

Legislative Assembly,

Tuesday, 10th December, 1935.

	PAGE
Question: Meat inspection	2353
Bills: Bulk Handling, Com., recom. ...	2353
Metropolitan Whole Milk Act Amendment, re-	
turned	2390
Loan, £2,627,000, returned	2390
Reserves, returned	2390
Electoral, returned	2390
Adjournment, special	2390

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

QUESTION—MEAT INSPECTION.

Mr. SAMPSON asked the Minister for Health:—Will he give an assurance that meat inspection depots at both Perth and Fremantle will be maintained and that they will continue to operate fully as at present?

The MINISTER FOR HEALTH replied: Yes. Meat inspections at Perth and Fremantle will be maintained although, as previously pointed out, consideration is being given to some measure of restriction.

Mr. SAMPSON: The Minister must not overlook that Parliament disallowed the previous regulations.

BILL—BULK HANDLING.

In Committee.

Resumed from the 6th December. Mr. Sleeman in the Chair; the Minister for Lands in charge of the Bill.

Clause 29—Delivery board (partly considered):

The CHAIRMAN: When progress was reported on Friday night, Hon. P. D. Ferguson had moved the following amendment—

That the words "one member to be nominated by the Fremantle Harbour Trust Commissioners" be struck out.

The MINISTER FOR LANDS: I thought the member for Williams-Narrogin had moved an amendment to strike out the words "a chairman who shall be."

Mr. Doney: Yes, and that was carried.

The MINISTER FOR LANDS: I do not propose to agree to this amendment. The clause gives statutory expression to some things already existing.

Hon. C. G. Latham: It exceeds them by a long way.

The MINISTER FOR LANDS: There has been an agreement which, at the request of the company, resulted in the formation of what is known as the shippers' board. The board comprises five representatives of shippers and merchants, and three other representatives, one from Bulk Handling Ltd., one from the Western Australian Wheat Pool, and one from Westralian Farmers Ltd. That board has caused a good deal of friction and dissatisfaction. On the board the shippers and merchants have five representatives as against three from this family circle known as Westralian Farmers Ltd., Bulk Handling Ltd., and the Wheat Pool.

Mr. Patrick: You cannot compare that board with this board.

The MINISTER FOR LANDS: No, I am coming to that. Bulk Handling Ltd. now have no statutory rights. They are there to be on their best behaviour, and they deliver to the board only because they have no alternative. When they get the powers it is proposed to give them, they will do anything they like.

Hon. C. G. Latham: I should like to know where those powers are.

The MINISTER FOR LANDS: The hon. member does not want to know, but Bulk Handling Ltd. know. The warehouse receipt, of which I have a copy, provides that the lifting of the wheat shall be done by Bulk Handling Ltd. and the wheat put on trucks. The deliveries are to be made in the order in which warrants are issued by the company. So the company really control that wheat. This condition has been very harmful to the shipper, and has resulted in friction and lack of efficiency. At least 50 per cent. of wheat in this country is purchased by the shippers.

Hon. C. G. Latham: Only 50 per cent.

The MINISTER FOR LANDS: The farmer prefers the shipper as against Westralian Farmers Ltd. and the Wheat Pool.

Mr. Patrick: In many cases he is obliged to.

The MINISTER FOR LANDS: If the farmer is obliged to sell to the shipper, he is just as much obliged to sell to Westralian Farmers Ltd. because they have liens over his super and other commodities. Bulk Handling Ltd. agreed to the formation of the shippers' board, which is now opera-

tive, a board in which Bulk Handling Ltd. and their friends have a monopoly vote.

Hon. C. G. Latham: I will agree to it if you constitute a board exactly the same and with the same powers as to-day.

The MINISTER for Mines: We will give Bulk Handling Ltd. the same powers as they have to-day—which are none whatever.

Hon. C. G. Latham: You do not know anything about it.

The MINISTER FOR LANDS: The warehouse conditions are conditions which Bulk Handling Ltd. impose also on the farmer, but in respect of those conditions they made a separate agreement with the shippers. The shippers opposed the warehouse agreement until they came into contact with others stronger than themselves, when they abrogated the stand they had taken up. Bulk Handling Ltd. arrange the rotation of issues of delivery warrants. I think the Leader of the Opposition said that the mechanical drawing up of rosters was the only thing the board would do. That is one of the least important functions. It is very important that the terms of the roster should be complied with and delivery of wheat taken according to charter. The company and the shippers agreed to act in compliance with the recommendations of the board, and I understand a very fair arrangement has been arrived at in compliance with the agreement. In order to carry out the agreement, the co-operation of the Railway Department is necessary. The Chief Traffic Manager has always been approached in regard to the transport of wheat.

Hon. W. D. Johnson: That has no connection with shipping.

The MINISTER FOR LANDS: The railways are an essential part of the handling of wheat, and the co-operation of the Railway Department is very necessary in order to expedite the flow of wheat from country bins to the port. The Fremantle Harbour Trust will control the terminal facilities. What then could be wiser than that a member of the Fremantle Harbour Trust should be on this board, which has no purpose other than to expedite and facilitate the flow of wheat from the country to the port of shipment? I ask those members who object, which is the fairer, a board such as that they now have, where the shippers have majority representation, or a board such as is constituted in the Bill, namely, the Commissioner of Railways, one member nominated by the Harbour Trust,

one member nominated by the merchants and one member nominated by the company? None of the Government representatives will have any personal interest in the matter.

Hon. W. D. Johnson: They will study their revenue all the time.

The MINISTER FOR LANDS: Must not that be studied?

Hon. W. D. Johnson: Of course, but not to the exclusion of other considerations.

The MINISTER FOR LANDS: In the Bill we are giving the company a monopoly.

Hon. C. G. Latham: For which they have not asked.

The MINISTER FOR LANDS: No, but they hope to get it by other means. What is the reason for their pressure all the time? To get something more than they are entitled to, and to get it without restriction. In the Bill we give the company a monopoly. We are offering the company the right to make such a toll that it cannot fail to earn a profit. The member for Avon said to the Royal Commission that the toll was such that the company would accumulate sufficient funds to pay off everything and hand the concern over to the farmers in six years.

Hon. W. D. Johnson: There is nothing wrong with that.

The MINISTER FOR LANDS: We are giving this company an easy passage and providing for it an assured profit. In addition, Parliament will enable Westralian Farmers Ltd. to make a clear profit of £10,000 a year.

Hon. C. G. Latham: That statement is untrue.

The MINISTER FOR LANDS: And for handling half the crop, too. The Royal Commission said that the agreement between Westralian Farmers Ltd. and Bulk Handling Ltd. enabled the Westralian Farmers to impose too high a payment. Not only are we giving Bulk Handling Ltd. an easy passage and an assured profit, but we are enabling Westralian Farmers to make a clear profit of £10,000 a year in handling only half the crop. These are facts.

Hon. C. G. Latham: They are not facts.

The MINISTER FOR LANDS: The company will get a monopoly, but wants every other restriction and obligation removed.

when any other bulk handling utility in the world would have to carry them. The company wants an unrestricted passage. That is not justice. The board proposed here is a fair one. Who would be more useful on it than the nominee of the Fremantle Harbour Trust, if, as expected, the trust will control the terminal at Fremantle?

Mr. Patrick: When are we to get the terminal?

The MINISTER FOR LANDS: Let us get the Bill first. Half the objection that has been raised is pretence.

Hon. C. G. Latham: Half the Bill is pretence, electioneering pretence.

The MINISTER FOR LANDS: When the company gets its monopoly, it will want everything else. When it gets that it will do what it likes with the growers and all other interests. This is a very vital part of the Bill. It provides for a useful board. The Government representatives will not be concerned about the arguments of shippers and Bulk Handling Ltd., but will be there to assist all sides. The fight in this House is not for the grower but for the company.

Mr. Doney: But what is the company?

The MINISTER FOR LANDS: The company is not the growers. The growers do not elect a single director. Who nominated the member for Guildford-Midland? He is a nominee of Westralian Farmers Ltd. on the board of Bulk Handling Ltd. Who elected him?

Hon. W. D. Johnson: I was elected by the growers.

The MINISTER FOR LANDS: Every one of these amendments has been put up by the company.

Hon. C. G. Latham: They were not.

The MINISTER FOR LANDS: They were not put up by the growers.

Hon. C. G. Latham: Has not all your stuff been put up by the shippers? We know all about it.

The MINISTER FOR LANDS: The hon. member knows a lot. I am not the sort of man to be influenced by the shippers or the hon. member. If the shippers put up unreasonable requests I would not listen to them. The Government are out to do justice. If the company secures this monopoly, it owes a certain responsibility to the country and must carry it out. On the

other hand it wants to be a money-making concern, and secure control of the wheat-growing industry.

Mr. Seward: Who would make any money out of it?

The MINISTER FOR LANDS: If the company arrive at the position they are seeking by their amendments they will be able to embarrass both the shippers and all other buyers. If they can beat these men in open competition well and good, but they are not going to be allowed to do so by foul means. They want power to force these other men out of business, but they are not going to be allowed to win in that way.

Hon. W. D. Johnson: There has never been anything of that sort before.

The MINISTER FOR LANDS: What might be expected of a board made up of representatives of Westralian Farmers Ltd., W.A. Wheat Farmers, and Co-op. Bulk Handling Ltd.? If other shippers wanted wheat it would be trickled down to them, whereas the other vessels would be loaded promptly. If the terminal were erected, that is what could be done. Westralian Farmers Ltd. ought not to be allowed to impose further costs upon the farmers. They pay no more for wheat than other people pay. If they show lack of efficiency they have no right to be handling the business. The warehousing conditions imposed by Westralian Farmers Ltd. are already sufficient to bottle up the industry and give them control of it and also sufficient to wipe out other competitors. I am surprised at the opposition to the representation of the Fremantle Harbour Trust. A board constituted in the way proposed would be very much more fair than the one now in existence.

Hon. W. D. Johnson: We do not object to the Shippers' Board.

The MINISTER FOR LANDS: Through being merchants themselves, Westralian Farmers, Ltd., will have two voices on the board, the voice of a shipper and the voice of a merchant.

Hon. W. D. Johnson: That is wrong.

The MINISTER FOR LANDS: This provision in the Bill is absolutely necessary.

Hon. C. G. LATHAM: The Minister would suggest that the company had asked for this Bill, and were making unreasonable demands. The company does not want the Bill and never asked for it. The last Bill

was only introduced because it provided for a guarantee by the Government.

The Minister for Lands: The guarantee was optional.

Hon. C. G. LATHAM: Not at all; the Government had to guarantee the money and it was reasonable that they should have some control. The company does not want the monopoly nor does it want to deprive the rest of the shippers of the right to handle wheat in bulk. Why should they not handle it in bulk? I am anxious they should have the same privileges that are to be given to Bulk Handling Ltd. All the company asks for is that it might conduct its business as it has done in the past, and extend its facilities to other sidings for the benefit of wheatgrowers. The Minister keeps on saying that the company is a company of individuals out for personal gain.

Hon. P. D. Ferguson: A company of bush-rangers according to the Minister.

Hon. C. G. LATHAM: It is the farmers' own concern. Any profits that are made go back to the farmers.

Mr. Moloney: How much has been paid back?

Hon. C. G. LATHAM: The hon. member will get all he wants on the subject of bulk handling when it comes to the election for Subiaco. I warn him.

Mr. Tonkin: It might be a burning question there.

Hon. C. G. LATHAM: We will raise the question and deal with the charges that have been made.

The Minister for Works: That is all you are doing now.

Hon. C. G. LATHAM: The Minister ought to keep quiet. I will do a darned sight more, and do it as long as I like. There is no reason why the shippers should not have their bulk handling facilities. We have asked the Government to put up a terminal elevator at Fremantle, but we cannot get a word from the Minister on that point. It is the first facility that is required.

Mr. Wansbrough: Why only at Fremantle?

Hon. C. G. LATHAM: No representative of the Fremantle Harbour Board is provided for in the Bill. We are dealing with the position as it is to-day. Fremantle is the only port that is handling wheat received in bulk. The other harbour authorities are not included. I hope they will be included very shortly, because they are

going to save the farmer and the people of the State from sending out of the State money that can be saved for the workers. A very considerable sum of money will be available for distribution in that case. On this side of the House we are not advocating a board. If there has been a gentlemen's agreement made between the shippers and Bulk Handling Ltd., let it remain.

The Minister for Works: What you want is an unrestricted monopoly.

Hon. C. G. LATHAM: I thought the Minister would be able to grasp the point. The company does not want a monopoly at all. If the shippers desire to instal their own facilities for bulk handling, they are at liberty to do so. No objection has been raised to their applying to the Commissioner of Railways for sites, as far as I know. A few years ago we handled in this State 53,000,000 bushels of wheat, most of which was exported. There was then no feeling between the merchants so far as the shipping of the wheat was concerned, but it is anticipated to-day that we shall have trouble because a company is proposing to handle the wheat in bulk. Personally, I do not anticipate any trouble. I understand one of the functions of the proposed board is to provide a roster for chartering vessels. Now it is proposed that the company shall, at its own expense, provide facilities at the port for keeping a minimum quantity of wheat—I do not know what that means—in storage. If this Bill passes, then the company will have to cease looking for opportunities to extend its business, because it would never be able to borrow the money to do so.

The Minister for Lands: If you cannot get the money, you cannot make a do of it.

Hon. C. G. LATHAM: If the Bill is passed, the Government would, under Clauses 5, 6 and 7, have the power to control the 53 sidings.

The Minister for Lands: No.

Hon. C. G. LATHAM: Of course. However, I am prepared to accept the Minister's word that he does not intend the Bill shall apply to the company if the company cannot get the necessary money to carry out extensions. In that case, we can recommit the Bill and make the necessary provision. That will get over the difficulty. After all, the railways are there to supply a service: surely, they do not want to be master and servant at the same time. Why should the

railways have a say in this matter? I cannot understand why the Fremantle Harbour Trust should have representation on the board. They merely render service with the facilities that are provided at the port for the despatch or receipt of goods. If the company did anything to hinder the delivery of wheat, the shippers would have a claim for damages.

The Minister for Lands: I know your warehouse agreement.

Hon. C. G. LATHAM: I daresay the Minister does. Let me point out who will comprise this board. The Commissioner of Railways will have a representative, the Harbour Trust, shippers, and the co-operative company, which will find all the money. The Minister referred to the shippers as the company, not the co-operative concern at all. That argument proves to my mind that the other people, the people who ship the other half of the wheat, are entitled to have a representative on this board.

Mr. Tonkin: Put one on.

Hon. C. G. LATHAM: If the hon. member will undertake to get sufficient support from the other side of the House to achieve that object, it will save much argument. We do not want one representative for the Wheat Pool and one for Westralian Farmers Ltd.; we will be satisfied with one representative for both. Will the Minister grant that?

The Minister for Lands: I said one representative for Bulk Handling Ltd.

Hon. C. G. LATHAM: Bulk Handling Ltd. is totally different from them. That company does not buy or sell wheat.

The Minister for Lands: They are shippers.

Hon. C. G. LATHAM: The Minister made it perfectly clear to the Committee that the shippers were the wheat merchants outside the co-operative company, and he said they shipped not less than half the wheat. Surely, they are therefore entitled to have a representative on the board. I think this proposal is unreasonable and the Minister should give some consideration to what I have said.

Hon. W. D. JOHNSON: There has been a board operating ever since co-operative bulk handling was instituted. It is just a question of the personnel of the board. I differ from the Opposition in this regard, that there is nothing in common between shipping and railway transport; there can be definite conflict between the two. Speak-

ing as a grower, we want a maximum of storage in the country, where storage is cheap. We desire to use the railways to a maximum extent to feed the ships direct from the country, and have but a minimum of storage at the port, where storage is expensive.

The Minister for Justice: What is required is a regular supply of wheat weekly to the port.

Hon. W. D. JOHNSON: There has been the happiest relationship between Co-operative Bulk Handling Ltd. and the Railways.

Mr. Hawke: How will the board affect that position?

Hon. W. D. JOHNSON: It is obvious that there is a difference of opinion amongst us on this point, but I do not believe the Commissioner of Railways should be a member of a shippers' board as he has nothing to do with shipping, which is separate and distinct.

The Minister for Lands: But the Commissioner of Railways is on the board.

Hon. W. D. JOHNSON: I am opposed to that; the Opposition agreed to the Commissioner being a member of the board. The Opposition now say that the Fremantle Harbour Trust should not be represented; I say that they should be. The Fremantle Harbour Trust are definitely associated with the shipping of the wheat. In the latter capacity they render a maximum amount of consideration in seeing that the boats are loaded with reasonable despatch. I have no objection to a shippers' board with the Harbour Trust and also the private merchants having representation, but I claim that the combination comprising the board should not be able to out-vote Co-operative Bulk Handling Ltd. to the extent that is possible with the proposed constitution. If the Minister would be reasonable, he would convey to the Committee what he proposes regarding the powers of the chairman.

The Minister for Lands: I propose that the commissioners shall appoint their own chairman.

Hon. W. D. JOHNSON: Does the Minister propose to give the chairman a deliberative as well as a casting vote?

The Minister for Lands: The chairman must have that power.

The Minister for Justice: On a board where the voting may be equal, the chairman must have that power.

Hon. W. D. JOHNSON: Then that is a big improvement on what is proposed in the Bill now. The Minister keeps on repeating something that reflects upon me as one who is associated with the co-operative movement. The Minister is of opinion that because I associate with others who are opposed to my political beliefs and principles, I am in some way contaminated by my relations with them. I have been connected with this kind of movement ever since I have been a member of the Labour Party. During the past 35 years I have always been more or less connected with the co-operative movement, and there is nothing wrong in being associated with a genuine co-operative concern. It will be remembered that I put a Bill through this House so that co-operation would be defined, and that measure sought to control the formation of co-operative concerns. The idea was that in Western Australia we would have a genuine, clean co-operative movement that would carry out the essential features and principles of co-operation as we know it. That Act is on the statute-book to-day.

The CHAIRMAN: Now will the hon. member connect up his remarks with the amendment?

Hon. W. D. JOHNSON: The co-operative movement must comply with the provisions of that Act before any such concern can be regarded as co-operative.

The CHAIRMAN: We are not discussing co-operation now.

Hon. W. D. JOHNSON: We are discussing Co-operative Bulk Handling Ltd., and I shall continue to demonstrate how Co-operative Bulk Handling Ltd. is constituted. As a registered co-operative concern, it makes no profits whatever. The Minister has conveyed the impression that the company makes something from the toll of $\frac{5}{8}$ d.

The CHAIRMAN: I must prevent the hon. member from proceeding along these lines. He has embarked upon a second-reading speech on co-operation. We are discussing the amendment that one member shall be nominated by the Fremantle Harbour Trust Commissioners.

Hon. W. D. JOHNSON: The Minister dealt with the toll of $\frac{5}{8}$ d.

The Minister for Lands: But you must connect your remarks with the amendment.

Hon. W. D. JOHNSON: I am speaking on the notes I made of the Minister's remarks, and I am not departing from what the Minister discussed.

The CHAIRMAN: I have allowed a lot of latitude, and I do not want to stop the discussion. I must, however, ask the member for Guildford-Midland to confine his remarks to the amendment.

Hon. W. D. JOHNSON: The Minister conveyed to the Committee the impression that Co-operative Bulk Handling Ltd. makes profits. It may be stated definitely that the company makes no profits, nor can it make a profit. The toll of $\frac{5}{8}$ d. is paid by the farmers on wheat they put into the company, and the whole of the proceeds, less the expenses that are outlined in the warehouse receipts, is credited to the farmers. For instance, when we started operations, the money raised for the first installation was appropriated by the Wheat Pool and Westralian Farmers Ltd., and to-day about £30,000 or £40,000 has been paid by the farmers who are the users of the scheme, and it is credited to them. That is because the money derived from the toll of $\frac{5}{8}$ d. has been credited to them. During the period those farmers have developed upwards of £40,000 as their asset in the concern, the company has not made a penny piece; it has no credit at all. Each year it must wind up its affairs, and the whole of the money is credited to various farmers in proportion to the wheat they have put in.

Mr. Moloney: Yes, on the cuff.

Hon. W. D. JOHNSON: There is no need for such insinuations! There is a trust fund, and a trustee is appointed to look after it. It is perfectly honest and straightforward, and I regret that the member for Subiaco should cast such a reflection upon the co-operative concern.

Mr. Moloney: The farmers do not seem to be much better off.

Hon. W. D. JOHNSON: Although the farmers have not got a penny of that money, it is credited to them. So it will be seen that, contrary to the Minister's statement, the company makes no profits from the toll.

The CHAIRMAN: I think the hon. member has got a long way from the amendment. I must ask him to keep somewhat nearer to it.

Hon. W. D. JOHNSON: I am replying to what the Minister said regarding the toll.

The CHAIRMAN: If the hon. member continues along these lines, I shall have to ask him to resume his seat.

Hon. W. D. JOHNSON: I regret that one member can depart from that procedure and another may not.

The CHAIRMAN: No member of the Committee will be allowed to do that; all will be treated alike.

Hon. W. D. JOHNSON: I am glad to hear you say that, Mr. Chairman. I shall be the first to be called to order, if that is to apply generally. The Minister has indicated he will agree to an improvement regarding the board as a result of the discussion, and I shall raise no objection to the board. I do not want Westralian Farmers Ltd. or the Wheat Pool to have representation on the board. I desire the board to be as small as is possible. My experience is that the smaller the controlling body, the more efficient is the administration. I do not think there is any necessity for representatives of other than the Harbour Trust, the wheat shippers, and Co-operative Bulk Handling Ltd. Co-operative Bulk Handling Ltd. who have to put in all the money, provide all the bins, carry out all the handling and do all the work—

Hon. C. G. Latham: And take all the risks.

Hon. W. D. JOHNSON: —should have the main consideration in the constitution of the board. If the Minister is prepared to agree that the board shall elect their own chairman, the correct thing will be done by the board, and I am prepared to leave it at that. I trust the Minister will be reasonable when dealing with the powers of the board, and not provide them with super-powers that will enable them to override the general administration of the company to an extent that will not enable the company to function. I have seized this opportunity to deal with some of the points made by the Minister so that they may be on record in "Hansard." I desired to reply to the Minister's remarks, because they did not correctly represent the actual position.

Mr. BOYLE: For fear that the amendment may be lost in a welter of words, I de-

sire to intimate that I support the amendment moved by the member for Irwin-Moore. I do not agree with the member for Guildford-Midland in his contention that the Railways should not be represented on the board.

The CHAIRMAN: The Committee have already decided that the Commissioner of Railways shall be represented on the board, and we do not want to get lost in another welter of words. Will the hon. member deal with the amendment?

Mr. BOYLE: Very well, Mr. Chairman. I regret I am the first victim of your anger.

The CHAIRMAN: The member for Guildford-Midland said he was the first.

Mr. BOYLE: I dispute that, but I shall not move to contest your ruling.

The Minister for Agriculture: That is what you get for lecturing the Committee.

Mr. Raphael: You will live and learn.

The Minister for Agriculture: Look after yourself!

Mr. BOYLE: I support the amendment for the simple reason that I cannot understand why a representative of the Fremantle Harbour Trust should be on the board, which is essentially a transport board. The function of a shipping board is to transport wheat from the points of receipt to the coast. Is it seriously intended by the Minister that in appointing a representative of the Fremantle Harbour Trust to the board, the outports, such as Geraldton, Fremantle and Albany, will not be represented at all? The quantity of wheat shipped through Fremantle is about 60 per cent. of the whole, but the increase in wheat production obviously must come from the territory behind the outports. As those parts develop the wheat industry, we shall have a board including a representative of the Fremantle Harbour Trust who will know little or nothing about the requirements of Geraldton, Bunbury and Albany. Further, from a wheat-grower's point of view, a representative of the Fremantle Harbour Trust would not be very welcome because of the war-time surtax of 20 per cent. which is still imposed.

Mr. Cross: But there is no charge on wheat.

Mr. BOYLE: This brings to mind the provision for the board to sit without receiving payment. I do not think any authority would do something for nothing.

The Minister for Lands: Why should members of the board be paid?

Mr. BOYLE: There is no need for a representative of the Fremantle Harbour Trust on the board.

The Minister for Agriculture: It is a delivery board.

Mr. BOYLE: The outports will have no representative. The Commissioners of the Fremantle Harbour Trust are debarred from operating outside a certain area, and to give them representation on a transport board controlling the whole of the wheat is quite unnecessary. The shippers who purchase and ship about 52 per cent. of the wheat should have a representative as they are interested in the grain from the point of receipt until its despatch from the State.

Hon. P. D. FERGUSON: I cannot see any necessity at all for the board. The arrangements for the present shippers' board might easily have been continued in a voluntary way without setting up a statutory board. As the Committee have decided to have a board, we should endeavour to see that it is constituted on evenly-balanced, fair and equitable lines. I am not sure that it is necessary for the Commissioner of Railways to be represented on the board. It would be only natural for the Railway Department to wish to spread the delivery of wheat over as long a period as possible, while shippers would desire to have it delivered when the market was favourable. It is not worth while having a bulk handling scheme if the cost is going to be greater than the benefits to be derived by the producers.

Mr. Withers: You should bear that in mind all the time.

Hon. P. D. FERGUSON: The duties of the board will be to prevent disorganisation or congestion in the railway transport of wheat and to see that adequate supplies are kept transported to the ports. What have the Fremantle Harbour Trust to do with the railway transport of wheat from the country to the port? They have nothing to do with it until it reaches the port.

Mr. Lambert: The Railway Department control some of the outports.

Hon. P. D. FERGUSON: In view of the duties of the board set forth in a later clause, there is no need for the Fremantle Harbour Trust to be represented.

The MINISTER FOR LANDS: A considerable portion of the capital required to give effect to the scheme is provided by the Railway Department, and the Fremantle Harbour Trust afford facilities for which the Government have paid. Consequently the argument that the company will provide all the money is not correct. They will provide the money for the country installations, and even then they will have a guarantee that they will handle every bushel of wheat. Thus the company have a sure profit.

Hon. W. D. Johnson: They make no profit.

The MINISTER FOR LANDS: If they make no profit, the system must benefit.

The CHAIRMAN: The Minister must address himself to the amendment.

The MINISTER FOR LANDS: I am pointing out that the company will find only a portion of the money.

Hon. P. D. Ferguson: The Railways will have a representative on the board.

The MINISTER FOR LANDS: In reply to the Leader of the Opposition, the Government realise that any duplication must be an expense to the producer. If duplication were desired, this Bill would not be necessary.

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

Ayes	..	..	..	..	17
Noes	..	..	..	..	26

Majority against 9

AYES.	
Mr. Boyle	Mr. Patrick
Mr. Brockman	Mr. Sampson
Mr. Ferguson	Mr. Seward
Mr. Keenan	Mr. Stubbs
Mr. Latham	Mr. Thorne
Mr. McDonald	Mr. Warner
Mr. McLarty	Mr. Watts
Mr. Mann	Mr. Doney
Mr. North	

(Teller.)

NOES.	
Mr. Collier	Mr. Needham
Mr. Coverley	Mr. Nulsen
Mr. Cross	Mr. Raphael
Mr. Cunningham	Mr. Rodoreda
Mr. Fox	Mr. F. C. L. Smith
Mr. Hawke	Mr. Tonkin
Mr. Hegney	Mr. Troy
Mr. Johnson	Mr. Wansbrough
Mr. Kenneally	Mr. Willcock
Mr. Marshall	Mr. Wilson
Mr. Millington	Mr. Wise
Mr. Moloney	Mr. Withers
Mr. Munzie	Mr. Lambert

(Teller.)

PAIRS.	
AYES.	NOES.
Mr. Welsh	Miss Holman
Mr. J. M. Smith	Mr. Clothier

Amendment thus negatived.

Mr. BOYLE: I move an amendment—

That in line 11 "one" be struck out and the word "two" inserted in lieu.

The object of the amendment is to give the company greater representation on the board. It was originally based on the assumption that the provision for a representative of the Fremantle Harbour Trust would be eliminated, and the company would then have had two representatives on a board of four. Further, the board should, at their first meeting, appoint their own chairman.

The MINISTER FOR LANDS: The hon. member is proceeding on the assumption that the bulk handling company will have minor representation on the board. They will not. They will have equal representation with every other interest—the Commissioner of Railways, the Fremantle Harbour Trust, and the merchants. The representation of the two Government nominees will be neutral and fair, especially should any friction occur between the shippers and Co-operative Bulk Handling Ltd. There is no reason whatever why the company should have two representatives.

Mr. WATTS: I support the amendment. The growers are the persons ultimately entitled to representation on the board, and I regard Co-operative Bulk Handling Ltd. as ultimately representative of the growers. There is no proposal at present to give the growers direct representation, but anything I support in regard to the Bill has their benefit as its objective. Co-operative Bulk Handling Ltd., under their deed of trust, will eventually confer a decided benefit on the growers of wheat who handle their product in bulk. The profits to be made by the company will be utilised to meet liabilities incurred in installing the bulk handling system. The deed of trust expressly provides that no dividend shall be declared, and that when the time comes for the company to hand over the system to the growers the tolls, having been credited to them in the books of the company, shall be disposed of by issuing debentures to the growers to the extent of their respective credits. Then it will be decided whether the growers shall receive interest on those debentures. Lastly, a new directorate is then to be elected.

Mr. McDONALD: The operation of bulk handling is to be carried out by a number of agencies—the railways, merchants, shippers, and Bulk Handling Ltd. The presence of a co-ordinated board in the Bill is a logi-

cal result. Care must be exercised to ensure that the board shall not be unduly biased in favour of one section or another. The views of the Fremantle Harbour Trust, the Government and the merchants will be largely divergent from those of the company. For instance, the anxiety of the Government Railways, the Harbour Trust, and the merchants will be rather to build up supplies at the port, while the desire of Co-operative Bulk Handling will be rather to keep them in country areas. Therefore I support the amendment.

Mr. MOLONEY: The arguments adduced in favour of the amendment are remarkable. We have been told—until almost shell-shocked by the reiteration of the statement—that there is no need whatever for a board. No representation, we have been told, should be given to either the Fremantle Harbour Trust or the Railway Department. Such representation is being provided, thanks to members on this side of the Chamber sticking to their guns. The Government, desirous of acceding to the wishes of the Opposition, have even relinquished the chairmanship, which was to have been held by the Commissioner of Railways. Thus the Government have made it possible for the chairmanship to fall to Bulk Handling Ltd. Nothing has been adduced to show that improvement will result from increasing the number of the board. Is there a desire to stultify the efforts of the other members of the board? Those sponsoring the amendment contend that they represent the wheatgrowers of the State. How pleased those wheatgrowers will be at the possibility of the amendment being carried, with the result that they will receive greater returns than they have received in the past—nil in the form of cash, we are told!

The CHAIRMAN: Order! The hon. member cannot continue in that strain.

Mr. MOLONEY: The amendment seems strange, coming from the side which has protested that there is no need for a board. That side has tried to emasculate the board so far as it is representative of the people.

The MINISTER FOR RAILWAYS: I enter a protest against the idea that public servants who desire to give service to the public must be definitely antagonistic to the wheatgrowers of Western Australia, and that therefore it is necessary to constitute the board so as to counteract the influence which the public servants on it are supposed to have.

Mr. Doney: They have a natural bias towards their own departments.

The MINISTER FOR RAILWAYS: They have no bias whatever. The Fremantle Harbour Trust and the Commissioner of Railways co-operate on every possible occasion with the people of the State.

Hon. P. D. Ferguson: But they are sympathetic to their own departments.

The MINISTER FOR RAILWAYS: They are sympathetic only with the taxpayers of the State, who will have to pay for anything needlessly given away. They are also appointed to have the interests of the public at heart, and they do have them at heart. I know that for years the Commissioner of Railways has got into touch with people interested in wheat and has asked them how much they would have to go to the port, and in what ways the department could assist them. All that they desired was that the flow should be as regular as possible.

Hon. C. G. Latham: Having due regard to market conditions.

The MINISTER FOR RAILWAYS: Neither the Railways Commissioner nor the members of the Harbour Trust are blind to the interests of the State. They are out to assist the growers. All the people who buy wheat, the Westralian Farmers Ltd. and the merchants and others, have expressed their thanks to the Commissioner of Railways and his staff.

Hon. C. G. Latham: I daresay the company we are legislating for has done the same.

The MINISTER FOR RAILWAYS: Of course so. The motive behind the amendment is to counteract some of the influences on the proposed board.

Hon. C. G. Latham: No, it is to leave well alone.

The MINISTER FOR RAILWAYS: The Minister for Lands struck the right note when he remarked that there are three or four interests directly represented on the board. We have no reason to assume that any of those interests will be antagonistic. All they want to do is to shift the wheat regularly from the country to the seaboard. And the railways want to know when the wheat is coming. If the merchants tell the railways that they do not want to shift very much wheat for three or four weeks, the Commissioner of Railways will make

arrangements in regard to the staff, and so will not be incurring unnecessary expense. If it is necessary for the shippers to have wheat at the port, the Commissioner of Railways, so long as he gets notice, can have a staff there to do the work. It is not very much good to have Bulk Handling Ltd. making a profit if the whole of the community is going to suffer severe railway losses or Harbour Trust losses. We should all co-operate. That is the reason for this proposed board. Our experience of pooling shows that the grower surrenders his right to the wheat within two or three weeks of its being delivered to the siding. He has finished with it and has transferred his warehouse receipts to someone else.

Hon. C. G. Latham: No, a lot of them hold their warrants.

The MINISTER FOR RAILWAYS: But a big proportion necessarily have to sell at once. I only wish the farmers could afford to hold their warrants.

Hon. C. G. Latham: Sometimes the financial people who buy the warrants hold them.

The MINISTER FOR RAILWAYS: The whole point in regard to the constitution of this board is that there should be no antagonistic interests among them.

Hon. C. G. Latham: You do not suggest that the Commissioner of Railways should tell them when to charter.

The MINISTER FOR RAILWAYS: No, but I suggest that they should tell the Commissioner when they have chartered, so that he may be able to make necessary arrangements in regard to trucks.

Mr. Seward: They do that now.

The MINISTER FOR RAILWAYS: If the Commissioner knew that there was a rush of wheat to be transported to the coast he could send all over the railway system for wheat trucks, and he would quickly work them down to the place where the wheat would be loaded into them. The idea that seems to be permeating the members of the Opposition is that the Commissioner of Railways is antagonistic to Bulk Handling Ltd.

Hon. C. G. Latham: He has never helped bulk handling very much.

The MINISTER FOR RAILWAYS: Ask any of the farmers what the railways have done. The whole tenor of the amendment is to get another growers' representative on the board to counteract the baleful

influence of the Commissioner of Railways and others. What justification did the hon. member offer for moving the amendment?

Hon. C. G. Latham: The financial risk. You know the railways are carrying goods at owner's risk.

The MINISTER FOR RAILWAYS: What difference does it make if the truck has to carry wheat from Southern Cross to Fremantle?

Hon. W. D. Johnson: Consider what Bulk Handling Ltd. has paid for bulk trucks.

Mr. Seward: And for sheetings and linings.

The MINISTER FOR RAILWAYS: If we were dependent on the few trucks that Bulk Handling Ltd. has provided—

Hon. C. G. Latham: The Commissioner of Railways has not built one truck to carry bulk wheat.

The CHAIRMAN: There is nothing in the clause about the building of railway trucks.

The MINISTER FOR RAILWAYS: The amendment assumes that the Commissioner of Railways will be opposed to bulk handling. Actually he has been of the greatest possible assistance to people concerned in the transport and marketing of wheat, and of course he will continue to do all that, whether it be bulk handling or bag handling.

Mr. BOYLE: The Minister asks what actuated me in the moving of the amendment. I say frankly it is not my wish that Bulk Handling Ltd. should get the power at all. That is plain. But the Government having brought down the Bill in conformity with the recommendations of the Royal Commission, it is not our duty to stultify those findings. Under the Bill, Bulk Handling Ltd. will be charged with the handling, in course of time, of possibly 50,000,000 bushels of wheat. Bulk Handling Ltd. obviously will make no profit out of its handling of wheat, but I am not going to believe that those people who have representatives on the proposed board will make no profit. It is laid out in the handling charges that a profit of one farthing per bushel is to be made.

Hon. W. D. Johnson: That goes to Western Farmers Ltd.

Mr. BOYLE: The hon. member is justified in standing up for those he represents, but I am not going to admit that no profits will be made by any concern. There will again be 50,000,000 bushels of wheat, and

everybody will get a cut out of it. It is our duty to see that the wheatgrower gets a maximum return for what he puts in.

Hon. W. D. Johnson: Hear, hear!

Mr. BOYLE: Bulk Handling Ltd., as constituted under the deed of trust, will not in itself get a profit. There are eight men on the Bulk Handling Ltd. Board, each with a £1 share, or a total capital of £8. What profit should be paid on that? Should they desire to make a profit? But I desire in my amendment to do a fair thing by the company which is charged with handling possibly 50,000,000 bushels of wheat. When that happens, wheat will be handled at 283 sidings and it will be the responsibility of Bulk Handling Ltd. to store it and then see it safely transported to the coast. Since Bulk Handling Ltd. is now being given by the Government the entire responsibility of controlling the wheat crop of Western Australia—it is handed over by the farmer at the tail of the wagon into the silos, and becomes the custody of Bulk Handling Ltd.—why destroy the efficiency of Bulk Handling Ltd. on this shippers' board? It is not a question of interest, but the company's interest is to deliver safely at the ports.

The Minister for Railways: It is everybody's interest to do that.

Mr. BOYLE: But what is everybody's interest is nobody's interest. This is a direct responsibility the Bill places on Bulk Handling Ltd., and in fairness to them they should have more interest on the board than other bodies concerned, because for the time being they are the absolute controllers of that wheat and so should have greater representation on the board.

Hon. W. D. JOHNSON: The proposal is to increase the size of the board. I am opposed to that. It is not going to help the company. Assuming that the second representative is not put on the board, there will be three votes to one if there are conflicting interests. So it will make no difference if the voting be altered to three votes to two.

Mr. Doney: Why?

Hon. W. D. JOHNSON: All it will do will be to create more discussion. If Bulk Handling Ltd. have two votes, it will not matter, because when it comes to a vote the one-man-one-vote principle will be able to put the case for Bulk Handling Ltd., and in any event the majority will be against them. I do not want a large board. I would prefer

a board of three rather than one of four, and would certainly prefer three to a board of five.

Sitting suspended from 6.15 to 7.30 p.m.

THE MINISTER FOR LANDS: The Minister for Railways put the matter very clearly. If two representatives of Bulk Handling Ltd. were appointed to the board it is safe to say they would speak as one voice, and vote as one man. The position is that the company is in effect a middle man.

Hon. W. D. Johnson: An essential middle man.

THE MINISTER FOR LANDS: The directors are appointed by certain interests to look after the mortgagees, Westralian Farmers Ltd., and the Pool. The grower has not come into the picture.

Hon. C. G. Latham: Yes, he has.

THE MINISTER FOR LANDS: The grower is told that after 1948 he will get the company's business. That may be so if in the meantime the Act is not amended. According to the Bill all the company's facilities will be handed over to the growers in 1948.

Hon. W. D. Johnson: Or earlier.

THE MINISTER FOR LANDS: It is quite possible for steps to be taken between now and then to prevent that from being done. If the facilities do come into possession of the growers, Parliament will hold a different view regarding the confidence it can place in the institution.

Amendment put and negatived.

Mr. DONEY: I move an amendment—

That in line 12 after the word "member" the words "who shall be chairman" be inserted.

This is a compromise between what is set out in the Bill and the views expressed by the member for Avon. What the company fears is an unfriendly combination against it by the other interests represented on the board. The amendment is put forward with the idea of restoring the balance to some extent. The Minister for Railways took umbrage at some remarks made concerning the Commissioner for Railways. I know there is no conscious antagonism towards the company, either on the part of the Railways or the Fremantle Harbour

Trust, but the interests of those organisations and the interests of the company are not always identical. The board itself is unnecessary, because its functions could be carried out better by the company. If the Committee insists upon the creation of the board, let us minimise the risk of the board assuming the role of dictator. We can help in that direction by providing that the chairman shall be the representative of Bulk Handling Ltd. There has been a tendency during the debate to look upon the company as unworthy of trust. It is made up of honourable and successful men, and is the organisation best able to handle wheat in bulk. It should be permitted to handle its own business. If the clause is not amended the board will be making all the major decisions, and the company will be carrying the fullest responsibility. If the members of the board were left to choose their own chairman they might easily choose the Commissioner of Railways.

THE MINISTER FOR LANDS: I cannot accept the amendment. The company's representative would have as good a chance of being the chairman as any other member of the board. I can see no reason for antagonism between one member and another.

Amendment put and negatived.

[Mr. Hegney took the Chair.]

Hon. C. G. LATHAM: I move an amendment—

That a new paragraph be added after line 12 as follows:—"One member to be nominated by the trustees of the Wheat Pool of Western Australia and the Westralian Wheat Farmers, Ltd, acting in conjunction."

The Minister for Lands said that the wheat merchants shipped at least half the wheat that was exported. In the circumstances, therefore, I imagine he will be prepared to accept this amendment. It would be a fair way out of the difficulty.

The Minister for Works: It is a way into trouble.

Hon. C. G. LATHAM: The amendment fills in the blank referred to by the Minister for Lands, and would make for a better balanced board.

THE MINISTER FOR LANDS: Since I spoke on the subject I have discovered that

the shippers control much more than half the wheat. Almost immediately wheat enters a country silo it ceases to be the property of the grower. It is possessed by the warrant holder. If I included the millers, who have no representation on the board, I could say that the shippers owned 75 per cent. of the wheat. The Western Australian Wheat Pool provide most of the wheat under an agreement. They buy from the Pool.

Hon. W. D. Johnson: The millers buy from week to week as they require supplies.

The MINISTER FOR LANDS: Whom does Bulk Handling Ltd. represent?

Hon. C. G. Latham: The people providing the capital.

The MINISTER FOR LANDS: Will the hon. member deny that they are not one and the same people?

Hon. C. G. Latham: Read page 6 of the Royal Commission's report. You will find it there.

The MINISTER FOR LANDS: "Westralian Farmers Ltd., Westralian Wheat Farmers Ltd., Co-operative Bulk Handling Ltd., the Trustees of the Wheat Pool." Mr. Harper and Mr. Monger represent all of them.

Opposition Members: No.

Hon. W. D. Johnson: Mr. Monger is not on the board of Westralian Farmers Ltd., at all.

The MINISTER FOR LANDS: No, but he is a shareholder. Who will deny that Mr. Monger has been the moving spirit in these concerns? He has dictated to the farmers on more than one occasion.

Mr. Seward: Do you want the office boy to do so? Is not Mr. Monger the chairman?

The MINISTER FOR LANDS: He is the moving spirit in all these companies.

Mr. Seward: No.

The MINISTER FOR LANDS: Mr. Monger is pretty well the political boss in everything.

Mr. Seward: Talk sense!

Hon. C. G. Latham: The Minister makes out a fairly good case by over-stating it.

The MINISTER FOR LANDS: Who will say he is not associated with all these companies?

Hon. C. G. Latham: He is not associated with Westralian Farmers Ltd.

The MINISTER FOR LANDS: In no country in the world has control of a public

utility such as this been given to a company like Bulk Handling Ltd. In my opinion, it is not advisable to give the company control here, but the Royal Commission recommended it, hence this Bill. This is a family circle, and all their activities are interwoven one with the other.

Mr. Doney: That does not make them any weaker.

The Minister for Works: I am glad to hear the hon. member make that admission.

The MINISTER FOR LANDS: He would be a wise man who could say just whose wheat is sold.

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

Ayes	..	..	..	..	17
Noes	..	..	..	..	26

Majority against 9

AYES.

Mr. Boyle
Mr. Brockman
Mr. Ferguson
Mr. Keenan
Mr. Latham
Mr. McDonald
Mr. McLarty
Mr. Mann
Mr. North

Mr. Patrick
Mr. Sampson
Mr. Seward
Mr. Stubbs
Mr. Thorne
Mr. Warner
Mr. Watts
Mr. Doney

(Teller.)

NOES.

Mr. Collier
Mr. Coverley
Mr. Cross
Mr. Cunningham
Mr. Fox
Mr. Hawke
Mr. Hegney
Mr. Johnson
Mr. Kenneally
Mr. Lambert
Mr. Marshall
Mr. Millington
Mr. Moloney

Mr. Munsie
Mr. Neesham
Mr. Nulsen
Mr. Raphael
Mr. Rodoreda
Mr. F. C. L. Smith
Mr. Tonkin
Mr. Troy
Mr. Wansbrough
Mr. Willcock
Mr. Wise
Mr. Withers
Mr. Wilson

(Teller.)

PAIRS.

AYES.
Mr. Welsh
Mr. J. M. Smith

NOES.
Miss Holman
Mr. Clothier

Amendment thus negatived.

The MINISTER FOR LANDS: I move an amendment—

That at the end of Subclause 1 the following words be added:—"The members shall appoint a chairman from among their number."

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

Clause 30—agreed to.

Clause 31—Quorum:

Hon. C. G. LATHAM: I move an amendment—

That the word "two" be struck out and "three" inserted in lieu.

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

Clause 32—agreed to.

Clause 33—Duties of board:

Hon. C. G. LATHAM: Is it necessary for this clause to remain in the Bill at all?

Clause put and passed.

Clauses 34, 35—agreed to.

Clause 36—Company to have minimum quantities on hand at ports:

The MINISTER FOR LANDS: I move an amendment—

That after the word "Geraldton" in line 27, "Bunbury" be inserted.

Amendment put and passed.

Mr. SLEEMAN: I move an amendment—

That the following proviso be added:—"Provided that terminal elevators shall not be provided until arrangements have been made for the employment of those displaced from employment by the handling of wheat in bulk."

Before the State incurs the large expenditure that will be involved in providing terminal elevators at Fremantle, something should be done to place in employment those who will be thrown out of work on account of the installation of the bulk handling system. A large number of men will be put out of employment, and the State should do something to make provision for them.

The MINISTER FOR LANDS: I cannot accept the amendment. The terminal elevator will give employment to a number of men at Fremantle and the suggestion made in the amendment is not reasonable.

Mr. SLEEMAN: The Minister is quite right in saying that the terminal elevator will provide work for some men at Fremantle, but those who will be employed may not necessarily be those who will be affected by the Bill. We should see that the men who will be displaced from employment in the industry shall be provided for.

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

Ayes	..	..	..	..	11
Noes	..	..	..	..	30
					—
Majority against	..	..	..	..	19
					—

AYES.

Mr. Cross
Mr. Fox
Mr. Keenan
Mr. Lambert
Mr. Moloney
Mr. Needham

Mr. North
Mr. Raphael
Mr. Sleeman
Mr. Tonkio
Mr. Wilson
(Teller.)

NOES.

Mr. Boyle
Mr. Brockman
Mr. Collier
Mr. Coverley
Mr. Cunningham
Mr. Ferguson
Mr. Hawke
Mr. Johnson
Mr. Kenneally
Mr. Latham
Mr. McDonald
Mr. McLarty
Mr. Mann
Mr. Millington
Mr. Munsie

Mr. Nulsen
Mr. Patrick
Mr. Rodoreda
Mr. Sampson
Mr. Seward
Mr. F. C. L. Smith
Mr. Stubbs
Mr. Thorn
Mr. Trez
Mr. Wansbrough
Mr. Warner
Mr. Watts
Mr. Wise
Mr. Withers
Mr. Doney
(Teller.)

Amendment thus negatived.

Mr. SLEEMAN: The clause should not be permitted to pass without a further endeavour being made to safeguard the health of the men who will be employed in connection with the bulk handling of wheat. The work will ruin the health of many men and at present some are attending eye specialists on account of injuries to their eyes, and at Wooroloo Dr. Mitchell is attending to men whose lungs have been affected through dust arising from the wheat. I move an amendment—

That the following proviso be added to the clause:—"Provided that terminal elevators shall not be provided until those men left in the industry of handling wheat in bulk shall be provided with a 6-hour day."

The other evening I moved that there should be a 4-hour day for the men on this work and in suggesting now a 6-hour day I think I have been extremely mild, considering all the circumstances. Miners whose health is affected in the gold mining industry have been provided for in the Miners' Phthisis Act, but the men at Fremantle whose health will be undermined enjoy no such provision. In the street where I live there is a man who was in the wheat handling industry for 12 months only but has been permanently disabled. He cannot return to work in connection with bulk handling because of the condition of his chest. The Committee should do something for the men who will be engaged in the bulk handling of wheat and should accept the amendment.

The MINISTER FOR LANDS: I cannot accept the amendment. We have no evidence that men have suffered any disability because of the bulk handling of

wheat. I do not know of any special provision made for the men in New South Wales, where this industry is carried on. If the industry is likely to prove unhealthy, provision can be made to deal with that later on. I sympathise with the object the member for Fremantle has in view, but the matter cannot be dealt with in the Bill. Should bulk handling prove to be injurious to the health of the workers, the hon. member will have an opportunity to bring the question before Parliament.

Mr. TONKIN: The member for Williams-Narrogin rose, I presume, to support the amendment, but apparently he has been muzzled suddenly. I protest against that sort of thing because all the support possible is required for the amendment. Before long a 6-hour day will be general throughout Australia and it is certainly desirable to make a start along those lines with regard to bulk handling at Fremantle. It should be patent to members that the amendment is reasonable and all fair-minded men should support it.

Mr. DONEY: My contribution to the debate will be brief indeed. I ask the member for Fremantle, with whom I have a great deal of sympathy regarding this matter, whether he has submitted the question to the Government and just precisely what did the Government tell him in reply.

Mr. SLEEMAN: The Minister suggested that if it were proved that men suffered from ill-effects arising from bulk handling, provision could be made in their interests. No provision could compensate for the loss of health, and I desire action taken before their health is broken.

Mr. Mann: Do you say their health has been broken already through bulk handling?

Mr. SLEEMAN: The man in my street to whom I have already referred was in perfect health before he undertook work on the bulk handling of wheat. If members do not accept my statement, they can verify the facts from Dr. Mitchell. The Minister for Lands said it had not been proved that wheat-handling was unhealthy. He can secure sufficient information along those lines from the officials of his department. The member for Williams-Narrogin expressed his sympathy but will he indicate that sympathy by voting for the amendment? In reply to the question he put to

me, I have not submitted the amendment to the Government but have moved it as a fair and reasonable proposition that any civilised community would adopt. There is nothing revolutionary about a 6-hour day.

Mr. DONEY: If the member for Fremantle has not approached the Government on so important a matter, he has certainly not done his duty completely. I should have thought his first act would have been to take up the question with the department and thrash it out there. I do not suggest that he has exaggerated in describing the conditions, but bulk handling has been in operation in New South Wales and in other parts of the world for some years and presumably the same health results have accrued there, but if so we have not heard of them. The hon. member could have made inquiries in New South Wales and ascertained what action had been taken by the authorities there.

Hon. C. G. LATHAM: Members on this side of the House have no objection to a reduction of the hours of labour. All we say is that a reduction should be applied generally. Let us start with the farmer.

Mr. Patrick: He gets plenty of dust.

Hon. C. G. LATHAM: I do not know whether men at the port have more dust to contend with than have other men. Millers probably get a great deal more dust than do men working in the open, and there is no comparison between the dust experienced by men at the port and men driving harvesters. The question we have to decide is whether a 6-hour day will remove the disability mentioned by the hon. member. A man with a weak chest would be unwise to enter an occupation which might affect him.

Mr. Tonkin: He is compelled to do it.

Hon. C. G. LATHAM: He is not. What is the use of saying he is compelled to do it for a month and then be an invalid for the rest of his life? No doubt provision will be made under the Workers' Compensation Act for such men. I agree with the member for Fremantle that if a man loses his health he cannot be adequately compensated. Still, the wheat has to be handled. Of all the wheatgrowing countries, Australia is nearly the last to adopt bulk handling. Men at the port angle for the job because it is better paid than general cargo work. Bulk handling has been in operation in Canada and in New South Wales for years and no difficulty has been experienced to get labour.

Mr. Cross: Too many unemployed.

Hon. C. G. LATHAM: I do not agree with that. I doubt whether the amendment will meet the hon. member's desire. If men are going to work six hours a day, they will suffer as much from a health point of view as if they worked 44 hours a week. Working in dust in the open is quite different from working in dust in an enclosed space such as a mill.

Mr. Cross: The men have to go into the ship's holds.

Hon. C. G. LATHAM: How often? A member of a fire brigade might know a great deal about many things, but he does not know everything. I believe that the money saved in the industry and the money kept in the State will aid such people considerably.

Mr. FOX: I disagree with the Leader of the Opposition. When bulk handling was introduced, a number of men followed that occupation entirely. Now they will not touch it because they realise that their health was being undermined.

Hon. C. G. Latham: They tell me they prefer to handle bulk wheat rather than bagged wheat.

Mr. FOX: I have had a number of men examined and the doctors say their health has suffered through their working in the dust. They cannot escape it. Only economic pressure has driven them to do the work. Give any man the option of working a full week on ordinary cargo or on bulk wheat, and although 2s. 8d. per day extra is paid for working on bulk wheat, he would choose the general cargo every time.

Hon. C. G. Latham: Would you allow me to take men from the country to handle the wheat on the wharf?

Mr. FOX: Of course the hon. member would be able to get men, but they would walk off before long when their health was being undermined. It was the same in the mining industry. The mine managers used to declare that underground work did the men no harm, but they cannot say that now. If bulk handling is to be continued, a number of men will be incapacitated through working in the dust. The Leader of the Opposition said the men on the wharf had a 44-hour week. They might work from 8 a.m. till 10 or 11 p.m. and then have to stand off. I hope the amendment will be carried so that provision may be made for the men whose health will be im-

paired through being employed on that class of work.

The MINISTER FOR LANDS: If the amendment were agreed to all that would happen would be that the erection of terminal elevators would be delayed. Bulk handling would continue as at present. If the industry is an unhealthy one, the men can appeal to the Arbitration Court. That is where they should seek to get the six-hour day.

The Minister for Mines: The men have a six-hour day rising in the mines.

The MINISTER FOR LANDS: Yes, and where the temperature is bad. It is for the people concerned to induce the court to consider the matter. We could only provide that terminals should not be erected until a six-hour day was agreed upon, and, as I have stated, all that the amendment would do would be to delay the erection of the terminals. The Government have no way in which to enforce a six-hour day. We are pledged to arbitration for the settlement of disputes. Personally, I think that a six-hour day would be a good thing for all classes of the community. Henry Ford advocated that men should work half the year in the factories and half the year in the fields. That appeals to me as a very good principle. Men would then know both aspects.

Hon. C. G. Latham: It would not be a bad idea to give wheat humpers half time on the farms and half time on the wharves.

The MINISTER FOR LANDS: And the same for the farmers.

Hon. C. G. Latham: Quite so.

The MINISTER FOR LANDS: The amendment would merely postpone the erection of the terminal elevators.

Mr. SLEEMAN: I would prevent the erection of elevators until I could get provision for the men whose health would be affected. The Minister advises us to go to the Arbitration Court to get a six-hour day. We have had experience of the Arbitration Court lately, where men, instead of getting improvements, have been knocked back 15 or 16 years. If we could have an Arbitration Court with two representatives of the workers on the bench the men might get a fair deal. Then the court would be like the board suggested by members opposite.

Hon. C. G. Latham: You have two representatives on the court now.

Mr. SLEEMAN: Nothing of the sort. The men in this industry would be worse off because they are under the Federal Court. Although we are pledged to arbitration, many unions have had a bitter experience of it, and quite a lot of industrial trouble has been due to mistakes made and afterwards admitted by the court. One of the most serious strikes at present is due to an award of the Arbitration Court. I am not prepared to wait for the court to give us six hours a day, and I would prevent the erection of the elevators until the workers were given a fair deal. It is comforting to know that the Leader of the Opposition stands for a reduction of hours. Let him show his sympathy by applying the reduction first of all to the men whose health will be affected. Let us introduce it gradually. If the Leader of the Opposition is sincere in that statement, he will assist those employed in an unhealthy occupation to get the benefit first of all. The member for Williams-Narrogin said he had not heard of bulk handling being considered unhealthy in other places where the scheme has been installed. I care not what happens in New South Wales or Canada; I know that the work here is unhealthy. I also consider that the Charlie Chaplin "meccano" system being run in Western Australia must be more unhealthy than the standard system adopted elsewhere. The Bill does not provide for the introduction of the standard system, but for the continuation of the Charlie Chaplin style.

Mr. NEEDHAM: The Leader of the Opposition believes in reduction of hours in general, but wants the other fellow to start it, having no intention of adopting it himself. If he is in favour of reduction of hours, here is a splendid opportunity to initiate the reform. The more hours are reduced where labour-saving machinery has been introduced, the fewer the men thrown out of employment.

Mr. Moloney: The Leader of the Opposition believes in reduction of wages too!

Hon. C. G. Latham: Speak for yourself!

Mr. NEEDHAM: The Leader of the Opposition did not go so far. He said that his Party were in favour of reduction of hours, but wanted the other fellow to start the reduction. The hon. gentleman went on to say that no man is compelled to take on this work. Does any man on the Fremantle Wharf take on handling wheat either in bags or in bulk purely for the sake of his

health? It has been proved that the men engaged in the industry suffer in health because of it.

Hon. C. G. Latham: Is there not a closed union on the Fremantle wharf? A friend of mine wanted to get in, and was not admitted.

Mr. NEEDHAM: Evidently the applicant was known to be a friend of the Leader of the Opposition.

Mr. Moloney: Perhaps he wanted to white-wash the union!

Mr. NEEDHAM: The Leader of the Opposition says no man is compelled to accept that work, but economic pressure compels men to take it whether they want to do so or not. If the work is for a week, or a month, or a day, or even an hour, the man is compelled to accept it in order that he may live. The Leader of the Opposition also asked what would be the difference between eight hours and six if the man's health was injured. Surely the hon. gentleman recognises that less injury to health would result from six hours' work than from eight hours'. I do not know why the hon. gentleman introduced the Arbitration Court into this question. The measure directs a private company to do certain things, failing the doing of which the company are to be penalised. The company are to be given a monopoly by Parliament; and surely Parliament can, in the circumstances, say that the hours of work shall be so many. To refer the question to the Arbitration Court would be illogical. I support the amendment.

Amendment put and negatived.

Mr. WANSBROUGH: I have read the Bill through and through, but am unable to discover who is to be responsible for the provision of terminal silos.

The MINISTER FOR LANDS: The Royal Commission recommended that the Government should provide terminals, and probably that course will be adopted.

Clause, as previously amended, put and passed.

Clause 37—agreed to.

Clause 38—Holder's right to sample:

The MINISTER FOR LANDS: In agreement with the suggestion made by the Leader of the Opposition, I move an amendment—

That all the words of the clause after "The," in line 1, be struck out, and the fol-

lowing inserted in lieu:—"holder shall be entitled to sample wheat—

(a) in any truck from which it is proposed to deliver wheat on his account into a ship, or

(b) in any bin, truck, or container from which wheat is being elevated on his account for delivery into a ship, or

(c) in any truck in which wheat may be delivered to the holder elsewhere than at a port.

(2) in cases (a) and (c) the running bulk sample of the truck shall be taken as the test for the quality.

In case (b), the running bulk sample of the working shift shall be taken as the test."

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

Clause 39—Disputes as regards quality of wheat for shipment:

The MINISTER FOR LANDS: Adopting another suggestion of the Leader of the Opposition, I move an amendment—

That all the words of the clause after "cease," in line 4, be struck out, and the following inserted in lieu:—"but in the case of wheat tendered in trucks the holder shall be restricted either (a) to rejecting the truck before it is brought alongside the ship, in which case he shall give notice to the company; or (b) to making a claim for allowances after the truck is brought alongside the ship, in which case he shall give notice to the company of a claim for allowances.

(2) Each party shall without delay appoint an arbitrator to determine any dispute under the previous subsection.

(3) A sealed sample taken jointly by the parties to the dispute shall be supplied to the arbitrators, together with a standard sample, so that the identity of the samples shall not be known to the arbitrators.

(4) The arbitrators shall make their award with the least possible delay and in any case not later than twenty-four hours after the reference, and the arbitration shall, subject to the express provisions of this Act, be conducted as and have all the incidents of a reference under the Arbitration Act, 1895.

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

Clause 40—Arbitration in other cases:

Hon. C. G. LATHAM: This provides that in the event of a dispute as to the quality or condition of wheat tendered other than at a port by the company to the holder of a warrant for delivery, the holder may require the matter to be submitted to arbitration. Subclause 2 and 3 read as follows:—

(2) Sealed samples shall be taken in the manner prescribed.

(3) Upon payment by the holder or his agent of the prescribed fee within the prescribed time, the samples shall be forwarded to

the Department of Agriculture and inspected in accordance with the regulations by an officer of that department nominated by the Minister.

This wheat may suffer the same disabilities as wheat for shippers, and the only difference is in the one case it may go to the millers and in the other case, already dealt with, it will go to the shippers. Therefore I suggest to the Minister that the provision already made in respect of shippers shall apply to this clause. I had proposed to move to insert the words "Each party shall appoint an arbitrator to determine the matter in dispute," but it seems to me cumbersome, and it should be settled in the same way as the Minister proposed for wheat going into a ship.

The MINISTER FOR LANDS: In this instance it is advisable to have a more expert arbitration. The quality of the wheat may be in dispute, and so I think it advisable to retain this provision in the Bill. What is wrong with the clause as it stands?

Hon. C. G. Latham: What are the departmental officers going to do with it when they have examined it?

The MINISTER FOR LANDS: I think the Department of Agriculture is the proper authority to refer to in the case of a dispute.

Hon. C. G. LATHAM: I move an amendment—

That after "delivery," in line 3 of Subclause 1, all words to the end of the subclause be struck out and the following inserted in lieu:—"Each party shall appoint an arbitrator to determine the matter in dispute."

I do not think the Minister quite understood what I wanted to convey. The Minister would have the Committee believe that there are two classes of wheat, one to be delivered to the shipper and the other to the miller. As a matter of fact, the miller buys the same f.a.q. wheat as the shipper buys. There is no provision made in Western Australia for a special milling quality wheat to be bulked, and so any such wheat is bagged. I am afraid the Minister has missed that point. This is an f.a.q. sample wheat, and it is not to be expected that they could get any different sample. Millers cannot get a better sample than the f.a.q. sample. If their warrant says they want a milling wheat from any particular district they will get that wheat, for the

company do not foist upon them wheat grown in any wet district. Subclause (3) does not provide for any determination at all, but merely prescribes that the samples shall be forwarded to the Department of Agriculture and inspected by an officer of that department nominated by the Minister. All that the officers have to do is to inspect the wheat. It is not provided that the decision of the Department of Agriculture shall bind the parties. I think something has been left out there.

The Minister for Lands: What is it the hon. member wants in this arbitrator? Is he merely dotting the i's and crossing the t's?

Hon. C. G. LATHAM: Do not be unreasonable. It is not possible for the miller to get a better sample than f.a.q. unless he buys a special wheat, in which case it is bagged for him, and so this measure does not apply. To me the clause is indefinite. It should be provided that if there be a dispute, an arbitrator shall be appointed and shall act, just as under the provision we have already agreed to.

The Minister for Railways: It will be done by regulation.

Hon. C. G. LATHAM: But you cannot make regulations unless the Act says so. We have already provided for this in the shipping section, and we should make the same provision for the millers. F.a.q. wheat is exactly the same as milling wheat, namely 3 per cent. foreign matter or 1 per cent. of smut.

The Minister for Water Supplies: But the millers buy it from different districts.

Hon. C. G. LATHAM: Yes, but we are not providing for that here. If we were providing for it I would be satisfied, but as it is I want some consistency in our dealings with both sections, shippers and millers.

The MINISTER FOR LANDS: I am disposed to move an amendment that there be added at the end of Subclause 3 the words "and such officer shall give his decision on the matter in dispute."

Hon. C. G. Latham: Well, that will get us somewhere. I will withdraw my amendment, but it seems to me we are making a mess of the clause.

Amendment, by leave, withdrawn.

The MINISTER FOR LANDS: I move an amendment—

That at the end of Subclause 3 the words "and such officer shall give his decision on the matter in dispute" be added.

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

Clause 41—agreed to.

Clause 42—Regulations:

Hon. C. G. LATHAM: I move an amendment—

That at the beginning of Subclause 1 the words "at the request of the company" be inserted.

This clause hands to the Governor power to make regulations to control the whole of the operations of the company. Subclause 2 reads—

The matters regarding which regulations may be made under this Act shall include:—
(i) the conduct of bulk handling by the company.

I do not know how the Governor can come in and make regulations without consulting the company.

Mr. Moloney: What about public interests; would not they affect it?

Hon. C. G. LATHAM: Affect it in what way? Surely the people who provide the money and carry all the responsibility should have some say in the matter. The company will be responsible for any damage due to its negligence. Where do the public come into the business?

Mr. Wansbrough: Through the taxpayers.

Hon. C. G. LATHAM: They have not to find one penny. The Pool found some of the money and Westralian Farmers Ltd. found the balance. The responsibility rests upon the farmers who use the scheme to repay that money. The Government have not given much consideration to this matter.

Mr. Wansbrough: The Minister says the taxpayers will be called upon to build the terminal elevator at Fremantle.

Hon. C. G. LATHAM: The Government are not bound by the Bill to do anything. Perhaps the hon. member will find out from the Minister when the terminal will be built. I have never seen any legislation so preposterous as this is. More friction has been engendered by this Bill than by any previous measure that had to do with bulk handling.

The Minister for Water Supplies: May I suggest that the company is operating because of Government interference?

Hon. C. G. LATHAM: The Minister is flirting with my feelings. There can only be a complete set of regulations when there is harmony between the company and the Government.

The Minister for Water Supplies: There has always been harmony.

Hon. C. G. LATHAM: The regulations will cover every activity of the company.

The MINISTER FOR LANDS: I cannot accept the amendment. All the Governor is asked to do is to make regulations that are not inconsistent with the Act. In connection with the Bill of 1932 the Leader of the Opposition says that the obligation was cast upon the Government to finance the bulk handling.

Hon. C. G. Latham: To which Bill are you referring?

The MINISTER FOR LANDS: To that introduced by Mr. Lindsay on the 7th September, 1932. Clause 6 says—

The Trust shall be empowered to issue by way of security as aforesaid debentures, debenture stock, bonds, or other securities in such denominations and upon such terms as it may think fit. Within the said limit of £500,000 English sterling or such larger amount as may from time to time be approved as aforesaid, the Minister shall, in respect of any securities issued, upon terms which have been first approved by him, attach thereto the guarantee of the State of Western Australia that if the principal sum or sums thereby secured, and the interest thereon, be not fully paid on or before the thirtieth day of November, 1943, the same shall become the liability of and be paid by the State. No time or indulgence given or afforded by the lenders to the Trust in regard to loans or interest or the payment thereof shall prejudice or affect the said guarantee or the liability of the State thereunder.

The loan had to be approved by the Minister.

Hon. C. G. Latham: And guaranteed by the Government.

The MINISTER FOR LANDS: Only if the Minister approved. The Government had no obligation to raise any money.

Hon. C. G. Latham: They were to guarantee the money.

The MINISTER FOR LANDS: Only if the Minister approved. That Bill provided that the Governor may make regulations for the purpose of carrying out the Act, just as this Bill does. Many of those matters which can be included in the regulations under this Bill are referred to in the old Bill. Regulations are essential, and they must be consistent with the Bill.

Hon. C. G. LATHAM: The Minister has not told all the story. The Bill introduced by the previous Government was such that the Government had to protect the taxpayers, because they might be called upon to make payment if the company defaulted. In this Bill no guarantee is provided. The company can raise what capital it likes and pay what interest it likes. What a stupid thing it would be for a Minister to ask Parliament to agree to a guarantee of a sum of money without going into the terms. It will be a long time before all our wheat will be handled in bulk. We shall continue to use bags and empty the wheat from them into the holds of ships just as we are doing to-day. I am anticipating that the Minister will not agree to anything.

The Premier: Don't say that.

Hon. C. G. LATHAM: If he is as reasonable as the Premier, I believe we would get what we are asking for.

The Premier: You are putting over a good bluff.

Hon. C. G. LATHAM: No.

The Premier: Yes, you are.

Hon. C. G. LATHAM: The Premier knows I am very reasonable in my request, but I am afraid the Minister is hard. I am not reporting him to the Premier.

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

Ayes	..	..	..	..	17
Noes	..	..	..	..	23
					—
Majority against	..	..	..	..	6
					—

AYES.

Mr. Boyle	Mr. Sampson
Mr. Ferguson	Mr. Seward
Mr. Keenan	Mr. J. H. Smith
Mr. Latham	Mr. Stubbs
Mr. McDonald	Mr. Thorn
Mr. McLarty	Mr. Warner
Mr. Mann	Mr. Watts
Mr. North	Mr. Doney
Mr. Patrick	

(Teller.)

NOES.

Mr. Collier	Mr. Needham
Mr. Coverley	Mr. Nulsen
Mr. Cross	Mr. Rodoreda
Mr. Cunningham	Mr. Sleeman
Mr. Fox	Mr. F. C. L. Smith
Mr. Hawke	Mr. Troy
Mr. Johnson	Mr. Wansbrough
Mr. Kenneally	Mr. Willcock
Mr. Lambert	Mr. Wise
Mr. Millington	Mr. Withers
Mr. Moloney	Mr. Wilson
Mr. Munsie	

(Teller.)

PAIRS.

AYES.	NOES.
Mr. Welsh	Miss Holman
Mr. J. M. Smith	Mr. Clotlier
Mr. Brockman	Mr. Raphael

Amendment thus negatived.

Hon. C. G. LATHAM: I move an amendment—

That paragraph (ii) of Subclause 2 be struck out.

This is my final effort in respect of the Bill and I appeal to the Committee to support me. The sub-paragraph is unnecessary, as the Bill covers all the requirements of the legislation.

The MINISTER FOR LANDS: I cannot agree to the amendment. It would be folly for the Government to pass a Bill and not make provision for regulations.

Hon. C. G. Latham: The Minister has already done so.

The MINISTER FOR LANDS: The hon. member, in the Bill which he brought down, made provision for regulations. Provision must be made for regulations, otherwise any regulations brought in will be disallowed by Parliament.

Hon. C. G. Latham: They can be disallowed now. Read the Interpretation Act.

The MINISTER FOR LANDS: Provision is made for regulations in the Canadian Act. This company will be carrying on a public utility, and, in the interests of the community, must be subject to reasonable and just control. The clause provides that matters regarding which regulations may be made shall include the conduct of bulk handling by the company.

Hon. C. G. Latham: Where is the limit to that?

The MINISTER FOR LANDS: Is it not necessary to make regulations in respect of the conduct of the Co-operative Bulk Handling Ltd. and to see that they prevent wheat from deteriorating? Must we not see that the bins are properly constructed and protected?

Hon. C. G. Latham: That is provided for in the Bill.

The MINISTER FOR LANDS: And those matters will be provided for by way of regulations as well. The Bill does not provide for dotting every "i" and crossing every "t." Is it not necessary that we shall see to it that wheat is protected from exposure? We know that wheat has been exposed at sidings, and what has happened in the past will happen again. Then there is the necessity to disinfect bins, and to look after the wheat that is placed in bins. It is necessary to provide for the

protection of the wheat so as to prevent vermin spoiling it.

The Minister for Justice: These are all precautionary matters.

The MINISTER FOR LANDS: Of course. Then there is the procedure to be adopted by the company in the exercise of their powers and the conduct of their business, the keeping of records and the audit of books and accounts. Does the Leader of the Opposition suggest there is no reason why there should be proper checking and grading of wheat or why the wheat should be weighed?

Hon. C. G. Latham: I know that the wheat must be weighed, but they check the weighing machines under the Weights and Measures Act.

The MINISTER FOR LANDS: The company's weighbridges must be inspected.

Hon. C. G. Latham: That is provided for in the Weights and Measures Act.

The MINISTER FOR LANDS: That provides for the inspection, but it must be incumbent upon the company to see that their weighbridges are in order. The department has experienced considerable trouble with this company, in common with others. On the 20th November, 1934, the company were supplied with a list of weighbridges that required overhaul. The 1934 figures showed that 38 of the company's weighbridges were rejected and were found to require a general overhaul. Subsequently, 15 were rejected and stamped after being overhauled. One machine was 2½ cwt. out in that it required that weight to balance the machine. That might be against the grower.

Hon. C. G. Latham: Or it might be in favour of the grower.

The MINISTER FOR LANDS: One machine was in such a state that it would not weigh anything. It was gummed up; sometimes it would weigh light and sometimes heavy.

Hon. C. G. Latham: You can do that with the Railways too.

The MINISTER FOR LANDS: We must prevent that sort of thing. The style of weighbridge is unsatisfactory, and the wooden platform is liable to increase in weight in wet weather.

Hon. C. G. Latham: You are trying to provide most impossible things and the in-

clusion of some of these matters will simply add to the difficulties.

The MINISTER FOR LANDS: These things are happening.

Mr. Seward: With the company or with the railways?

Hon. C. G. Latham: The Minister does not know anything about it.

The MINISTER FOR LANDS: Is it not necessary to provide that records shall be kept so that the growers shall know what the company are doing?

Hon. C. G. Latham: Is that a Government function? What you ought to do is to let the bookies know what the owners are doing. Carry the matter out properly.

The MINISTER FOR LANDS: Is it not necessary to fix the standard of grades of wheat?

Hon. C. G. Latham: That is not any function of the bulk handling system.

The MINISTER FOR LANDS: In New South Wales they have fixed grades and the system is working satisfactorily. They have f.a.q. wheat and a second grade that is saleable wheat. We have had the same experience in this State where we have f.a.q. wheat and another grade just below that standard. If provision is not made for the receipt of that wheat, a considerable quantity would not have been accepted in one district last year, because it was slightly less than f.a.q., but still a saleable wheat. Then the regulations are necessary to provide that the company shall protect the interests of the lien holders.

Hon. C. G. Latham: The Act provides for that.

The MINISTER FOR LANDS: No, the company have tried to contract out of the Act, and the warehouse conditions they are endeavouring to impose provide that they can contract out of their liability.

Hon. C. G. Latham: But you have not allowed it.

The MINISTER FOR LANDS: In New South Wales the Grain Elevators Board make it their business to notify Government departments and others of persons with liens that have to be protected.

Hon. C. G. Latham: Did they contract out of the liability? I will read to you about them.

The MINISTER FOR LANDS: In New South Wales the position is under Government control.

Hon. C. G. Latham: And they contract out of it.

The MINISTER FOR LANDS: They may. The Crown is not solely responsible in that respect.

Hon. C. G. Latham: No; they are irresponsible. We know that because of the provisions of the Bill.

The MINISTER FOR LANDS: There must be responsibility in regard to liens registered against the crop, and the company want to contract out of that. The company are securing exceptional advantages from this monopoly.

Hon. C. G. Latham: You should say exceptional disadvantages.

The MINISTER FOR LANDS: The company should not be entitled to evade their responsibilities at all. The regulations are absolutely necessary and the provision must be included in the Bill.

Hon. W. D. JOHNSON: I recognise that regulations are necessary, but many of the matters referred to by the Minister are not provided for in the subclause. If all the matters had been included there would not be any great objection. The trouble is that if a start is made to specify the various matters in respect of which regulations may be made, difficulty will be experienced by the company in raising money. It is necessary to let the lending authority know exactly what are the responsibilities of the company. It will mean that the lender will have to take the responsibilities indicated in the Act plus the regulations. In my opinion the regulations are unduly emphasised in the Bill, and the tendency will be to take the regulations as representing the responsibility and not the Act. If the Minister could see his way clear to retain Subclause 1 only, he will have sufficient power to make all necessary regulations. If that were done the lending authority would then take the Act, plus the responsibility of regulations.

Mr. Moloney: Would that not be gulling the lenders?

Hon. W. D. JOHNSON: They will not be gulled; that is the sad part of it all. In all instances in which money is raised the nature of the security decides the interest rate. If we are to have the advantage of minimum rates, the security must be clear and distinct so that the lender shall know he is not taking any undue risk. If the regulations are made and they

specify that the Minister may override the provisions of the Bill, difficulties may arise. I know that regulations must have relationship to the Act.

The Minister for Lands: This is a gilt-edged investment.

Hon. W. D. JOHNSON: The Minister said he would be agreeable to an amendment setting out that the Act shall not be proclaimed until the money is raised. That is all right, but if we pass the Bill and place the onus on the company to raise money they will have to pay the interest demanded, and the growers will have to pay. The Minister should recognise that Subclause 1 will provide all the power that is necessary with regard to regulations. If Subclause 2 is left in the Bill it will mean adding to the interest rate and making the position more difficult.

Hon. C. G. LATHAM: I do not intend to delay the Committee unnecessarily, but the Minister has pointed out that it was essential to provide regulations compelling the company to protect lien holders. Section 14 of the New South Wales Act provides a clear demonstration that the Government are compelling the company to do what the Government of New South Wales said they themselves could not do; otherwise they would not have enacted such a provision as Section 14. The Government would not accept the responsibility they are endeavouring to place upon the company. However, we have decided that point, but I draw the Minister's attention to the fact. Then the Minister referred to the Canadian Grain Act. It has nothing to do with the Minister's contention. It does not restrict the companies there in any way, as the Minister seeks to restrict the company here. The regulations provided for in Canada are very reasonable. They govern any other matter relating to the handling of grain. That is the dragnet clause in Canada, but it does not interfere with the business of the companies. The Minister, however, proposes that the local company shall fix grades. He would compel them to keep their weighbridges in order, though he has provision under an existing statute for that. An inspector may call at any time, and a heavy penalty is provided for having faulty scales. Here the Minister is trying to duplicate condi-

tions. Why? To harass the company and for no other reason. I hope the Committee will do the right thing by deleting the provision. The Minister said he wished to protect the growers against careless handling. Clause 8 contains the necessary powers for that. Yet he is trying to duplicate conditions so that Parliament will not know what he is doing. Ninety-eight per cent. of similar legislation does not contain such a provision as is suggested here. Special precautions have been taken by the Government under this Bill, not to help the company but, I am sorry to say, to make the system very much more costly and impossible of extension.

The Minister for Lands: No.

Hon. C. G. LATHAM: Yes.

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

Ayes	..	..	..	..	17
Noes	..	..	..	..	21
					—
Majority against	..	..	..	..	4
					—

AYES.

Mr. Boyle
Mr. Ferguson
Mr. Johnson
Mr. Keenan
Mr. Latham
Mr. McDonald
Mr. McLarty
Mr. Mann
Mr. North

Mr. Patrick
Mr. Sampson
Mr. Seward
Mr. J. H. Smith
Mr. Thorn
Mr. Warner
Mr. Waits
Mr. Doney

(Teller.)

NOES.

Mr. Collier
Mr. Coverley
Mr. Cross
Mr. Cunningham
Mr. Fox
Mr. Hawke
Mr. Kenneally
Mr. Lambert
Mr. Millington
Mr. Moloney
Mr. Munsie

Mr. Needham
Mr. Nulsen
Mr. Sleeman
Mr. F. C. L. Smith
Mr. Tonkin
Mr. Troy
Mr. Willcock
Mr. Wise
Mr. Withers
Mr. Wilson

(Teller.)

PAIRS.

AYES.
Mr. Brockman
Mr. J. M. Smith
Mr. Stubbs
Mr. Welsh

NOES.
Mr. Clothier
Miss Holman
Mr. Raphael
Mr. Wansbrough

Amendment thus negatived.

Clause put and passed.

Postponed Clause 2—agreed to.

New Schedule:—

The MINISTER FOR LANDS: I move—

That the following be inserted to stand as the First Schedule:—"Bond. By these presents . . . binds itself (themselves) to the Crown and covenants to pay to the Crown the penal sum of £20,000. Dated this . . . day of . . . 19 . . . The condition of the above-

mentioned bond or obligation is that if Co-operative Bulk Handling, Ltd. (a company incorporated under the Companies Act, 1893, as amended by the Companies Act Amendment Act, 1929) shall duly and punctually perform and observe all obligations and duties imposed on the company under and by virtue of the Bulk Handling Act, 1935, then this bond shall be of no effect; otherwise it shall remain in full force: Provided that the liability of the obligor under this bond shall be limited—(a) to making good any damages, expenses and costs suffered by any person or persons by reason of the breach or non-performance by the company of all such duties and obligations; (b) to the amount required to make good any default by the company in its duties and obligations; and (c) the making good of any penalty and costs which may be imposed under the provisions of Section 11 of the Act."

Mr. SLEEMAN: I take it that the Schedule is designed to fit in with Clause 13 of the Bill. The Committee altered the bond of £50,000 to £20,000, whereas I desire to insert £75,000. I think the bond was reduced on a snap vote. A sum of £50,000 would represent about 1 per cent. of a normal season's wheat, and if the company are to have control, they should be liable for 1 per cent. of the crop. I move an amendment—

That the proposed new Schedule be amended by striking out "£20,000" and inserting "£75,000" in lieu.

The CHAIRMAN: I cannot accept the amendment because the Committee have already decided that the amount shall be £20,000.

Mr. SLEEMAN: We could alter the clause on recommitment. I do not wish to be placed in the position of having to recommit the new Schedule after it has been inserted.

The CHAIRMAN: I cannot accept the amendment.

New Schedule put and passed.

Second Schedule:

Mr. SEWARD: I shall vote against the Schedule with a view to inserting a new Schedule of which the Leader of the Opposition has given notice. The Schedule contains two major features; the rest of the clauses are mostly of a machinery character. The first of the major features is that fixing the variations in wheat and quality allowed in the delivery of wheat. There is no variation in the qualities laid down in the Bill and in the proposed new Schedule, except that the Bill provides for not more than one-tenth of 1 per cent. of heat or

weather-damaged grain, whereas the new proposal provides a variation of not more than one-half of 1 per cent. of heat or weather-damaged grain, together with a further provision that wheat shall contain not more than half of 1 per cent. of weevil-damaged grain. Those are the conditions under which the present company have been working, and those are the conditions which Western Australian experience has shown to be necessary. I do not know the source of the provisions in the Bill. Therefore I shall move for the insertion of the Western Australian conditions in preference to those now appearing in the measure. Another matter is connected with variations in standard. In Western Australia we have worked under what is known as the f.a.q. standard. It is known to me that for some years past the Director of Agriculture has been seeking to get that standard altered in favour of a millable standard of wheat. The millable standard may be a desirable end in itself; but to express it in the Bill would be dangerous, because the sale of Western Australian wheat is governed by f.a.q. The substitution of a new standard would prejudice possibilities of sale of Western Australian wheat oversea, because buyers there would not know what was meant by millable wheat. Therefore I urge the Committee not to agree to that alteration. Already South Australia has made an attempt in that direction, without securing better results in the sale of its wheat. Other alterations deal mostly with the machinery aspect of the question. Paragraph (6) refers to delivery of wheat into bins, and lays down that anybody who delivers wheat before the 31st March must specify on or after that date where he wants the wheat delivered. If delivering wheat after the 31st March, he must specify at the time of delivery the port to which he wants the wheat despatched. That is a natural requirement on the part of the company as otherwise their arrangements would be clogged to the point of irksomeness. It is necessary for the company to work in conjunction with the Railway Department; and if they have to deliver wheat at certain ports, they want to know well ahead of the time for delivery, so that the necessary arrangements may be made. Paragraph (7) provides a charge on wheat not taken delivery of before the 15th March. If wheat is allowed to remain in the company's bins pending the

holder's desire to take delivery of it, or to have it delivered at a port, it is only right the holder should pay for that privilege. In connection with this measure much has been quoted from New South Wales, and I now wish to bring under the notice of the Committee some advice tendered in New South Wales by the Minister for Agriculture of that State. He said the necessity for imposing high charges on wheat left in bins till late in the year arose because it was out of the question to let the system become clogged, and that the only method of bringing about a change was to make those who desired storage while awaiting a more favourable opportunity to sell, pay for that storage.

The Minister for Agriculture: You are allowing the company to fix the rate?

Mr. SEWARD: Undoubtedly I am. The rate now fixed is too low, and should be increased. The rate fixed in the schedule may impel people to leave their wheat in storage after the 15th March.

The Minister for Agriculture: New South Wales allows up to October.

Mr. SEWARD: We allow up to the 30th September. It is necessary to get the wheat out as soon as possible in order that the bins may be cleaned. From the weevil aspect, fumigation is necessary. If bins are kept filled with wheat until just upon the time for receiving new season's wheat, the weevil risk must be greatly increased. In the absence of a fairly stiff charge, people would be encouraged to let their wheat remain in the bins. The charge should be one-halfpenny per bushel, instead of .1d. per bushel, per month. Another reason for early closing of bins is that the company may be enabled to work in co-operation with the Commissioner of Railways. Wheat might be stored in bins on all the railway lines in the State, entailing hardship on the Commissioner. If he can clean up all the bins along a certain line, it will tend towards much easier working. The only matter provided in this schedule, and not provided in the schedule to the Bill, is contained in paragraph (30), dealing with arbitration and reading—

Any dispute arising under or in respect of the provisions of this schedule or in respect of the obligations of the company or the holder shall be referred to arbitration in accordance with the provisions of the Arbitration Act, 1895.

At the beginning of the proposed schedule "lien holder" is defined as the person to whom a warrant is issued. The warrant is the first document received when wheat is delivered at the siding.

The Minister for Agriculture: There are many more differences, and serious ones.

Mr. SEWARD: Then there is the delivery order, which is the document received in place of the warrant. The "holder" is the person for the time being in possession of a warrant or delivery order. At a later stage, if we succeed in striking out the schedule in the Bill, I shall move to substitute the following:—

That the schedule be deleted with a view to the insertion of the following proposed schedule:—

Conditions relating to the receiving, handling, transporting, and delivery of wheat delivered to the company.

1. In this Schedule subject to the context—

"Holder" means—

- (a) The person to whom a warrant was issued, or
- (b) The person to whom a delivery order is issued as hereinafter provided, or
- (c) The person for the time being in possession of a warrant or delivery order after the same has been negotiated.

"Lien" means every assignment, charge or encumbrance of any kind whereunder any property or interest (legal or equitable) in the wheat in respect whereof a warrant is issued or in the wheat referred to in such warrant passes to any person.

"Lien-holder" means the person for the time being entitled to any Lien.

2. A delivery order shall be a negotiable instrument transferable by indorsement.

3. On the holder surrendering a warrant at the head office of the company and complying with the provisions of Clauses 4 and 5 of this Schedule and subject to his paying in cash to the company such of the charges and levies as have been incurred or are or may be charged or chargeable in respect thereof and the dockages (if any) shown thereon a delivery order for the quantity of wheat mentioned in the warrant shall be handed by the company to the holder or his duly authorised agent. Such of the said charges as have not been definitely ascertained on the date of the surrender of the warrant shall be estimated by the company which may calculate the same up to the date on which it is then expected that the said quantity of wheat will be actually delivered to the holder pursuant to the delivery order.

4. It shall be a condition precedent to the issue of the delivery order that the holder shall on behalf of the grower advance to the company the levy or toll referred to in

Section 27 of the Act. The said toll shall be repayable by the company to the grower at the time and in the manner provided in the Deed of Trust.

5. (a) A warrant is and the rights of the holder are subject to all liens affecting the wheat the subject of which the warrant was issued.

(b) It shall be a condition precedent to the issue of the delivery order that the holder shall satisfy the company that the claims of all lien-holders have been discharged, provided the company shall owe no duty to lien-holders in this respect.

6. Prior to the 31st March of the relative season, the holder may on surrender of the warrant instruct the company to rail wheat of the quality and quantity represented on the warrant to a destination in Western Australia, but failing receipt of such instructions the company shall be at liberty after the said date to deliver at the port to which wheat is customarily sent from the siding at which the wheat represented by the warrant was received, and the only charges due and payable in respect of such wheat shall be such as shall be properly applicable thereto. The destination of wheat received after the 31st March of the relative season must be declared at the time of delivery by the holder unless such wheat is to be railed to the customary port as aforesaid, and if the destination thereof is not so declared the company may rail such wheat to the customary port as aforesaid, and the holder shall take delivery of such wheat at such destination, but if such wheat is to be delivered elsewhere the holder shall pay to the company all additional charges including storage, unloading, reloading and railage from such port to such destination. Declarations of destination shall when made be endorsed by the holder on the warrant.

7. (1.) If delivery of wheat under the warrant or the relative delivery order has not been taken prior to the 15th March of the relative season storage charges shall accrue and be paid by the company by the holder up to the date of the delivery of the wheat.

(2) The company may personally or by advertisement in the Press notify the holders of outstanding delivery orders that the wheat represented by such delivery orders is available for delivery at the port and the holders of such delivery orders shall immediately take delivery of the said wheat. Should the holder when so notified fail to take delivery of the said wheat or to continue to take delivery as rapidly as wheat is tendered by the company special or additional storage will be charged at a rate fixed by the company from time to time which shall be payable by the holder as a condition precedent to delivery. One insertion in the "Public Notices" column of a daily newspaper published in Perth shall be a sufficient advertisement under this clause.

8. Delivery must be taken of the quantity of wheat to which the holder is entitled under the warrant on or before 30th September of the relative season, and in the event

of delivery not being so taken the company shall be relieved of its obligation to deliver the wheat represented by the warrant or the relative delivery order and may on the said date or at any time thereafter sell the said wheat together with other wheat or separately at such price and upon such conditions as may be thought fit, and the company may then or at any time thereafter deduct from the proceeds the levy or toll (which deduction shall be deemed an advance thereof to the company by the holder on behalf of the grower) and all other charges and levies which would have been payable by the holder of the warrant or relative delivery order or surrender thereof respectively together with a special storage charge of a half-penny per bushel per week or part of a week from the 30th September of the relative season until the company shall have removed the wheat from its storage bins or railway trucks and shall hold the balance of such proceeds on account of the holder of the warrant or relative delivery order against surrender thereof to the company subject however to the rights and claims of lien-holders. Provided that the company may at its discretion make such other arrangements with the holder for the disposal of the wheat as the company may determine but to the intent that the holder shall pay to the company one half-penny per bushel per week or part of a week from the 30th September of the relative season until the company shall have delivered the wheat plus any extra expenses incurred by the company due to delay in the work of the company in cleaning and disinfecting its storage bins and other equipment in readiness for the next season's harvest.

Quantity and Quality.

9. The company has the right to tender wheat of a quality different from that represented on the delivery order, but unless otherwise previously arranged wheat tendered shall be f.a.q. of the relative season or wheat—

- (a) of a natural per bushel weight of not more than two pounds below f.a.q. standard or grade prescribed;
- (b) containing not more than two pounds of barley, oats, drake or other foreign grain to the bushel, and
- (c) containing not more than two per cent. of hard ball snout and
- (d) containing not more than one half of one per cent. of heat or weather-damaged grain,
- (e) wheat containing not more than a half of one per cent. of weevil-damaged grain.

The quality shall be determined on the running bulk sample.

10. Unless otherwise previously agreed, the company shall on delivery of the wheat pay the holder for any inferiority below the said standard or grade of the running bulk sample of a truck so delivered, the assessment being noted and signed by such agent and the holder or his representative. Inferi-

ority shall be ascertained in accordance with the scale of dockage as follows:—

Light weight. For each pound less than the natural bushel weight according to the said standard or grade deduction of one half-penny per bushel shall be made.

Bleached Wheat. Dealt with under Light Weight.

Foreign Grain—Barley, oats, drake, etc. Wheat containing one pound per bushel of foreign grain dock $\frac{1}{2}$ d. per bushel, and for every one pound of foreign grain thereafter dock an additional one half-penny per bushel.

Hard Ball Smut. Wheat containing one per cent. of hard ball smut dock 1d. per bushel, and for every one per cent. of hard ball smut thereafter dock an additional 1d. per bushel.

Smut Tipped Wheat—

(a) Faintly smut-tipped wheat dock 3d. per bushel.

(b) Smut-tipped wheat dock 6d. per bushel.

Delivery of Millers' Wheat or Wheat other than for Shipment.

11. The delivery order shall entitle the holder to take delivery of the wheat specified thereon at such place as shall be thereon stated or as otherwise arranged and the holder agrees to take delivery of such wheat as when and where the same is made available by the company and if required by the company so to do to work overtime when unloading trucks. If the holder shall fail to work overtime when required by the company so to do or if he shall fail to take delivery within the time prescribed by the railway regulations of any wheat in railway trucks which may be tendered by the company in pursuance of the delivery order and by reason of the said defaults the company shall become responsible for demurrage or other charges or damages the holder shall be liable to the company therefor and he shall pay the same to the company on demand in addition to any storage or other charges properly made by the company.

12. The company shall deliver the wheat mentioned in the delivery order with all reasonable despatch unless the company shall be prevented from so doing by any of the causes mentioned in Clause 15 of the Act or the inability or failure on the part of the Railway Department to supply the necessary trucks for transport thereof.

13. All deliveries of wheat under the delivery order shall be made in bulk and unless otherwise arranged the company shall not be liable to unload wheat from trucks.

14. The company shall subject to Clause 16 hereof be responsible for delivery of the quality stated on the delivery order. Wheat consigned at the request of the holder shall be deemed to have been delivered at the place of consignment and from the completion of loading thereof shall be at the risk of the holder. The company's loading tally at siding of despatch or railway weight in transit shall be conclusive evidence of delivery and of the weights so delivered.

The railway weight in transit shall where practicable be ascertained by stop-weighing the wheat over railway weighbridges and all charges inclusive of the cost of the company's check-weigher in connection therewith shall be a charge against the holder payable to the company on demand. The holder shall supply a daily statement to the company giving truck numbers and the contents of each truck unloaded the previous day.

15. The holder and the company shall be deemed to have agreed unless otherwise arranged to accept and make delivery in trucks at destinations within W.A.—

(a) on Government Railway Department weighbridge weights or

(b) on weight certified by the company, or

(c) on weights supplied by the holder provided that these weights need not be accepted by and shall not be binding on the company unless the company has in each case specifically agreed to accept such weights after checking the same and approving of the weighing facilities used by the holder.

All costs and expenses incurred by the company in checking weights or inspecting weighing facilities shall be paid by the holder to the company on demand.

16. The company shall not be required to deliver the exact weight of wheat specified on the delivery order and the holder shall be deemed to have agreed to accept wheat in truck loads as tendered by the company on the understanding that unless previously agreed any excess weight so delivered shall be paid for by the holder and any shortage of weight shall be paid for by the company, the price in each case being the market price on the day of delivery.

17. In case the holder of the delivery order with the approval of the company takes delivery of a quantity of wheat less than that therein mentioned the delivery order shall be surrendered to the company and a delivery order issued in substitution therefor for the undelivered balance.

18. The company may at its discretion if so desired by the holder rail wheat from sidings nominated by the holder providing the holder pays any increased freight and other charges that may be incurred by the company in so doing.

19. In the event of wheat being delivered in trucks to a destination other than North Wharf, North Fremantle, the holder undertakes to be responsible for and pay to the company the value of the truck liners extensions and canes unless the holder shall when so requested by the company load up at his expense and rail away the liners extensions and canes to the company's order and in accordance with the company's instructions.

20. If storage charges are incurred in excess of those paid on the surrender of the relative warrant, the holder shall pay to the company on demand the amount of such excess.

Delivery of Shippers' Wheat.

21. The holder of the delivery order shall be entitled on its surrender at the head office of the company to delivery of the wheat thereby represented at the port designated on the relative warrant or as otherwise arranged and the holder shall be deemed to have agreed to take delivery of the wheat as and when the same is available by the company and to arrange for vessels to be berthed with all reasonable despatch at a bulk loading berth nominated by the company and if required by the company so to do to work overtime and arrange with vessels to work overtime when the company is loading such vessels on his behalf. If the holder shall fail to work overtime or make such arrangements when required by the company so to do or if he should fail to take delivery within the time prescribed by the railway regulations of any wheat in railway trucks which may be tendered by the company in pursuance of the delivery order, then the provisions in Clause 11 of this schedule shall apply.

22. The company shall deliver the wheat mentioned in the delivery order with all reasonable despatch on board one or more vessels at the port designated thereon or on the relative warrant and in accordance with the current charter party conditions for loading wheat in bulk unless the company shall be prevented from so doing by any of the causes mentioned in Section 15 of the Act, or the inability or failure on the part of the Railway Department to supply the necessary trucks for transport thereof. The company's obligation to so deliver the wheat shall be deemed to be performed when the wheat passes out of the elevator's spout above the ship's hold. For the company's services in effecting such delivery the holder shall pay to the company on the issue of the delivery order the proper charge, which charge shall include all wages and payments for overtime payable to the servants of the company in respect of the loading of the first thousand tons from the commencement of each ordinary weather working day unless and to the extent that such servants work overtime because the ship is not in such condition as to permit of or the ship refuses to permit continuous loading to the full capacity of the company's loading equipment. Subject as aforesaid the holder shall pay to the company on demand the difference between the normal rate of wages and the overtime rate in addition to the said charge in respect of all wheat delivered as aforesaid.

23. If the company is unable to load at least one thousand tons of wheat per working day of eight hours because of the proved inadequacy of the company's plant and machinery or because of mechanical defects occurring in such plant and machinery during the loading of such vessel not attributable to causes outside the company's control the company shall pay to the holder all demurrage and other charges incurred on the holder's vessel as a consequence of such inability.

24. The holder undertakes that unless otherwise arranged with the company he will forthwith upon being requested so to do move to another berth any vessel which has completed loading bulk wheat delivered by the company hereunder so as to enable the holders of other delivery orders to bring vessels alongside the berth for loading or other purposes.

25. The holder shall provide all bagged wheat required for stiffening cargoes or other purposes and shall place such wheat on board ship without interfering in any way with the continuity of the bulk loading. If it appears to the company that any interruption of the bulk loading is being caused by the holder in performing his obligations under this clause the company may at its discretion require him to cease the loading of such bagged wheat and to complete the same at another berth or berths.

26. In case the holder of the delivery order with the approval of the company takes delivery of a quantity of wheat less than that thereon mentioned, the delivery order shall be surrendered to the company and a delivery order issued in substitution therefor for the undelivered balance.

27. At ports where the company has installed weighing machines for weighing wheat to be delivered to vessels, the holder shall accept the weights as ascertained by such machines, but shall have the right to see the machines while in use in weighing such wheat, and to check the tally of such weights.

At ports where the company has not installed weighing machines the holder and the company shall accept weights as determined over the scales provided for weighing trucks by the Fremantle Harbour Trust or the Railway Department.

29. The provisions of Clause 16 of this Schedule shall apply to delivery of shippers' wheat.

Arbitration.

30. Any dispute arising under or in respect of the provisions of this Schedule or in respect of the obligations of the company or the holder shall be referred to arbitration in accordance with the provisions of the Arbitration Act, 1895.

THE MINISTER FOR LANDS: I could not possibly agree to the proposed schedule, which is largely comprised of the conditions on the warehouse receipt issued by the company. In my opinion those conditions are very unfair indeed—so unfair that whilst imposing upon the farmer they also impose upon shippers. Shippers took exception to the warehouse receipt conditions and the company made a separate agreement with the shippers, providing for more reasonable arrangements.

Hon. W. D. Johnson: That was after experience in working.

The MINISTER FOR LANDS: Whenever the agreement and the warehouse conditions come into conflict the agreement is to prevail as between the shippers and the company. What is a fair thing for the shippers is a fair thing for the farmers. If necessary I could discuss the matter fully, but I do not wish to take up too much time. Some portions of the amendment are inconsistent with provisions of the Bill already passed. For instance, subparagraph (b) of paragraph (5) is identical with a provision in the warehouse receipt of the company, and contrary to a provision of the Bill already passed. Sub-paragraph (b) of paragraph (5) of the proposed schedule is identical with the corresponding provision in the warehouse conditions, and contrary to Clauses 14 and 24 of the Bill, which have already been agreed to. One could not accept a schedule in conflict with the Bill. In the warehouse agreement, which is absolutely unfair, the company endeavour to contract themselves out of an obligation with regard to liens. The company have no scruples in relation to other people, because they endeavour to make other people responsible for their liens.

Hon. C. G. Latham: But the company are only holders of wheat—not buyers or sellers.

The MINISTER FOR LANDS: Clause 6 of the proposed schedule is most unfair, alike to holders and shippers of bulk wheat, and also to millers. It is incredible that such a provision should be suggested.

Hon. W. D. Johnson: This has been submitted to the growers.

The MINISTER FOR LANDS: The warehouse agreement is entirely in the interests of the company.

Hon. W. D. Johnson: That has not been the experience.

The MINISTER FOR LANDS: I do not propose to discuss the company.

Hon. W. D. Johnson: The company are, of course, the people who put their wheat through the system.

The MINISTER FOR LANDS: The company claim the right after the 31st March to rail the wheat to the port, and the holder of the wheat must take delivery of it on arrival at its destination. A bulk handling monopoly is given to the company in order that they may give service to the people. They are paid to store the wheat for millers and merchants, and they can charge for the storage. Because these charges are pro-

vided in the Bill, the company can make a very good profit. And they take no risks at all.

Hon. C. G. Latham: Of course they do.

The MINISTER FOR LANDS: They do not. The wheat is here and the company have the sole right to handle it. The fixed price will return them a handsome profit. Westralian Farmers Ltd also get a definite profit of £10,000 a year, and they do not have to handle the wheat.

Hon. C. G. Latham: You take home that report and read it carefully.

The MINISTER FOR LANDS: Clause 7 of the amendment provides that if delivery has not been taken of the wheat prior to the 15th March, storage charges shall accrue and be paid to the company by the holder up to the date of the delivery of the wheat. But it makes no reference to what the charge is. It may be anything. It is at their discretion. The company reserve the right at any time to compel the holder of the warrant to take delivery at the port, and the shipper or the miller must take delivery of the wheat when required. The company, because of their monopoly, store the wheat, but in the warehouse agreement conditions are provided that serve to make the company dictators. The shipper or the miller is required to take his wheat when perhaps there is no market for it. He may not be able to sell it, but the company say, "You must take it." We are giving these people a monopoly to store the wheat. If the shippers do not take the wheat as rapidly as the company desire, the company can charge a special storage rate.

Hon. W. D. Johnson: You admit that the storage rate is necessary.

The MINISTER FOR LANDS: Yes, but not a special rate after the 31st March.

Hon. C. G. Latham: Storage does not start until the 31st March.

The MINISTER FOR LANDS: No, but it is imposed after that date. The company can send millers' wheat down to Fremantle, and the miller at Fremantle, if he cannot then take it, has to send it back to Northam or Kellerberrin, and pay any rate imposed upon it. These are not reasonable conditions. This warehouse certificate contains conditions that the company have not been game to impose on the shippers.

Hon. W. D. Johnson: That is not fair.

The MINISTER FOR LANDS: I have seen it. The company are to be given a

monopoly, and they take upon themselves arbitrary powers.

Hon. C. G. Latham: Why give them a monopoly when they have not asked for it?

The MINISTER FOR LANDS: We have accepted the fact that bulk handling in this State must come.

Hon. C. G. Latham: Why do not you give the monopoly to the shippers or the exporters who, according to you, do everything right?

The MINISTER FOR LANDS: We are not going to give a monopoly to the shippers. The company are to be given a monopoly although they pretend they do not want it. As a matter of fact they want to get it by other means; they want it in licenses and storage and bulk handling facilities without regard as to how they embarrass the community.

Hon. C. G. Latham: I have not heard of any embarrassment up to date.

The MINISTER FOR LANDS: Under a later provision in the clause the company can sell the wheat.

Hon. C. G. Latham: You provide for that in the Bill.

The MINISTER FOR LANDS: And they are under no obligation to notify the holder of the wheat.

Mr. Seward: Read Subclause 2 of Clause 7.

The MINISTER FOR LANDS: All they have to do is to publish an advertisement in a daily newspaper.

Mr. Seward: They must notify, personally or by public advertisement.

The MINISTER FOR LANDS: Clause 6 of the Schedule in the Bill provides that delivery of wheat must be taken by the holder of the warrant on or before the 30th September; and in the event of delivery not being taken the company may sell the wheat by public tender. Under the hon. member's Schedule they can sacrifice it if they like.

Mr. Seward: They are not a storage company. They have to get rid of the wheat.

Hon. C. G. Latham: All this is nothing to what the merchants did with the farmers' wheat. By crapes it is not!

The MINISTER FOR LANDS: I do not know what the hon. member is referring to.

Hon. C. G. Latham: Well, you appointed an inquiry.

The MINISTER FOR LANDS: I remember an accusation against the Westra-

lian Farmers when the Wheatgrowers' Union asked the Government to appoint a Royal Commission to inquire.

Hon. C. G. Latham: And what did you do about it after wasting the money?

The MINISTER FOR LANDS: The Wheatgrowers' Union publicly declare that they are representatives of the majority of the wheat farmers in this State.

Hon. C. G. Latham: Do not quote them. They are sacking you, anyhow.

The MINISTER FOR LANDS: I do not mind attacks on me; I am perfectly indifferent to them. Under Clause 8 of the Schedule, delivery must be taken of the quantity of wheat to which the holder is entitled under the warrant on or before the 30th September; and in the event of delivery not being taken the company are to be relieved of their obligation to deliver the wheat represented by the warrant, and may sell the wheat upon such conditions as may be thought fit. Is not that a wonderful opportunity for corruption?

Hon. C. G. Latham: The warehouse conditions are worse than that.

The MINISTER FOR LANDS: The company can sell the wheat at any price and make the buyer pay storage charges. The company are taking the right not only to make exorbitant charges, but to sacrifice the wheat and sell it to their friends, if they so desire.

Mr. Patrick: That is what the Government Pool in South Australia did.

The MINISTER FOR LANDS: The Leader of the Opposition desires that the company shall have the right to deliver smut-tipped wheat, even though conditions are published at the sidings declaring that the company will not receive smut-tipped wheat.

Hon. C. G. Latham: The company are not growing it, nor do they make it smutty.

The MINISTER FOR LANDS: They ought not to be allowed to sell it at all. In the schedule of the Opposition the company want the right to deliver a half per cent. of damaged wheat, whereas in the warehouse receipts the company take delivery of only one-tenth of damaged wheat. The warehouse conditions did not go far enough for the hon. member. We have provided for conditions similar to the warehouse conditions. The company also demand that the miller shall take delivery of wheat when and where that may be available. The millers

may be forced to work overtime if the company require them to do so. Millers may have to take delivery of wheat at Katanning or Toodyay, and may be forced to take wheat which is unsuitable.

Hon. C. G. Latham: What a wicked company and what a splendid Government!

The MINISTER FOR LANDS: I have nothing against the company, and have no animosity towards them, but we will not let the company put too much over us.

Hon. C. G. Latham: Let us hear something favourable from you with respect to the company.

The MINISTER FOR LANDS: We are giving them this Bill, and saying, "This monopoly is for you, but be good boys."

Hon. C. G. Latham: And they will get their throat cut as soon as they get the Bill.

The MINISTER FOR LANDS: The millers will want wheat at intervals but will not be able to get it. Millers may want to purchase their wheat at Southern Cross or some other place where the wheat is hard and millable, but the company may compel them to purchase somewhere else. The company also insist that their weights must be taken when wheat is delivered. They also insist that when they have put the wheat on trucks and consigned it to millers their responsibility ends. These are some of the points in the hon. member's schedule, but are quite sufficient to induce the Committee to reject the whole thing.

Hon. C. G. Latham: We will not put forward any other amendment of any kind.

The MINISTER FOR LANDS: 1 move an amendment—

That at the end of paragraph (a) of Condition No. 1 the following words be added:—"The company may make such deduction for shrinkage as may from time to time be prescribed."

Amendment put and passed.

The MINISTER FOR LANDS: I move an amendment—

That in the paragraph "Destination of wheat," after the word "holder" in line 2 of Condition No. 4, the following new paragraph be inserted:—"Where the holder of a warrant in respect of wheat received by the company before the fifteenth day of March in any wheat season notifies the company within fourteen days after the issue of the warrant that the holder desires the company to deliver to the holder wheat from the siding of receipt, the company shall deliver to the holder wheat from that particular siding or from any other siding which may be mutually agreed between

the holder and the company, provided that the company shall not be obliged to hold wheat under the provisions of this subsection after the 31st day of May following the issue of the warrant."

This will enable millers to get their wheat from the particular sidings where they have purchased it, and to buy hard wheats where they like.

Hon. W. D. Johnson: How will you get special wheat out of a bulk bin?

The MINISTER FOR LANDS: No special wheat is referred to. If a miller buys wheat at a particular siding he may have it delivered to him there up to the 31st day of May.

Hon. C. G. LATHAM: The Minister has evidently had this amendment drafted to replace Clause 18 which was deleted. That was a more reasonable proposal than the present one. I have no objection to this clause. If the Bill had been drafted on these lines, there would have been some sense in it.

The Minister for Mines: The right place for the amendment is in the Schedule.

Hon. C. G. LATHAM: It is not. The Schedule ought to be burnt.

Amendment put and passed.

The MINISTER FOR LANDS: I move—

That at the commencement of the second paragraph of Clause (4) of the Schedule, the following words be inserted:—"Subject to the preceding paragraph."

Amendment put and passed.

The MINISTER FOR LANDS: I move—

That a new clause be added to the Schedule as follows:—" (9) Subject to the express provisions of this Act, if any dispute shall arise between the company and the holder of a warrant concerning the performance or observance by either party of the provisions of this Schedule, the matters and all questions incidental thereto shall be referred to arbitration under the provisions of the Arbitration Act, 1895."

Hon. C. G. LATHAM: It would be better if the proposed new clause were headed "Arbitration."

The MINISTER FOR LANDS: I agree.

Amendment put and passed.

Mr. MOLONEY: I am pleased the Minister has at last agreed to some essential amendments. This Bill was characterised during the afternoon by the Leader of the Opposition as a preposterous Bill. Later on

I perused some 30 odd clauses which the Leader of the Opposition proposed to substitute for the Schedule, and, if the word "preposterous" is to be applied to the Bill, then I cannot find a word that would describe what he proposed to substitute for the Schedule. Having read the proposed Schedule, I was reminded of an article that appeared in last evening's "Daily News." From information received from a reliable authority, it seems the Country Party and the National Party met behind closed doors and discussed this Bill. They arrived at a common understanding.

Hon. C. G. Latham: We were not instructed by the merchants, anyway.

Mr. MOLONEY: This article is headed "Of More Importance to it than Bulk Wheat Bill. Labour's Anxiety to Get Back to Power."

Hon. C. G. Latham: On a point of order. Is the hon. member in order in reading the article?

The CHAIRMAN: I understand the hon. member will connect it up with the Schedule. Until he reads it, I cannot determine the point.

Hon. C. G. Latham: So long as it is relevant, I do not mind.

Mr. MOLONEY: The article continues—

The Labour Party obviously has no stomach for the Bill, and has already caused defections. Dilatoriness was adopted as the best tactical attitude. Over a year ago the Premier

The CHAIRMAN: I must ask the hon. member to confine himself to the Schedule. He has a fairly wide range. I would point out to the hon. member that he will have an opportunity on the third reading of the Bill, if he so desires, to discuss these matters.

Mr. MOLONEY: Immediately Mr. Monger appeared in print kicking the Bill—

Hon. C. G. Latham: We shall be here all night, Mr. Chairman, if you permit the hon. member to proceed in this way.

Mr. MOLONEY: I have no desire to speak on the third reading of the Bill but to confine myself to the schedule. I have been disclosing the technique of the Opposition. The schedule they have proposed is merely for obstruction purposes. During the three years the Country Party and the Nationalists were in power, they made but a futile attempt to pass legislation with regard to bulk handling. The present Govern-

ment, in their desire to assist the wheat-growers, have introduced the present Bill.

Hon. C. G. Latham: Yes, in the dying hours of the session.

Mr. MOLONEY: Amendments have been agreed to that will make the Bill more effective and the Leader of the Opposition has been reluctantly compelled to accept them. The Opposition have not suggested their schedule with the object of conserving the interests of the people, but have put up a barrage so that it may look well in "Hansard." They desire to point to the record of their opposition in "Hansard" as evidence of what they have done to look after the interests of the growers. They have their eye on the forthcoming elections.

Opposition Members: No.

Hon. C. G. Latham: Hark to the member for Subiaco—the pioneer farmer of the wheat belt!

Mr. MOLONEY: We stand by what the Minister proposes as being in the best interests of the wheatgrowers generally. We are not like the Opposition who met behind closed doors and decided what they would do; every member on the Government side is able to vote as his conscience dictates. The schedule put forward by the Leader of the Opposition is obstructive.

Hon. C. G. Latham: On a point of order, I have not mentioned one word about the schedule. Is the member for Subiaco in order?

Mr. MOLONEY: I have said that the Leader of the Opposition has not said one word about the schedule. The amendments appearing on the Notice Paper stand in his name, but he has delegated the task to a lesser member of his party.

Hon. C. G. Latham: You usurped my opportunity to speak.

Mr. MOLONEY: The Leader of the Opposition perhaps delegated the member for Pingelly to deal with various points in the schedule.

Hon. C. G. Latham: This is not a one-man Opposition like yours is a one-man Government.

Mr. MOLONEY: That is merely an assertion by the hon. member.

Hon. C. G. LATHAM: Naturally I do not take the member for Subiaco seriously. I would remind the Minister that if we adhere to the schedule as it appears in the Bill, it will interfere with an agreement with the

Westralian Farmers Ltd., to which he gave so much publicity and under which he asserted so much profit was being made. The effect of the schedule will be to override the agreement, and I do not know if there will be an action at law against Bulk Handling Ltd., because they will not be able to fulfil the agreement on account of the schedule appearing in the Bill.

The Minister for Lands interjected.

Hon. C. G. LATHAM: But there is no provision that will protect the company. Under the schedule as it stands, the Minister, if he so desires, can compel Co-operative Bulk Handling Company Ltd. to keep some wheat in all the bins. The Minister requires that the bins shall be cleaned every year, in order to prevent the breeding of weevils and other vermin. Some protection should be given to the company so that they might clean up the bins and have them fumigated. I am afraid the Minister has made a mistake in putting those conditions in a schedule to the Bill. It would have been far better to introduce the schedule by regulation. That would have been a more flexible method. From time to time an amendment of the schedule will be required, and that will necessitate an amendment of the measure. I do not propose to waste the time of the Committee as the member for Subiaco did. He gave vent to expressions that had nothing to do with the schedule, and I resent his statement.

Mr. Moloney: On a point of order, I ask for a withdrawal of the statement about my wasting time.

Hon. C. G. LATHAM: I resent the hon. member's accusation that we were delaying the business. We have been most considerate. The Bill will have a far-reaching effect, and I am afraid it will be impossible to put the schedule into operation.

Mr. Moloney: I ask for a withdrawal of the statement that I was wasting time.

Hon. C. G. LATHAM: I would not injure the hon. member's feelings. I know him too well. I am sorry that the Minister has not seen fit to accept the amendment.

Mr. Moloney: On a point of order I ask you, Mr. Chairman, to take cognisance of the remark of the Leader of the Opposition. I ask for a withdrawal of the statement that I was wasting time.

The CHAIRMAN: The member for Subiaco takes exception to the statement.

Hon. C. G. LATHAM: Under what Standing Order have I injured the hon. member's feelings?

Mr. Fox: Who is wasting time now?

The CHAIRMAN: Order! The hon. member regards the remark as offensive, and I ask the Leader of the Opposition to withdraw it.

Hon. C. G. LATHAM: If you, Mr. Chairman, consider that the remark was offensive—

The CHAIRMAN: The member for Subiaco regards it as offensive.

Hon. C. G. LATHAM: Surely you are in charge, not the hon. member, and it is for you to decide.

The CHAIRMAN: The Standing Orders provide that if the hon. member considers the words offensive, he can ask for a withdrawal.

Hon. C. G. LATHAM: Which Standing Order?

The CHAIRMAN: Standing Order 131 reads—

No member shall use offensive or unbecoming words in reference to any member of the House.

The hon. member considers the words offensive and asks for a withdrawal. I ask the Leader of the Opposition to withdraw them.

Hon. C. G. LATHAM: Are you ruling that the words are offensive or unbecoming? If so, I shall withdraw, but I shall reserve the right to dispute your ruling.

The CHAIRMAN: I am ruling that the member for Subiaco has taken exception to the words as being offensive to him. It is not for me to decide. It is the rule for an hon. member, in the circumstances, to withdraw.

Hon. C. G. LATHAM: That is your ruling?

The CHAIRMAN: Yes.

Dissent from Chairman's ruling.

Hon. C. G. Latham: Then I move—

That the Committee dissent from the Chairman's ruling.

[The Speaker resumed the Chair.]

The Chairman reported the dissent.

Hon. C. G. Latham: During the discussion I referred to the member for Subiaco as having wasted the time of the Committee.

The Minister for Works: Mistook his speech for your own.

Hon. C. G. Latham: There is no need for the Minister to interject. In my opinion the Chairman of Committees decided that the member for Subiaco should interpret the Standing Orders, not he. That is the reason I moved to dissent from his ruling. I submit that Standing Order 131 provides for an interpretation by the Chairman, not by the hon. member. In the circumstances I contend that the words were not offensive or unbecoming.

Mr. Moloney: I have no desire to waste time nor to place the hon. member in an awkward position.

Hon. C. G. Latham: You are not placing me in an awkward position.

Mr. Moloney: The words used were that I was deliberately wasting time. I considered them offensive. I asked the Chairman of Committees to rule on the point and to request the Leader of the Opposition to withdraw the words, but the hon. member did not do so. I recall that the member for North-East Fremantle was requested to withdraw the remark he made that the Leader of the Opposition had been talking with his tongue in his cheek. The words of the Leader of the Opposition were objectionable to me and I took exception to them.

Mr. Speaker: The Leader of the Opposition used an expression to which the member for Subiaco took exception. He said the member for Subiaco was wasting time. Standing Order 137 says that no member shall use offensive or unbecoming words in reference to any other member. The Leader of the Opposition takes up the attitude that it was for the Chairman of Committees to decide whether the words were offensive or not. That is a moot point. What may not be offensive to the Chairman of Committees may be very offensive to the member in question. As Speaker I would not take upon myself to decide what was offensive or otherwise. The member himself may be very sincere in taking up the time of the House or Committee in a way he considered was necessary, but to say that he was wasting time would be offensive to him, though it might not appear in that way to the Chairman or Speaker. I do not know anything in the Standing Orders that would give the Chairman the

right to say what was offensive or not. The usual custom is that if exception is taken to words on the ground that they are offensive or unbecoming to any member, that member asks for a withdrawal. When the Chairman or Speaker has called upon a member to withdraw words he has used he should do so, otherwise he will be disobeying the Chair. I think that the question whether the words were offensive or unbecoming is for the member himself to decide, and if he decides that they are offensive, then it is the duty of the Speaker or the Chairman to call upon the member making the remark to withdraw it. In the circumstances, I must uphold the ruling of the Chairman of Committees, and I think the Leader of the Opposition should withdraw the remark.

Committee resumed.

The CHAIRMAN: Does the hon. member desire to say anything more?

Hon. C. G. LATHAM: I did not say anything that was offensive.

Mr. Hawke: Why not withdraw?

The CHAIRMAN: The hon. member has heard the remarks of the Speaker. I now ask him to withdraw the remark complained of.

Hon. C. G. LATHAM: I will withdraw the remark, but if members are going to allow other members to raise—

Mr. Sleeman: Surely the hon. member is not in order in discussing the ruling.

Hon. C. G. LATHAM: I am saying that we shall be limited to the speeches we may make if such remarks as these are to be taken as offensive. I have withdrawn the remark, but cannot help saying that if this is to be taken as a precedent we shall not be able to speak at all.

Mr. Sleeman: You are reflecting upon the Chair.

Hon. C. G. LATHAM: Not at all.

The CHAIRMAN: The Leader of the Opposition has withdrawn the remark.

Hon. C. G. LATHAM: This schedule is absolutely unworkable. The contribution of the member for Subiaco was no help to us. He did not say how it could be improved. His contribution might as well never have been given. There was nothing constructive about it, and there was no reference to the schedule.

them, with their experience extending over five years, he would have done better to omit the conditions from the Bill, so that they could be reviewed periodically.

Mr. SAMPSON: The member for Guildford-Midland has convinced me that the schedule is unjustified. I agree that it amounts practically to another Bill. The regulations, which cover almost a page, assuredly provide all the machinery necessary for enabling the measure to be implemented. To call the matter appearing on pages 17 to 20, inclusive, a schedule is a misnomer. It is not a schedule in the accepted meaning of the term. And there is no real necessity for the schedule. The member for Guildford-Midland has pointed out that to pass the schedule is to pass legislation which will prove inflexible. We have already passed regulations, and they are sufficient. I hope the Minister will give this matter further consideration. The schedule makes the Bill more or less unworkable, rendering its structure so rigid as to weaken it. I shall certainly vote against the schedule as impracticable, superfluous, and without justification.

Schedule, as amended, put and a division taken with the following result:—

Ayes	22
Noes	16

Majority for 6

AYES.	
Mr. Coverley	Mr. Nulsen
Mr. Cross	Mr. Rodoreda
Mr. Cunningham	Mr. Sleeman
Mr. Fox	Mr. F. C. L. Smith
Mr. Hawke	Mr. Tonkin
Mr. Kennelly	Mr. Troy
Mr. Lambert	Mr. Wansbrough
Mr. Millington	Mr. Willecock
Mr. Moloney	Mr. Wise
Mr. Munsie	Mr. Withers
Mr. Needham	Mr. Wilson

(Teller.)

NOES.	
Mr. Boyle	Mr. Mann
Mr. Brockman	Mr. Patrick
Mr. Ferguson	Mr. Sampson
Mr. Johnson	Mr. Seward
Mr. Keenan	Mr. J. H. Smith
Mr. Latham	Mr. Thorn
Mr. McDonald	Mr. Warner
Mr. McLarty	Mr. Doney

(Teller.)

PAIRS.	
AYES.	NOES.
Miss Holman	Mr. Welsh
Mr. Clothier	Mr. J. M. Smith
Mr. Raphael	Mr. North
Mr. Collier	Mr. Stubbs

Schedule, as amended, thus agreed to.

Preamble, Title—agreed to.

Bill reported with amendments.

Recommittal.

The MINISTER FOR LANDS: I move—

That the Bill be recommitted for the purpose of further considering Clause 9.

Mr. SLEEMAN: Unless the Minister agrees to the reconsideration of Clause 13 as well, I will move an amendment to that effect.

The Minister for Lands: I will agree to including Clause 13 in my motion.

Hon. C. G. LATHAM: I have no objection to reconsidering Clause 9, but I have an objection to again dealing with Clause 13 that was only recently before the Committee and I do not think we should go over the whole ground again. If we are to do that sort of thing, let us go over the whole Bill again.

Mr. Sleeman: That will suit me.

Hon. C. G. LATHAM: I move an amendment—

That the reference to Clause 13 in the motion for recommittal be struck out.

The Minister for Lands rose to speak.

Mr. SAMPSON: If the Minister speaks, will he close the debate?

Members: No.

Mr. SPEAKER: If the Minister speaks, it will be in reply and that will close the debate.

Mr. SAMPSON: Clause 13 was discussed at great length and the Committee reached an agreement.

Mr. Sleeman: On a snap vote.

Mr. SAMPSON: And the Committee decided upon certain action. Because that does not quite suit some members, is that any reason why the clause should be brought up for discussion again? There are other clauses that may not meet with the approval of the Opposition and if we desire further discussion, will it be competent for us to secure that further debate?

Mr. Withers: Yes, if you can get the necessary support.

The MINISTER FOR LANDS: I find that I will have to amend Clause 13 as well as Clause 9. It will be necessary to strike out the reference to the "prescribed form" in Clause 13 and include the "First Schedule."

Hon. C. G. LATHAM: In view of the Minister's statement, I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Question put and passed; the Bill recommitted.

In Committee.

Mr. Hegney in the Chair; the Minister for Lands in charge of the Bill.

Clause 9—Company not to trade in wheat:

The MINISTER FOR LANDS: To safeguard the position of the directors of the company, it will be necessary to amend the clause. It provides that neither the company nor its officers or servants shall be directly or indirectly concerned in the carrying on of business relating to the buying or selling of wheat except for the purpose of making up losses in out-turn or the disposal of damaged wheat or the excess of out-turn. I propose to strike out the words "the company nor its officers or servants" with a view to inserting "the directors, officers, servants or agents," and then to insert a proviso as follows:—"Provided that this section shall not apply (a) to those persons who at the first day of November, 1935, occupied seats on the board of directors of the company as long as they continue to occupy those seats, or (b) to the Westralian Farmers Ltd., while it acts as handling agent under the agreement made the 7th day of June, 1933, between the company and Westralian Farmers Ltd." I move an amendment—

That in line 1 "the company nor its officers or servants" be struck out and the words "the directors, officers, servants or agents" be inserted in lieu.

Hon. C. G. LATHAM: I have no objection to the amendment. With the proviso, the amendments will cover the wishes we have expressed. It will allow the present board of directors to keep their seats so long as they are placed there by the shareholders and will enable Westralian Farmers Ltd. and their officers to act as handling agents under the agreement. The amendments will cover all that is necessary.

Mr. SLEEMAN: Will the amendments mean that the directors of Co-operative Bulk Handling Ltd. will not be allowed to be directly or indirectly concerned in carrying on the business?

The Minister for Lands: To the contrary.

Amendment put and passed.

The MINISTER FOR LANDS: I move an amendment—

That the following proviso be added at the end of the clause:—

Provided that this section shall not apply—

- (a) to those persons who at the 1st day of November, 1935, occupied seats on the board of directors of the company so long as they continue to occupy those seats, or
- (b) to the Westralian Farmers, Limited, while it acts as handling agent under the agreement made the seventh day of June, 1933, between the company and the Westralian Farmers, Limited.

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

Clause 13—Company to furnish a bond for £50,000:

The MINISTER FOR LANDS: I move an amendment—

That in line 4 of Subclause 1 "prescribed form" be struck out with a view to inserting other words.

Mr. SLEEMAN: Am I to understand that the amendment will set up the £20,000 in the schedule and make it permanent? If that is the purpose of the amendment I will object to it. The Minister after due consideration brought down a Bill providing for a £50,000 bond. Owing to a snap vote the other evening the Minister was defeated and the £50,000 was reduced to £20,000. Yet the Minister that evening wanted the £50,000, for he fought against the amendment to reduce it to £20,000. If £20,000 is all that is to be asked of the company for whom so much is to be done it is a disgrace. It will not represent one-half per cent. of a normal wheat season. I hope the Committee will not agree to this amendment for it will mean that the £20,000 will remain in the Bill. If given an opportunity I intend to move an amendment that the bond be increased to £75,000.

The MINISTER FOR LANDS: The Committee the other night decided that the amount of the bond should be £20,000.

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

Ayes	..	..	..	..	32
Noes	..	..	..	..	6
<hr/>					
Majority for	..	..			26
<hr/>					

Mr. Moloney: I am listening to something of the nature of building up in your case.

Hon. C. G. LATHAM: I have endeavoured to point out how impossible it is to operate under this schedule.

The Minister for Works: You are only building up "Hansard."

Hon. C. G. LATHAM: I have not done much of that. It must be admitted we have been a constructive Opposition.

The Minister for Works: Wonderful!

Hon. C. G. LATHAM: Is the Minister competent to judge of the position?

The Minister for Works: Of course you are!

Hon. C. G. LATHAM: I am quite capable of judging.

The Minister for Works: Admittedly you have been of great assistance to the Government—in Opposition.

Hon. C. G. LATHAM: What we should have done was to raise the same cry that was raised by members opposite when they were on this side of the House. We have discussed this Bill hour after hour. The schedule repeats most of what it contains. We have had no assistance from members on the cross benches, except for the remarks of the member for Subiaco, who read an article in the "Daily News" which had nothing to do with the schedule. I am going to vote against it and divide the Committee upon it, and on the third reading we will have something further to say. They are paltry tactics that have been adopted to-night. I have never heard of anything so paltry in my life. I am opposed to every word of the schedule, and will see that the Committee is divided upon it.

Hon. W. D. JOHNSON: These conditions are the daily working conditions under which bulk handling must operate. The Minister has had no advisers to help him in directing the operations of bulk handling.

The Minister for Lands: I have as adviser a man who was in charge of such a system in New South Wales for two years.

Hon. W. D. JOHNSON: Bulk handling in New South Wales is a totally different proposition from bulk handling in Western Australia. In fact, there is no such thing as bulk handling in New South Wales. The system there is a partial system; at every siding there is bulk handling and also

bag handling of wheat. New South Wales has no bulk handling system capable of handling the entire harvest. On the other hand, in Western Australia bulk handling receives the whole of the harvest, and there has never been any delay. It is not wise to insert working conditions in the Bill. They could have been determined by regulation. If put into the Bill, they become rigid.

The Minister for Lands: Regulations can be disallowed.

Hon. W. D. JOHNSON: The difficulty is that these regulations, according to the expert advisers of Co-operative Bulk Handling Ltd., are unworkable. The company have been operating for some considerable time, and possess knowledge of the working conditions necessary to efficiency, economy and expedition. The position we have reached is that after five years' experience Co-operative Bulk Handling Ltd. are not consulted at all regarding the schedule. The Minister has tried to draft a schedule which would have been difficult for Co-operative Bulk Handling Ltd. to draft, even with the aid of their expert officers. Alterations in details become necessary every year. To put into the Bill a rigid arrangement of this nature, which should be subject to a periodical review, is quite a mistake. The schedule appearing in the Bill is not a workable schedule. Neither Co-operative Bulk Handling Ltd., nor anybody else could work under such conditions. These conditions may be workable in New South Wales, but not here. The Minister reads into warehouse receipts and the company's operations up to date every possibility that might arise. I could understand the Minister's doing so if the conditions were a new set, subject to interpretation, without our having had practical experience of them. But there is five years' practical experience of them; and there never has been, so far as I know, a complaint regarding them either here or in another place. I have been travelling through the country districts for the last two or three years, and never has a complaint been made to me respecting the operation of the conditions. They have been drafted by experienced men, whom the Minister should have consulted before making this schedule a rigid part of the Bill. If he was not prepared to consult

Legislative Council,

Wednesday, 11th December, 1935.

AYES

Mr. Boyle
Mr. Brockman
Mr. Coverley
Mr. Croes
Mr. Cunningham
Mr. Ferguson
Mr. Hawke
Mr. Johnson
Mr. Keenan
Mr. Kenneally
Mr. Lambert
Mr. Latham
Mr. McDonald
Mr. McLarty
Mr. Mann
Mr. Millington

Mr. Mungie
Mr. Needham
Mr. Nulsen
Mr. Patrick
Mr. Rodoreda
Mr. Sampson
Mr. Seward
Mr. F. C. L. Smith
Mr. J. H. Smith
Mr. Thora
Mr. Troy
Mr. Warner
Mr. Willcock
Mr. Wise
Mr. Withers
Mr. Doney

(Teller.)

NOES.

Mr. Fox
Mr. Moloney
Mr. Sleeman

Mr. Tonkin
Mr. Wansbrough
Mr. Wilson

(Teller.)

Amendment thus passed.

The MINISTER FOR LANDS: I move an amendment—

That the words "form in the first Schedule" be inserted in lieu of those struck out.

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

Bill again reported with amendments and the report adopted.

BILLS (4)—RETURNED.

- 1, Metropolitan Whole Milk Act Amendment.
- 2, Loan, £2,627,000.
Without amendment.
- 3, Reserves.
- 4, Electoral.
With amendments.

ADJOURNMENT—SPECIAL.

THE MINISTER FOR JUSTICE (Hon. J. C. Willecock—Geraldton) [12.1]: I move—

That the House at its rising adjourn till 7.30 p.m.

Question put and passed.

House adjourned at 12.2 a.m. (Wednesday).

Bills:	Railways Classification Board Act Amend-	PAGE
ment, 2R., Com.	2390
Limitation, 2R., Com., etc.	2398
Supreme Court, 2R., Com.	2401
Appropriation, 2R.	2405
Bulk Handling, 1R., 2R.	2414

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

BILL—RAILWAYS CLASSIFICATION BOARD ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. J. NICHOLSON (Metropolitan) [4.35]: The Honorary Minister explained very fully the purpose of this Bill, and from the remarks made by him it would appear that the position is that under the Railways Classification Board Act of 1920 there is no power for the enforcement of any award or decision of the Classification Board. The Bill is intended to remedy what is regarded as a deficiency. There might be various views expressed in regard to a measure such as this, as to whether or not it is desirable that the Railway Commissioner should be under an obligation to carry out awards for the reason that he occupies a peculiar position in regard to the employment of the officers of his staff. One view which might be expressed is that there is some degree of similarity between the position of the Commissioner of Railways and that of the Public Service Commissioner, whose position was referred to in a Bill we considered the other evening for the purpose of bringing the civil servants within the provisions of the Arbitration Act. In that Bill it is provided on page 20 as follows:—

Notwithstanding anything to the contrary contained in this section, no forfeiture or penalty of any kind shall be imposed or inflicted upon the Commissioner or any other employer for any alleged breach of any award or order of the court, or of any agreement deposited with the Registrar as provided for in this Part; but if the court shall find that any breach as alleged has been committed, or that there has been any failure on the part of the Commissioner or any other employer in any respect to observe or give effect to any award or order or agreement aforesaid, the court may