

of his death, or, if it be a policy payable before that time, a fund for himself out of which he might extract some comfort in his old age. If it is found that the restrictions imposed by this measure are insufficient, then this legislation can at some future time receive further consideration. For the moment I am content to offer this Bill to the House, and I commend it to the careful consideration of members. I move—

The Bill be now read a second time.

On motion by the Minister for Lands, debate adjourned.

*House adjourned at 10.0 p.m.*

## Legislative Council,

*Thursday, 26th September, 1940.*

Bills :		recom.	PAGE
Kalgoorlie Health Authority Loan, 2a., Com.			937
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The PRESIDENT took the Chair at 4.30 p.m. and read prayers.

### BILL—LICENSED SURVEYORS ACT AMENDMENT.

#### *Recommittal.*

On motion by Hon. J. Nicholson, Bill re-committed for the further consideration of Clause 3.

#### *In Committee.*

Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

#### Clause 3—Amendment of Section 4:

Hon. J. NICHOLSON: Paragraph (b) of Subsection 1 of the proposed new Section 4 reads as follows:—

Three members, one at least of whom shall be a licensed surveyor, appointed by the Governor on the nomination of the Surveyor General.

As the paragraph stands, it might be construed to mean that only one member would

be appointed by the Governor General on the nomination of the Surveyor General. That is not intended.

Hon. H. S. W. PARKER: There is a comma after the word "surveyor."

Hon. J. NICHOLSON: That in itself I do not think is sufficient. Any chance of mistake would be removed if the paragraph read as follows:—

Three members appointed by the Governor on the nomination of the Surveyor General, one at least of whom shall be a licensed surveyor.

I move an amendment—

That in paragraph (b) of Subsection 1 of proposed new Section 4 the words "one at least of whom shall be a licensed surveyor" be transposed from lines 1 and 2 to the end of the paragraph.

The HONORARY MINISTER: The question is one of correct English. I submitted the paragraph to those whom I considered to be the best authorities in the House. Some took the view that the paragraph was correctly written; others were of the opinion that it might be open to misconstruction. I have no objection to the amendment. The draftsman considers the paragraph as drawn is correct, but there appears to be a possibility of its being misconstrued.

The CHAIRMAN: If it is the wish of the Committee that Mr. Nicholson have leave to move in that direction, I shall allow it.

Leave granted.

The CHAIRMAN: The question is that the words be transposed.

Hon. H. S. W. PARKER: The proposed new section provides that the Surveyor General shall be ex-officio a member and chairman of the board, that three members, one at least of them a licensed surveyor, shall be appointed by the Governor on the nomination of the Surveyor General, and that two members, both licensed surveyors, shall be appointed by the Governor on the nomination of the institute. The provision does not seem to be quite clear. Of how many members will the board consist?

The Honorary Minister: Five, excluding the Surveyor General.

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

Bill reported with an amendment.

# **BILL—KALGOORLIE HEALTH AUTHORITY LOAN.**

*Second Reading.*

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West) [4.45] in moving the second reading said: This is a non-contentious measure under which authority is sought by the Kalgoorlie Municipal Council to utilise the residue of a loan of £34,500 raised by the council as a health authority on works other than those for which the loan was raised. The residue is approximately £6,000. In 1938 a loan of £34,500 was raised for the purpose of constructing sewerage works in the municipality. Of that amount £28,308 14s. 11d. has been spent on the scheme. This amount includes a sum for the restoration of lanes, and it is estimated that an additional £200 will have to be spent on that work, thus leaving an unexpended balance of approximately £6,000. The council is particularly fortunate in having been able to get the work done at such a considerable sum below the estimated cost. The reason advanced by the council is that it obtained the services of a competent engineer who, with his expert knowledge, was able to modify the original plans. Another contributing factor to the saving was the purchase of materials for the work on a good market. The object of the Bill is to authorise the council to use the surplus money for any other work in the municipality. The Bill provides that before any such expenditure can be made, it must be approved by resolution passed by an absolute majority of the council, and the resolution must be confirmed by a meeting of ratepayers of the municipality. Thus there is every safeguard to ensure that the balance of the loan will be expended on work that will meet with the approval not only of members of the council but also of the ratepayers. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

*In Committee.*

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

# **BILL—PETROLEUM ACT AMEND- MENT.**

*Second Reading.*

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West) [4.50] in moving the second reading said: This is a most important Bill by which it is proposed to liberalise conditions under the Petroleum Act, under which fairly extensive areas for the search for petroleum may be obtained. Its express intention is to make it more attractive for people of financial standing and of practical experience to develop our potential oil resources. Every member will agree that the discovery of oil in Western Australia in payable quantities would be of untold benefit to this State, to the whole of Australia, and, one may say in these times, to the British Empire. It is almost unnecessary for me to stress the vital importance of oil as a commodity in the world of to-day. Its use for industrial purposes is unlimited, and none will gainsay that it is going to play a major part in gaining a decision in the awful conflict confronting us at the present time. Consideration of our own national defence must be uppermost in any legislation of a nature such as this, and with this in mind the Government is using every endeavour to induce search for oil in this State. Countries all over the world are endeavouring to intensify the search for this important product; and legislation has been passed in the United Kingdom, New Zealand, and the Eastern States as a practical inducement to those willing to invest capital. During the past few months inquiries have been made as to the possibility of liberalising the conditions of our Act and thereby making it more attractive for the investor to explore the possibilities of finding oil in payable quantities here. The Bill, therefore, proposes the necessary amendments to induce the opening-up of our potential oil resources. Similar legislation to that proposed is in existence in all other Australian States; and members will agree, I feel sure, that it is advisable to have uniform legislation on such an important matter as this. The Commonwealth Government is particularly anxious that such uniformity be brought about.

The existing Petroleum Act is divided into three parts, under the headings of "Permits

to Explore," "Licenses to Prospect," and "Petroleum Leases." The Bill is divided likewise, and I propose to compare, in the order mentioned, the proposed amendments with the provisions of the existing Act. As regards the first item, "Permits to Explore," the Act provides for the payment of a fee of £50, of which £45 may be refunded at the expiration of the permit if operations are satisfactory. The Bill, on the other hand, provides for a fee of £50 for every 1,000 square miles or part thereof, with a maximum of £100. A bond for a permit is not required under the Act, but the Bill provides for a bond of £1,000. Further, the holder of such a permit may at any time surrender it with the consent of the Minister. In the Act the State is divided into five oil provinces, but these are abolished in the Bill, and there will be no such thing as an oil province. The area for which a permit can be granted is practically unlimited in the Act; but no exclusive right is given, as any number of permits can be issued for the same oil province. Under the Bill, the area is not less than 1,000 square miles, and exclusive right to prospect given. Any number of permits can be granted to the same person. This is an encouragement for oil companies to explore as much country as possible. A term of 12 months with power to grant two renewals is allowed in the Act; but in the Bill this is increased to two years, with power to grant 12 months' renewals. Legislation as to working conditions are the same in the Act as in this Bill.

The Bill provides for a definite exclusive prospecting title to be issued, but at present the title granted is only in the nature of a miner's right. In their preliminary exploration work, oil companies search firstly by aeroplane, and then by ground parties, for suitable formations. It is therefore evident that a large area is necessary with a protected right to that area in order to warrant the preliminary heavy expenditure involved in such work. All suitable formations are explored by ground parties, and the formations which are considered to warrant further and more detailed examination can then be applied for as licenses to prospect. In regard to these licenses, the fee chargeable under the Act is £1 per square mile per annum, but up to 90 per cent. of this may be refunded if operations are satisfactory. It is provided under the

Bill that the fee shall be 5s. per square mile, with a maximum of £12 10s. per annum during the initial term, and 10s. per square mile, with a maximum of £25, thereafter. The bond of £1,000 required in the Act is the same amount as provided in the Bill. As to area, this must not exceed a square of 15 miles—which equals 225 square miles—under the Act, but under the Bill it must not be more than 200 square miles, and not less than 8 square miles unless specially authorised.

Under the Act 12 months is the term granted, with a right to grant four annual renewals. Under the Bill, however, it is proposed to grant a term of four years with right of two renewals for a period of one year each.

As to the number of licenses which can be held under the Act, these must not be more than five within any one oil province at any one time, and it is provided that not more than two of such licenses can adjoin. There is an appreciable difference under the Bill, as no restriction is placed on the number that can be held. Hon. members will recall the lengthy discussion on this phase when the parent Act was before this Chamber.

The working conditions of licenses to prospect provide under the Act for a detailed survey of the land to be commenced within six months, and other operations as prescribed. The Bill does not seek to alter these provisions in any way; and although the maximum area of a license is slightly less in the Bill, there is no restriction on the number which can be held. The fees as provided in the Bill are less than those under the Act; and a longer preliminary term is given, which enables the holder to prepare a long progressive programme. If his operations in this regard are at all satisfactory, he then has the opportunity to apply for what is known as a petroleum lease. Regarding these leases, the rental chargeable under the Act is 6d. per acre per annum, whereas the Bill provides for a rental of £10 per annum per square mile. A bond is not required under the Act, but the Bill provides that one of £1,000 must be forthcoming.

The area of a petroleum lease as provided for under the present Act is 160 acres. There is also a provision that the first discoverer of payable petroleum shall have the right to apply for a reward lease of 225 square miles, while the first discoverer in

each oil province can apply for a reward lease of 16 square miles, and the second discoverer four square miles.

The Bill provides for leases of not more than 100 square miles and not less than four square miles unless specially authorised, and reward leases have been deleted except for the provision that in the event of the first discovery of petroleum occurring in any one of the existing licenses, and being made by the present holder, such holder shall be entitled to apply for and obtain a reward lease of any area within the license not in excess of the total area held. Thus if Freney's discovered oil in one of their present licenses of 225 square miles that company could obtain a reward lease comprising the whole of it. This would then equal the area which can in the present Act be obtained as a reward lease. The royalties under the present Act on ordinary leases are on a sliding scale varying from 10 per cent. to 15 per cent. according to daily production in barrels, and for reward leases the royalties are 5 per cent. for the first five years and 10 per cent. thereafter, while under this Bill the royalty is not less than 5 per cent or more than 10 per cent. and the rent paid is set off against royalty. The Act provides that no person can hold or be interested in more than five leases in any one oil province, but under the Bill there is no restriction in this regard. Members must understand, however, that conditions must be complied with on each lease.

In the matter of working conditions, the Act stipulates that within six months of the granting of a lease a drilling plant must be installed and operations commenced. This remains unaltered in the Bill. Areas are increased thereby and the restriction against the number which can be held is removed, while royalties are generally lowered. With regard to royalties, these will be fixed bearing in mind the locality in which the oil basin is situated and the cost of laying pipe lines to the coast, etc.

I have compared the various amendments with the existing Act, but before concluding I propose to elaborate more fully on the remarks which I made at the outset. Members probably may not be aware that the modern idea of exploration is for a preliminary aerial survey to be made. This applies particularly in the search for oil. If an aerial survey proves to be satisfactory, it is

followed up by properly equipped ground parties whose objective is to locate the suitable formations. A more detailed investigation is then made and if any likely formations are discovered, boring operations take place. Those of us who had any experience of boring for oil know that it is a very long and expensive process. Lack of capital and technical experience have over the last 30 years led to the disappointing results by companies which have tried for success in only one borehole. Even in countries which have established the production of this most important commodity, it has been proved how unsatisfactory it is to gamble on just the one sinking. It has been found necessary to sink borehole after borehole, even though the geological structures have been mapped out with great care before commercial production has been obtained. This is common in most untried areas, and it is safe to say that great oilfields as exist in Sumatra and California would have been condemned and considered not to exist had they been in Australia. One, or at the most two, boreholes would have condemned the areas completely in the eyes of everybody.

It must be apparent, therefore, that a considerable amount of capital is required in order satisfactorily to develop a venture of this kind. The utilization of finance on a huge scale is necessary if success is to be obtained in Australia, and when one realises that the United States alone has an estimated expenditure of a sum between £50,000,000 and £60,000,000 per annum on prospecting for oil, it is evident that a much greater effort will have to be made in this country. These figures have been given to me as authentic.

Of recent years the Commonwealth has been endeavouring to induce financial enterprise into the development of our potential oil resources, and legislation has been introduced which compares favourably with that of other countries. The principles of granting sufficient areas with security of tenure whereby inducement is offered to companies to arrange large scale programmes of development is one that has been recognised over the past ten years in those countries in which the development of oil resources is needed. Where legislation is such that it does not promote enterprise, it has been found necessary to remove any such legislation from the statute book. Great Britain, the Crown colonies, New Zealand,

Papua and New Guinea are among those countries which have made the necessary amendments to their legislation. This has had the desired effect and huge sums of money are being expended there on prospecting and development. In New Zealand alone the passing of amending legislation has had a most remarkable effect in stimulating the search for oil, and oil companies are budgeting for high expenditures for this purpose. No one will deny the need of greater effort in Australia. We desire the introduction of new capital on a scale hitherto not thought possible, and therefore we cannot afford to lag behind in the revision of our State legislation.

This is an urgent matter, and I can assure members that at this very moment there are certain enterprising people who are most anxious to commence operations on a large scale provided there is sufficient inducement by way of more liberal legislation. I am informed that in the whole of Australia we have had the experience of 30 years of failure to find oil in payable quantities. No structural formation has, however, been tested as it should be, and unless we take advantage of the experience gained in other countries and bring ourselves into line with them in regard to our legislation, then we shall continue along in the same manner with nothing achieved. The Petroleum Act which has been drafted with the assistance of Dr. Wade is fairly modern, but he is now of the opinion that royalties should be reduced and titles to areas enlarged as is proposed in the Bill. It is considered that the passing of this Bill will give the necessary impetus to a long felt want in a large scale exploration of our potential oil resources. There is no necessity for me to enlarge on what it would mean to this State and the Commonwealth if oil is discovered here.

I remember when the present Act was before this House we spent considerable time in discussing its various phases such as the right first of all to explore and then to develop, and the fear was expressed by some members that we were being a little too generous in regard to the size of the areas and in other respects as well. As a result of our experience, we know that not sufficient inducement was offered to people interested in the exploration for oil to take the risk of spending huge sums of money which, as has been proved, it is absolutely necessary to do before areas can be

tested satisfactorily. So that members will agree regarding the Bill I am now submitting that we should do all we possibly can to give that encouragement to those people who have the necessary experience and have command of the finances required to carry on operations, to do the job properly. If there is any further information required by members, I shall be only too pleased to supply it when the Bill reaches the Committee stage. I trust that members will regard this as a very important measure, and one that should be passed without delay. I am told that there are certain people associated with operations of this kind who are anxious to make an early start, people who are in a position to invest considerably greater sums of money than have in the past been expended in the search for oil in Western Australia. I move—

That the Bill be now read a second time.

On motion by Hon. H. Seddon, debated adjourned.

## **BILL—ELECTORAL ACT AMENDMENT (No. 1).**

*In Committee.*

Resumed from the previous day, Hon. V. Hamersley in the Chair; the Chief Secretary in charge of the Bill.

Postponed Clause 3—Amendment of Section 87:

Hon. Sir HAL COLEBATCH: The point raised by Mr. Fraser yesterday afternoon is an important one that needs attention. To meet the position I move an amendment—

That in line 9 of paragraph (f) the word "polling" be struck out and the word "nomination" inserted in lieu.

That would mean that any candidate whose nomination was carried forward from the previous election would be entitled to withdraw but must do so before the new nomination day.

The CHIEF SECRETARY: I have had an amendment drafted which may more satisfactorily meet the position. Hon. members will recall that during the previous discussion of this clause we seemed to become somewhat involved, and I agreed to postpone further consideration of the matter in order that I might look into the effect of the proposal made by Mr. Cornell

to delete entirely Subclause 2 (a). In that case there would have to be a new election, and every person who desired to be a candidate for the new election—including those who were candidates in the first election—would have to nominate, lodge another deposit and go through all the usual routine of nominating for an election. I was of the opinion that what the Committee really desired was to give candidates who were engaged in the first election a right to withdraw from the new, or supplementary, election and to a refund of their deposit in that event. I discussed the matter with the Solicitor General and eventually he drafted an amendment which I think meets the position. That amendment provides for the deletion of paragraph (f) and the insertion in lieu thereof of a new paragraph which will provide that candidates in the first election will be considered to be candidates in the supplementary election, but will have the right to withdraw without forfeiture of their deposits prior to the nomination day of the new election. That would place all on the same footing and if there were seven days between the issue of the writ and nomination day, any candidate in the old election would have a week during which he could decide whether to withdraw or continue as a candidate. I am prepared to move the amendment.

The CHAIRMAN: Sir Hal Colebatch has moved for the deletion of a word in paragraph (f).

The CHIEF SECRETARY: I propose to move for the deletion of the whole paragraph and I am sure Sir Hal will be prepared to withdraw his amendment after he has heard mine.

Sir HAL COLEBATCH: If it is desirable, I will withdraw my amendment. The Chief Secretary's suggestion meets the position.

Amendment, by leave, withdrawn.

The CHIEF SECRETARY: I move an amendment—

That all the words after "subject," in line 7, of paragraph (f), be struck out and the following inserted in lieu:—"as hereinafter provided, may withdraw their nomination before the polling day fixed in relation to the new election.

Provided that—(i) If a candidate withdraws his nomination at or before the hour of nomination on the nomination day fixed in rela-

tion to the new election, he shall be entitled to a refund of the deposit lodged by him with his original nomination notwithstanding anything to the contrary contained in Section eighty-one of this Act; and (ii) the right of a candidate to withdraw his nomination after the hour of nomination on the nomination day fixed in relation to the new election shall be subject to the provisions of Section eighty-one of this Act."

Amendment put and passed.

The CHIEF SECRETARY: I move an amendment—

That after the word "after" in line 1 of Subclause 3, the words "the close of the poll" be inserted.

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

Clause 4, Title—agreed to.

Bill reported with amendments.

## BILL—INSPECTION OF MACHINERY ACT AMENDMENT (No. 1).

### *Second Reading.*

Debate resumed from the 24th September.

### *Personal Explanation.*

HON. C. F. BAXTER (East) [5.32]: With the permission of the House, I should like to make a personal explanation. It has never been my custom knowingly to mislead members, but when dealing with the second reading of this Bill, unfortunately I did make a mistake. I said—

This Bill will have the effect of legalising the inspection of all generators, including those used for heating purposes in clubs, hotels and hospitals.

There was one thing in the Bill that I overlooked, and, having now noticed it, I find I was incorrect. I wish members to realise that generators have been under registration and inspection since the passing of the 1921 Act. Another mis-statement of mine may have misled Mr. Cornell. He was referring to engine-drivers being granted certificates without examination. I am afraid I misled him in that matter. I said that an additional certificate, namely a second-class certificate, had been added, making three certificates in all. What I should have pointed out was that the Bill would extend the Act to the granting of internal combustion engine-drivers' certificates to marine engineers, whether they had been on steamships or

motor ships, without examination. I am sorry I did not explain the position when Mr. Cornell asked me the question.

*Debate Resumed.*

**HON. J. NICHOLSON** (Metropolitan) [5.35]: The explanation just made by Mr. Baxter exemplifies the character of the Bill. It is to a certain extent technical. I do not feel competent to express views upon it as I might be more competent to do with respect to a Bill of a different kind. As a result of inquiries I have made, it has been brought home to me clearly that the measure will be opposed to the best interests of the country. A Bill similar to this came to us last session. Now, with conditions as we know them to be, the Government is seeking to introduce into the field of industry something that instead of encouraging the development of industrial enterprises in this State will undoubtedly have the effect of retarding the establishment of those institutions of which we are so much in need. That being the case, I will have no hesitation in voting against the second reading. I followed with great interest the observations of Mr. Baxter when he was dealing with certain provisions of the Bill. Apart from those matters which he has explained this afternoon, I believe the survey he made correctly states the position. A certain number of provisions are embodied in the Bill to deal with refrigeration engineers and refrigeration plants. If we pass this measure, it will affect many plants in small establishments as well as some in larger establishments, which should not require to have these provisions applied to them. What I am looking at is the encouragement that we as a House should seek to give to the progress of industrial enterprises, and the inducement we should extend to people to come here and establish those enterprises. The Inspection of Machinery Act has twice been amended.

The Honorary Minister: In 20 years.

**HON. J. NICHOLSON**: As a piece of legislation it has proved effective. Those engaged in the industry in this State have this to their credit, that there are no instances of any major accident that would be calculated to justify the introduction of a Bill of this character.

**HON. G. FRASER**: That was only because of good luck.

**HON. J. NICHOLSON**: Apart from the provisions relating to refrigerating plants, I find there is also provision in Clause 11 dealing with the appointment of examiners, meaning, of course, an increase in the number of such officials. We have not so many enterprises in this State that the time of existing examiners can be overtaxed, and there is no necessity to appoint more. Such a provision is uncalled for and will put the country to further expense.

The Honorary Minister: It would not cost anything.

**HON. J. NICHOLSON**: There is no call for such a provision. I am not going to waste the time of the House in dealing with all the clauses in the Bill that I could refer to as a result of the inquiries I have made, but I take the opportunity to call attention to Clause 15, which proposes to amend Section 68 of the Act. If members will compare the two provisions they will find there is no justification for the proposed new one. If that clause is passed it will mean that many small enterprises may be called upon to face an expense that is not justified and that will only hamper industry. No extravagant provisions of this kind are embodied, so far as I know, in Eastern States legislation. In other parts of Australia encouragement is given to industrial enterprises, but apparently every effort is made by someone to see what can be done to thwart industry in this State, rather than to build it up.

**HON. C. F. BAXTER**: The chief inspector!

**HON. J. NICHOLSON**: For the sake of industry in Western Australia I regret that that should be the case. If members will take the clauses of this Bill one after the other, they will see, running right through them, the same determination to increase the cost to industry. Section 68 of the Act provides—

If upon the report of an inspector the chief inspector is of opinion that it is impracticable, and therefore dangerous, for any certificated engine-driver to take sole charge of any steam engine and its boiler or boilers at the same time, he shall serve the owner with notice, in writing, requiring him, on and after a date to be stated in such notice, to place the boiler in charge of some person other than the certificated engine-driver in charge of the engine. Any person upon whom such notice has been served who fails to comply therewith commits a breach of this Act.

That is a complete and perfect protection. If a man is found by the Chief Inspector on

the report of his inspector, to be incapacitated in some way, he can serve the notice indicated in the section and remedy the trouble. In Clause 15, we find the following:—

He (the chief inspector) shall serve the owner of such machinery, boiler or boilers, with notice in writing requiring him on and after a date to be specified in the notice, to place a part or parts of such machinery or any boiler or boilers under the control of some person or persons other than the person in this subsection first hereinbefore mentioned.

In other words, the number of men employed can be multiplied. When two boilers are under the control of one man, the inspector can recommend the appointment of another man, and thus double the cost. We have the greatest difficulty in maintaining the position we are seeking to maintain here in connection with industry in competition with other industries in the Eastern States. Here we are asked once more to foist increased costs on to local industries. I can see no justification for it, and the House would be quite right in rejecting the Bill, against which I shall record my vote.

**HON. J. J. HOLMES** (North) [5.46]: I have a few words to say in opposition to the Bill. I regret exceedingly that it has been introduced at this stage. We have difficulties enough to face now. Never before in our history was there a time when engineers and mechanics have been more required for war purposes, yet we are asked to agree to legislation that will mean duplicating the employment of engineers in factories operating throughout Western Australia! I do not wish to say hard things, but on looking through the Bill one must be convinced that the measure is designed to find some soft jobs for more people. Of what political brand they must be, I do not profess to know, but surely the Bill is designed to provide cushy jobs for some people. In effect, it seeks to cripple industries that we are endeavouring to establish. The Minister for Industrial Development (Hon. A. R. G. Hawke) has embarked upon a mission to secure the establishment of more secondary industries. He has devoted considerable attention to the subject, and he has been to the Eastern States for the purpose of interviewing various people. He has indicated that his object is to bring the Eastern States up

to our standards, and the Bill has been introduced, presumably, with that object in view. Nothing could be more absurd.

Hon. A. Thomson: The Minister is an optimist.

Hon. J. J. HOLMES: How far he has accomplished his objective, I do not know. I do not think he has got very far with it. If we pass the Bill, the Eastern States manufacturers will have to come up to our new standard, I presume, or else, perhaps, they will just have to keep on going as they are!

Hon. C. F. Baxter: The object is to keep them on the run.

Hon. J. J. HOLMES: The sight of steamers unloading at Fremantle would break the heart of anyone with the interests of the State at heart. The ships are worked right through the night in order to get rid of their cargoes as quickly as possible so that they can return to the Eastern States for further consignments. They are unloading thousands of tons of produce and commodities that should be manufactured in Western Australia. If pinpricks such as those embodied in the Bill are agreed to, the effect will be to play into the hands of manufacturers in the Eastern States and will prove to our disadvantage. Mr. Nicholson dealt with one aspect; I shall draw attention to another phase. Refrigerating plants have been installed throughout the State. It is hard enough to get people to live in the North even with the advantage of cold storage facilities and other improved conveniences; but if we are to pass legislation that will cause those installations to be dispensed with, the result will not be helpful to the people in the outer districts nor will it be in the interests of their health.

The Honorary Minister: The Bill will not have that effect.

Hon. J. J. HOLMES: I believe the doctors have said that the availability of fruit and vegetables in cold storage has made a marvellous difference to the health of the people residing in the North and North-West. Simply to make a few jobs for engineers and others, these people are to be forced to close down their refrigerating installations or incur expenditure they cannot afford. Apart from the old ice works at East Perth I put in the first refrigerating plant in Western Australia. It was located

next to the Savoy Hotel. It was run by steam, and my neighbour did not take any exception to it although he said I was smoking him out. When one of my assistants was not too busy in the butcher's shop, he attended the refrigerating plant and ran it most successfully. Now that sort of thing must be stopped, and the man in charge of such a plant must be a certificated engineer.

The Honorary Minister: You are not right in that statement. That is not correct.

Hon. J. J. HOLMES: What is not correct?

The Honorary Minister: That that sort of thing will have to be stopped.

Hon. J. J. HOLMES: An engineer will be necessary if the plant is beyond a certain horse power capacity.

Hon. C. F. Baxter: And what about country plants?

The Honorary Minister: The effect of the Bill will not be to stop refrigerating plants.

Hon. J. J. HOLMES: The whole position is difficult to understand. Recently we had an expert from the Eastern States investigating the possibilities of Western Australian waters and telling us what could be done to encourage the fishing industry. The Minister will know a tremendous lot of fishing is done along the North-West coast, more particularly at Shark Bay. Pearling operations at that centre have been entirely different from those carried on at Broome, and when the industry became unprofitable those concerned concentrated on fishing. The result is that every ship proceeding north takes aboard supplies of fresh fish for consumption by the passengers and crew during the trip to Darwin and return. On arrival again at Shark Bay, further fresh supplies are procured to provide for requirements during the journey to Fremantle and back. Apart from that, huge quantities of fish are frozen and placed in boxes for despatch to Fremantle in cold storage. Those fish are consigned to the Eastern States where a ready market is available. The refrigerating plants at Shark Bay are not extensive, but that is what the people up there are doing. Talk about not letting one hand know what the other hand doeth! Here we have one department bringing an expert from the Eastern States in order to further the interests of the fishing industry in this State, and at the same time another

department sets out to close down refrigerating plants unless engineers are placed in charge of them.

The Honorary Minister: This legislation will assist and not hamper them.

Hon. J. J. HOLMES: It will not have any such opportunity with the help of my vote. Here is what some of the people up North have to say about this legislation:—

If this amending Bill passes, we will have to employ an engineer, which means we will have to shut up shop, and several other plants along the North-West coast will have to do likewise.

The Chief Secretary: Who says that?

Hon. J. J. HOLMES: One of the men engaged in this business on the North-West coast.

The Honorary Minister: He does not know what the Bill contains. That statement is absolutely incorrect.

Hon. C. F. Baxter: If the horse-power of the plant is beyond a certain capacity an engineer will have to be employed.

Hon. J. J. HOLMES: These men put in the plant themselves and have been running it successfully ever since. We were told that we must have experts to determine the site for the new Government offices. A joint committee of eight members of Parliament sat to deal with that subject, and they knew as much about their job as the experts did. These men up North were able to construct the plant and extend it when necessary. Now they are not to be allowed to run it at all. Here are some more of their views:—

My partner and myself have designed, built and reconstructed our plant and have been running it for about 10 years. This plant has been put in to our own satisfaction and if we make a mistake we will have to foot the bill. Myself and others have been pioneering with these plants in the North. If there were businesses for bigger plants we would be glad to have them and pay engineers to run them.

This Bill was originally brought up because an accident took place at the Albany Freezing Works. The joke is that the works had an engineer in charge. Mr. Christie, their superintendent engineer, is one of the best men in the State. The accident was caused by a workman turning the wrong tap, and no Act of Parliament or regulation can cope with things like that. Because of this, a whole lot of people who are quite competent in their own jobs have to shut up their businesses. The local doctor in this locality said that owing to freezing facilities, fresh fruit, vegetables, and meat, the condition of health in this locality is much improved.

The Honorary Minister: That man has got a lot of information, but most of it is wrong and does not affect the position at all.

Hon. J. J. HOLMES: I do not think that is so.

The Honorary Minister: This legislation will protect those people.

Hon. J. J. HOLMES: I do not know where the Minister gets his information from, but these people know what they are talking about. I can cite another instance regarding a relative of mine. It may be that brains ran in the Holmes family! However, this young man, who was quite inexperienced, put in a lighting and refrigerating plant at Naunup, and has been running it ever since. He has now passed as an engineer in the Air Force and his offsider is running the plant. Presumably the offsider will have to be replaced by a certificated engineer.

The Honorary Minister: That is incorrect. Of course, if the offsider is under 18 years of age, he will have to be replaced.

Hon. J. J. HOLMES: The Minister says that my statements are incorrect. I will leave it to the public to judge as to whether they will believe Mr. Holmes or Mr. Gray, but I think the answer will be that they will believe Mr. Holmes.

The Honorary Minister: I do not think so.

Hon. J. J. HOLMES: Mr. Baxter referred to two inspectors going around the country. I know that two people are going around the country, but whether they are inspectors, I cannot say. I do not know whether it was a National Government or a Labour Government that caused the men to be sent round. The suggestion has been made that one is a political organiser and takes advantage of the opportunity for a trip round with the other man, who is an engineer. That may be so, but I cannot say. The fact remains that the two people travel together. My son informed me that some time ago he was out on the run and was told by one of his men that two persons had been round the place. They had walked into the shearing shed and had a look at the engine. Then they went away. We keep records of everything that happens on the station from day to day. If anything occurs or anyone comes to visit us, the facts are noted in our station records. Some time later a report was received from the engineers—one of them

was an engineer, I presume, but I do not know whether both of them held that qualification. The records showed that they were three days out in the date they fixed for the visit. The report referred to the engine as one of seven horse-power instead of eight horse-power. They further said it was used for lighting purposes, whereas it was attached to four shearing machines. So much for the nature of the inspection they carried out.

The Honorary Minister: They must have had too much whisky at the homestead.

Hon. J. Cornell: There must have been some underground engineering.

Hon. J. J. HOLMES: The tendency seems to be always in the direction of securing the payment of additional fees. If anyone desires to put in a septic tank, an order is necessary first from the Works Department, which charges £1 for perusing the plans. I put in one plant and paid my fee of £1. It has been installed for the past 10 years and no inspector has yet been round to see it. These people go round the outback areas, inspectors and travellers alike. They always turn up at meal times or when it is necessary to get a bed for the night. That is what is going on all the time, and it is most annoying to those who are trying to pioneer the country. I do not propose to say any more, but if I could cast two votes against the Bill, I would willingly do so.

On motion by Hon. L. B. Bolton, debate adjourned.

## **BILL—HARBOURS AND JETTIES ACT AMENDMENT.**

### *Second Reading.*

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West) [6.0] in moving the second reading said: This small measure is designed to bring one of our Acts into line with similar legislation enacted by the Commonwealth and by the other States. It is to amend the Harbours and Jetties Act of 1928. In that year an Act was passed to amend the law relating to the liability of owners of ships for damage to harbours and jetties and works connected therewith. It was a short Act and read as follows:—

The owner of a vessel, and the master of a vessel, shall be answerable under the provisions of the Acts set out in the schedule to this Act, for any loss or damage caused by the vessel,

or by any fault of the navigation of the vessel, notwithstanding that the vessel was in charge of a pilot and that pilotage was compulsory, unless it is proved by the owner or by the master that the damage was caused by the negligence of the pilot.

The Act was made applicable to the harbours, jetties and works coming within the meaning of the Fremantle Harbour Trust Act, the Bunbury Harbour Board Act and the Jetties Act, 1926. The Commonwealth and the other State harbour authorities have passed similar legislation, except that the latter portion of the above section is omitted. The relative Commonwealth section is Section 43 of the Navigation (Maritime Conventions) Act, No. 49 of 1934, and it reads—

Notwithstanding anything contained in any Act or State Act, the owner or master of a vessel navigating under circumstances in which pilotage is compulsory shall be answerable for any loss or damage caused by the vessel or by any fault of the navigation of the vessel in the same manner as he would if pilotage were not compulsory.

For some time past the harbour board authorities have pressed for this State's legislation to be made uniform with that of the other States and of the Commonwealth. To achieve this, it is now desired to expunge from Section 2 of the Harbours and Jetties Act (No. 38 of 1928) the limitation reading—

... unless it is proved by the owner or by the master that the damage was caused by the negligence of the pilot.

The Act ensures payment by the master or owner of a vessel for damage caused by a vessel, notwithstanding the fact that it may be in charge of a compulsory pilot. The proposed amendment has little effect other than to achieve uniformity, as desired by the conference of Australian Harbour Authorities. I move—

That the Bill be now read a second time.

On motion by Hon. C. F. Baxter, debate adjourned.

*House adjourned at 6.5 p.m.*

## Legislative Assembly.

*Thursday, 26th September, 1940.*

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

### QUESTION—WORKERS' HOMES.

*Loans for Additions, etc.*

Mr. SAMPSON asked the Premier: 1, Are small loans for additions, renovations and other approved purposes, available under the Small Loans Scheme, under the Workers' Homes Act? 2, If so, what is the basis of repayment, the minimum and maximum amounts available, and the interest charged? 3, Are these small loans available for outer suburban and country as well as city properties?

The PREMIER replied: 1, No. The funds previously made available for this scheme have now been fully utilised. In view of the necessity to conserve finance for more important purposes, it is not expected that further funds will be provided. 2, If funds are provided, loans are approved up to a maximum of £300 over terms ranging up to 15 years. Interest rate is 5 per cent. per annum. 3, If funds are available, approvals are given in any part of the State provided the Board considers the security offered is satisfactory.

### QUESTION—DROUGHT-STRICKEN STOCK.

*Reduced Freight Rates.*

Mr. DONEY asked the Minister for Railways: 1, Having regard to the need—likely to arise shortly—of moving starving stock to better pastures in the coastal areas and elsewhere will he give immediate attention to the question of instituting starving stock freight rates over the State railways? 2, Will he give the earliest possible advice on this point to the House?