get rates from highly valuable properties to help carry on the scheme, we would have to charge citizens a great deal more for their water. If the provision in the Act and the by-law were wiped out, it would be competent for a person paying heavy rates on city property to sell all the water to which he was entitled, but could not use, thus entirely defeating the spirit and intention of the Act. If we were to disallow that regulation we would be effecting nothing unless we were to disallow the Act as well, because the by-law is merely carrying into effect the provision in the Act. By-law 105 is also objected to. It provides that it shall not be lawful for any person or corporation to use water for street watering purposes except with the approval of the Minister. This has been in force since 1914. Local authorities are allowed to use water for street watering, subject to regulations imposed by the Minister. The Minister supplies water to local authorities at rates charged under Section 101. What is wrong with that? Surely the hon. member does not contemplate that local authorities should be allowed to use water for street watering purposes without the consent of the Minister, or that it should not be competent for the Minister to prohibit their using it if at certain times the water is not properly available for the purpose. I cannot conceive of any other method of doing it.

Hon. A. Lovekin: After I have bought the water, surely I can do as I please with it!

The MINISTER FOR EDUCATION: That is entirely contrary to the spirit of the Act. If the hon. member desires to bring that about, he must bring in a Bill to amend the Act. Then if he can get Parliament to agree, well and good. But when such a Bill comes before the House it will be my duty to warn members that if anything of the sort is done it will mean that the Metropolitan Water Supply will be a very big loser. By-law 125 is the next one objected to. I believe there was another, which the hon. member did not include in his list.

Hon. A. Lovekin: Yes, by-law 119.

The MINISTER FOR EDUCATION: Well we will take that last. By-law 125 provides that every person supplied with water by measure to other than rated premises or private residences shall pay meter rent in advance. There, again, we have an exact interpretation of the by-law in force since 1914. Section 39 Subsection 3 of the

Act allows the Minister to charge prescribed rent for meters, except meters for private houses only. But the Minister goes further than that, and exempts rateable premises as well as private residences. Surely that is a generous interpretation of the Act! What possible objection can there be to charging fees on premises not used as private residences and not rated?

Hon. A. Lovekin: Twenty shillings a year for a quarter-inch meter!

The MINISTER FOR EDUCATION: That is for premises not rated under the Act, and which make no contribution whatever to the scheme. Then we have By-law 131, providing that the charges for water for building purposes shall be based on the cost of the building, and that where there is no contract the value shall be fixed by the Minister. This by-law has been in force since 1915. Under Section 36 of the Act the Minister may, on the payment of prescribed charges, supply water for other than domestic purposes by measure. The fee charged for water for building purposes is based on the cost of the building, subject to a minimum. So far as I know, no complaint has ever been made against that by-law.

Hon. A. Lovekin: It is a tax on buildings.

The MINISTER FOR EDUCATION: No, they want the water, and surely it is fair and reasonable that they should pay for it. The existing by-law 132 is the same as that which came into force on the 8th October 1920, with one or two small variations. In this connection the hon. member referred chiefly to water for trading and all other purposes not otherwise specified, the charge being 1s. 6d. per thousand gallons. That is the same charge as has been in existence all along. I do not know that the hon. member, by disallowing this by-law, will get water for trading purposes any cheaper.

Hon. A. Lovekin: Why not?

The MINISTER FOR EDUCATION: I suggest to the hon. member that the water has to be paid for. In Sydney the charge is 1s. for the first ten million gallons, 11d. for the next, and 10d. for the remainder. In Melbourne the charges are lower still. It would be the policy of the department to decrease their charges and encourage the use of water extensively for trading purposes if only they had the water. But they have not sufficient water to meet existing demands during the summer. For that reason no good purpose would be served by reducing the charge, for if they brought down the rate to encourage a large consumption for trading purposes, they would not be able to supply. When the water supply is increased there will be a great deal to be said in favour of the hon. member's contention.

Hon. A. Lovekin: You have missed my point with regard to by-law 132 dealing with the increased charge for excess water.

The MINISTER FOR EDUCATION: The old by-law No. 113, which has been in operu-

tion since 1914, provided for a sewerage rate not exceeding 1s. in the pound, and for a stormwater rate not exceeding 6d. in the pound. Section 94 of the Act provides that sewerage and storm water rates taken together shall not exceed 1s. 6d. in the pound. It does not define the limit of the rate for separate services. Therefore the old by-law was not in accordance with the Act, and when the sewerage rate was increased to 1s. 1d. from the 1st July, 1919, it was necessary to amend it. The amendment was made in 1919. It is not a new amendment by any means, and it was put in the form in which it appears in the Act, that is, taken together, not to exceed 1s. 6d. in the pound. If this particular by-law is wiped out, it will not make any difference because it is simply repeating the words of the Act. The rates charged are 1s. 1d. for sewerage and 5d. for storm water. The hon. member suggested that the department might supply only storm water services and charge 1s. 6d. If that be the case, it will not be the by-law that will give the department power to do that, it will be the Act itself. The department do not do anything of the kind; they would not do it. I am sure the department would have no objection to meet the hon. member's wishes to make it clear in the regulations that they have no intention of departing from the practice of charging 1s. 1d. and 5d. for sewerage and storm water services respectively. Take Subiaco: that is practically all served by storm water drains and the storm water rate there is 5d. There is no sewerage and therefore no charge is made for that service.

Hon. A. Lovekin: You could charge 1s. 6d. The MINISTER FOR EDUCATION: Under the Act we could, but not under this regulation. An unreasonable interpretation could be given to this regulation, but it has never been given and there is no intention of doing so. I think those are all the by-laws to which the hon. member has taken exception and I trust the House will not disallow them. The only motive would be to decrease the revenue of the department, and since the department shows a loss of £8,000 per annum, I do not think it is desirable to cut down their revenue in any way.

Hon. A. Lovekin: Would you mind telling us why you increased the price of excess water?

The MINISTER FOR EDUCATION: In which case has there been an excess? The rate is the same as it was before.

Hon. A. Lovekin: It has been put up 3d. Two years ago it was 1s., now it is 1s. 3d.

The MINISTER FOR EDUCATION: The old regulation provides for 1s. 3d.

Hon. J. J. Holmes: We got a rebate of 3d. if we paid before a certain date. That has been cut out.

The MINISTER FOR EDUCATION: The scale of charges provides that where full year's rates and all arrears of rates, and interest from previous years, are paid on or prior to the 30th November of the current rating year, the charge shall be 1s. 3d. per

thousand gallons. Where the rates and all arrears of rates and interest from previous years are not so paid, the charge is 1s. 6d.

Hon. A. Lovekin: That is raising it 3d.

The MINISTER FOR EDUCATION: The new by-law is exactly the same. There has been no increase. If the hon. member can show that we have increased the fees by means of the by-laws, I shall be quite prepared to make inquiries.

On motion by Hon. J. Cornell, debate adjourned.

BILL—NURSES' REGISTRATION ACT AMENDMENT.

In Committee.

Resumed from 7th September; Hon. J. Ewing in the Chair, the Minister for Education in charge of the Bill.

Clause 2—Amendment of Section 5:

An amendment had been moved by Hon. J. Duffell "In paragraph (b) strike out all the words after 'State' in line 6, and insert 'the qualification of whose members is similar to those institutions.'"

The MINISTER FOR EDUCATION: Section 5 of the Act we propose to amend reads—

Every person shall be entitled to registration under this Act who has attained the age of 21 years and holds a certificate from an authority outside the State, whereby it is certified that such person has received such training, and has passed such examination as would be required from Western Australian nurses under this Act.

All we propose to do is to get over the difficulty which has arisen in regard to the interpretation of the word "authority." The amendment which Mr. Duffell proposes is at present contained in the Act.

Hon. J. DUFFELL: I am prepared to accept the statement of the Minister, but at the same time I would point out that we are frequently in a dilemma on account of the amending by-laws which are brought to us for consideration. It would facilitate matters if the section, which the clause in the Bill purports to amend, were in some way embodied in the Bill so that we would be able to see what we were dealing with. I shall ask leave to withdraw the amendment.

Amendment by leave withdrawn.

Hon. A. J. H. SAW: Reference was made last week to the question of Scottish nurses securing registration in this State. I have taken the trouble to find out that in Scotland there is already State registration of nurses. Consequently, any nurse coming to Western Australia from Scotland, having been registered in Scotland, will be recognised under this provision.

Hon. J. CORNELL: If we pass this clause we shall admit these three associations by Act of Parliament. The words "or other

association or authority outside the State recognised by the board'' are quite sufficient without these three organisations being mentioned.

The Minister for Education: We must have something to indicate what we mean.

Hon. J. CORNELL: The board can take these three organisations as a pattern or not as they please.

Clause, as amended, put and passed.

Clause 3—agreed to.

Title—agreed to.

Bill reported with an amendment.

BILL—PUBLIC EDUCATION ACTS AMENDMENT.

Second Reading.

Debate resumed from the 6th September.

Hon. J. CORNELL (South) [6.3]: I support the principle affirmed in the Bill. It proposes to do away with school boards as constituted to-day where parents and citizens' associations exist. I have been able to compare these associations with school boards, and I say that in activity and calibre of work, and in other respects, the associations are far ahead of the school boards. The school boards, as we know them, adopt a more or less dictatorial attitude, but the associations closely study the interests of the children, both from the educational and recreation point of view. Much good work has been done by these associations. I happen to be President of one of these bodies. There are some people who condemn them, because they are performing work which it is thought the Government should do and pay for. I tell those people who condemn these organisations that work is being done which would not be carried out but for those bodies. If citizens are prepared to devote their time and energy and a little of their money to this class of work they should be encouraged. I know of one association which on a capital outlay of about £4, was able to raise as much as £72. The school teachers are safeguarded by the Bill. I know of no parents and citizens' association which has endeavoured in any way to dictate to the teachers. That is not their function. It would be their function to take up a case against the teacher, but there would have to be a good foundation for it before they did so, and a very strong case indeed before it would have any effect with the department. We are in a position to judge as to the value and calibre of these associations. I am of opinion they should now supplant the old school board. Even at Widgiemooltha a parents and citizens' association has been formed. If parents do not take an interest in their children who else can be expected to do so? I support the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Officers of association and appointment of school boards:

Hon. F. A. BAGLIN: In connection with the ballot for the election of members of the board, will this be confined to those who are present at a meeting, or will the power to vote be extended to every member of the association? In my view every member should be entitled to vote on a question of this sort.

The MINISTER FOR EDUCATION: The Bill provides that the ballot shall take place at the annual meeting. Every member will be allowed to vote. Regulations governing the situation will be made under Clause 8.

Hon. J. CORNELL: Some provision should be made for the removal of any officer of an association on the ground of non-attendance or other reasonable cause.

The Minister for Education: Clause 8 provides for that.

Hon. J. CORNELL: The more elastic the rules are the better it will be.

Clause put and passed.

Clauses 6 to 9—agreed to.

Title—agreed to.

Bill reported without amendment, and the report adopted.

House adjourned at 6.15 p.m.

Legislative Assembly,

Wednesday, 13th September, 1922.

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

QUESTION—MINERS' PHTHISIS, SOUTH AFRICA.

Mr. UNDERWOOD asked the Minister for Mines: Is it his intention to lay all papers in connection with miners' phthisis in South Africa, as presented to the Mines Department by the Hon. J. Cornell, on the Table of the House?