Noes.	
Mr. Angwin	Mr. McCallum
Mr. Collier	Mr. Munsie
Mr. Corboy	Mr. Panton
Mr. Coverley	Mr. Sleeman
Mr. Cunningham	Mr. A. Wansbrough
Mr. Heron	Mr. Willcock
Mr. Hughes	Mr. Withers
Mr. Lamond	Mr. Chesson
Mr. Lindsay	(*Teller.*)
Mr. Marshall	

Pairs.	
Ayes.	Noes.
Mr. Thomson	Mr. Kennedy
Mr. J. M. Smith	Mr. Wilson
Mr. Denton	Mr. Troy
Mr. J. H. Smith	Mr. Millington
Mr. Maley	Mr. W. D. Johnson
Mr. Davy	Miss Holman

Amendment thus negatived.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

House adjourned at 10.57 p.m.

Legislative Assembly,

Tuesday, 29th September, 1925.

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

ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the under-mentioned Bills:—

1, Real Property (Commonwealth Titles).
2, Plant Diseases Act Amendment.
3, Transfer of Land Act Amendment.
4, Land Tax and Income Tax Act Amendment.
5, Public Education Endowment Act Amendment.
6, Ministers' Titles.
7, Roman Catholic Geraldton Church Property.

BILL—WESTERN AUSTRALIAN BANK ACT AMENDMENT (PRIVATE.)

Report of Select Committee.

Mr. North brought up the report of the select committee appointed to inquire into the Western Australian Bank Act Amendment Bill.

Report received and read and ordered to be printed.

BILLS (3)—THIRD READING.

1, Fremantle Municipal Tramways and Electric Lighting Act Amendment.
2, Workers' Compensation Act Amendment.
3, Water Boards Act Amendment.

Transmitted to the Council.

BILL—GOLDFIELDS WATER SUPPLY ACT AMENDMENT.

Third Reading.

HON. J. CUNNINGHAM (Honorary Minister—Kalgoorlie) [4.43]: I move—

That the Bill be now read a third time.

HON. SIR JAMES MITCHELL (Northam) [4.44]: I must oppose the third reading of this Bill. The Honorary Minister has not given sufficient attention to this matter. Last week we argued it in Committee at great length, but since then I have been to my electorate, and find it will be impossible to get through the pipes sufficient water for the landowners in return for the tax it is proposed to put on to the land. The Bill raises the tax from a maximum of 5d. to a maximum of 1s. per acre. This is a tremendous and unnecessary increase. We are no longer paying sinking fund on the big loan borrowed in connection with the goldfields water supply. This increase will make itself felt from Mundaring to Kalgoorlie, and will affect all land that comes within range of any pipe that may be laid down. Everyone interested in that portion of the State is greatly concerned about the measure. The

right to tax up to 1s. per acre, or up to 2s. in the pound, on the unimproved capital value means a tremendous fee which cannot be paid by landowners who have to depend entirely upon water that is obtained from the pipes for their stock. There was never less justification for the increase than at present. Not only has the sinking fund been paid, but next year we shall not have to pay interest on the big loan, which will mean a saving of about £75,000 a year. Apart from that, only recently, and with the full approval of all members of the House, the cost of water from the main was reduced to the goldfields by £45,000 per annum. True, that reduction was made in order to encourage a waning industry; but after special consideration having been granted to the goldfields it seems hard that the member for Kalgoorlie should be the medium of imposing this additional taxation on farmers.

The Minister for Lands: There is no additional taxation, and you have been told that repeatedly.

Hon. Sir JAMES MITCHELL: The Minister for Lands cannot bluff me or the House.

The Minister for Lands: I am not bluffing. I want a correct statement.

Hon. Sir JAMES MITCHELL: It is ridiculous to say that the taxation is not being increased when we are asked to raise the maximum from 5d. to 1s.

The Minister for Lands: That is wanted in some places; not in those which have the water now.

Hon. Sir JAMES MITCHELL: I know the Honorary Minister has given his word that he will not increase the rate of 5d. in places taking water from the scheme now: but other localities will be coming under the scheme. Are there to be two sets of charges in the same district side by side, one man paying 5d. and another perhaps 1s.? I object to the House agreeing to the increased impost. I hope the House will not agree to the third reading of the Bill.

HON. J. CUNNINGHAM (Honorary Minister—Kalgoorlie—in reply) [4.47]: I am surprised at the Opposition Leader's attitude on the third reading of this Bill. He knows that during his administration several extensions of the main were made for the purpose of serving farmers who desired a supply from the 30-inch main. When the hon. gentleman states that the Government intend to increase the rate on lands already rated under the Amendment Act of 1911, he is stating something that is not correct.

Hon. Sir James Mitchell: But that is the law.

Hon. J. CUNNINGHAM: The Opposition Leader must realise that this Bill has been introduced for the purpose of bringing within the rating provisions of the Amendment Act those extensions which are now under consideration, and which are outside the areas that come under the provisions of the measure fixing the maximum rate at 5d. per acre. In the Walgoolin area alone there are five different extensions and five different ratings. The minimum rating is 4½d. per acre, there are two extensions at 6d., one at 9d., one at 10d., and the Belka area is rated at 1s. The Belka area, moreover, was rated during the administration of the Mitchell Government.

Hon. Sir James Mitchell: By agreement.

Hon. J. CUNNINGHAM: Yes, by agreement. A further object of this Bill is to bring within the provisions of the Amendment Act extensions already provided when the agreements mature.

Hon. Sir James Mitchell: Why cannot you do that by agreement?

Hon. J. CUNNINGHAM: I fail to realise the logic of the Opposition Leader in opposing the third reading. The matter has been thoroughly discussed, and all available information and all necessary information was placed before the House during the Committee stage. I hope the House will pass the third reading without opposition.

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

Ayes	21
Noes	12
Majority for	9

AYES.

Mr. Angwin	Mr. Marshall
Mr. Brown	Mr. McCallum
Mr. Collier	Mr. Millington
Mr. Coverley	Mr. Munsie
Mr. Cunningham	Mr. Sleeman
Mr. Heron	Mr. Stubbs
Miss Holman	Mr. Troy
Mr. Kennedy	Mr. A. Wansbrough
Mr. Lamond	Mr. Withers
Mr. Lindsay	Mr. Wilson
Mr. Lutey	(*Teller.*)

Noes.	
Mr. Angelo	Mr. North
Mr. Barnard	Mr. Sampson
Mr. Davy	Mr. J. M. Smith
Mr. George	Mr. Taylor
Mr. Mann	Mr. Teesdale
Sir James Mitchell	Mr. Richardson
	(Teller.)

Pairs.

Ayes.	Noes.
Mr. Chesson	Mr. Maley
Mr. Willcock	Mr. Denton
Mr. Panton	Mr. J. H. Smith

Question thus passed.

Bill read a third time, and transmitted to the Legislative Council.

BILL—NARROGIN SOLDIERS' MEMORIAL INSTITUTE.

Second Reading.

THE MINISTER FOR LANDS (Hon. W. C. Angwin—North-East Fremantle) [4.56] in moving the second reading said: This is a Bill of one clause. Some time ago an area, Narrogin lot 1113, was vested in the Narrogin branch of the Returned Soldiers' League for the purpose of erecting a memorial hall. Since then a hall has been erected at a cost which, inclusive of furnishing and fittings, will amount to £1,800. The trustees of the hall desire power to mortgage the property for £800. The money is required to pay off an overdraft of £320, to pay the balance of the contract sum for the buildings, £131, and for the cost of furnishing and fittings. Under the Associations Incorporation Act the trustees have power at present to mortgage, but that power is not sufficient to enable them to raise the money, because the mortgagees, in case of default, would not have power of sale upon foreclosure. Consequently the trustees have difficulty in arranging a mortgage. It has been agreed that in the event of this Bill going through, the money will immediately be advanced, thus enabling the hall to be completed and properly furnished. I am sure members realise the difficulty returned soldiers have, especially in country towns, in obtaining suitable premises where they can meet socially and discuss matters affecting them. In Narrogin £1,000 has been raised for the building of the hall, and arrangements have been made to obtain a loan of £800 for the purpose of completing the hall if this Bill passes. I move—

That the Bill be now read a second time.

MR. GEORGE (Murray-Wellington) [5.59]: I hope that this measure will pass through all its stages as speedily as possible. I know the circumstances of the case, and I know the people who are dealing with this institute. From what I have had to do with them and have seen of them, I regard them as thoroughly earnest men; and they are to be congratulated on the manner in which they have functioned up to the present. The circumstances which have been outlined by the Minister for Lands are known to me, and in my judgment this is a proper Bill to be passed.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Lutey in the Chair, the Minister for Lands in charge of the Bill.

Clause 1—agreed to.

Clause 2—Power to mortgage:

Mr. WILSON: Does this give a clear title to the Soldiers' Institute?

The Minister for Lands: In the case of foreclosure the mortgagee will have power over the land.

Mr. WILSON: I think it would be better to give them the clear title, for the person who has a mortgage over the building must be safeguarded.

The MINISTER FOR LANDS: Under the Associations Incorporation Act, the land is vested in trust for the purpose of the soldiers' memorial. That is as good as any fair title. If the mortgagors should fail to keep up the payments, the mortgagee will be able to foreclose on the land. Consequently provision is given here that will enable them to issue a proper mortgage, giving power of sale in the event of non-payment of dues. No more title than that is wanted. There is no power of sale, except in the event of foreclosure, and I do not think there need be any fear of foreclosure.

Clause put and passed.

Title—agreed to.

Bill reported without amendment, and the report adopted.

BILL—DAY BAKING.

Second Reading.

THE MINISTER FOR WORKS (Hon. A. McCallum—South Fremantle) [5.3] in moving the second reading said: This is the first time the Parliament of this State has been asked to deal with legislation arising out of the establishment of peace. While the war was on, the workers of the various countries engaged in it were continually promised that they would be given a new world, that after the war there would be operating in industry conditions that would tend to their benefit and repay them for the sacrifices they were making. It is the first time in the world's history that at the conclusion of a war there has been an attempt to set out any conditions governing labour. The Treaty at Versailles has made an attempt to that end, and I am hopeful it will mean to the workers of the world a considerable improvement on their previous condition. It is easy enough to set out in these treaties matters that affect trade and commerce; they are usually laid down in the terms of settlement, and big commercial and financial businesses benefit thereby; but no attempt has been made previously to set out in the peace terms of any war, conditions to benefit the workers of the world. In the International Treaty signed at Versailles in 1919 there was this clause:

Whereas conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required; as, for example, by the regulation of the hours of work, including the establishment of a maximum day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of workers when employed in countries other than their own, recognition of the principle of freedom of association, the organisation of vocational and technical education and other measures; whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries; the high contracting parties, moved by sentiments of justice and humanity, as well as by the desire to secure the permanent peace of the world, agree to the following:— ,

Following that there was set out what is known as the Labour Covenant.

Mr. Sampson: Is there any reference to night baking?

The MINISTER FOR WORKS: Yes. I will give full particulars as I proceed. It is the first time in the history of the world that that has been attempted, and the civilised world has to thank the late Woodrow Wilson for having conceived the idea. Although he was not spared to see the consummation of his ideals, still younger generations will be able to look back upon the fertile brain and imagination of that statesman as having accomplished something for the workers of the world. The Labour Section, Part III., of the Treaty of Versailles, is the written constitution of the International Labour Organisation of the League of Nations, and is the written constitution of the League. In a sense it is a separate treaty in itself, a contract in writing between the States adhering to it, which confers definite rights and imposes definite obligations on them and defines the objects, structure, procedure and distribution of functions among the component elements of the world organisation that they are pledged to support. It seeks to ensure that its provisions shall not be lightly altered or evaded, and makes provision for securing authoritative interpretation of its clauses when the necessity arises. On the other hand, it is not exhaustive in detail, and in day working it has to be supplemented in different directions by subsidiary rules or conventions. Account must be taken of these practical methods if a proper appreciation is to be formed of the working of the living organisation created by Part XIII. By Article 23 of the Covenant of the League, the members of the League undertake that they will endeavour to secure and maintain fair and humane conditions of labour for men, women and children, both in their own countries and in all countries to which their commercial and industrial relations extend, and for that purpose will establish and maintain the necessary international organisation. State members of the League thus become ipso facto members of the International Labour Organisation. The preamble to Part XIII., which is known as the Labour Covenant, sets out that the ultimate object of the International Labour Organi-

sation is to contribute to the establishment of world peace, which is the aim of the League of Nations. It is implied, however, that peace cannot be secured simply by the prevention of war between nations. It must be based on social and industrial peace within the separate communities of the world. Social peace must be endangered as long as masses of the workers of the world have to work under inhuman conditions. It is expressly recognised that such conditions of work do exist. One of the chief reasons for their existence is that under the present economic competition between nations the exploitation of labour in any country reacts on conditions of labour and prevents or retards the progress of social reform or the raising of the standard of living among the workers in other countries. Part XIII. lays down nine guiding points for the Organisation in its task of raising the conditions of labour all over the world. They form what is often known as the Charter of Labour, and are built on the basic principle that labour should not be regarded merely as a commodity or article of commerce. The machinery consists of (a) a General Conference composed of representatives of every member State and (b) an International Labour Office, the permanent secretariat of the Organisation, which is controlled by a governing body. This State has had the privilege of being represented at the conference by two of its citizens, one on either side of the conference. The first citizen so appointed was Mr. John Curtin, the Editor of "The Worker," who represented the workers of the Commonwealth. The second to go was Mr. Alex. McNeil, ex-president of the Employers' Federation of this city, who went to represent the employers of Australia.

Mr. Davy: We also have a citizen of this State on the permanent staff.

The MINISTER FOR WORKS: Yes, one of our native-born Western Australians, who was in charge of a very active branch of the International Labour Office in Geneva. So, perhaps, it is only fitting that we should be the first of the States to bring in legislation covering the conditions set out in that Conference. Under Article 389 it is provided that the Conference is to meet at least once a year, normally at Geneva, the seat of the League. This provision for maintaining continuity in the work of the Organisation is the keynote of its success, for it brings Governments, employers and workers' representatives from each member State into direct touch with each other every year, and furnishes an international platform for the debate of world labour problems. The time of meeting is fixed by the governing body, and its duration depends on the Conference itself. I want to give some of the details of the constitution of this body, so as to allow members to get a grip of what it means. The two Bills, this and the next on the Notice Paper, both arise from decisions of that Conference, and so it is as well that members should know just how the International Conference meets, its obligations and its constitution. The first business of the Conference after the election of officers—president and three vice-presidents, one for each group—is to appoint (1) a credentials committee—one representative of each group—to examine the credentials of delegates and report on them to the Conference; (2) a selection committee—12 Government, six employers, and six workers—to arrange the timetable of the Conference. On its proposals the Conference fixes on the number and composition of the special committees to be set up. These committees, largely composed of advisers representing the Government, the employers and the workers, examine in detail the different items on the agenda. Their work is based on the proposals of the office, embodying the answers to the various questionaries sent out, and later the different technical aspects of each subject are thrashed out fully. We are continually getting questionaires from the Labour Office. They send out documents putting questions to us and asking for the attitude of the Government on various phases of social and labour reforms. We are asked almost monthly to set out the answers to long lists of questions put to us by the Labour Office. It is from the answers given by the various Governments that the business of the Conference is set out, reports having been prepared for the Conference.

Mr. Sampson: Do they refer to day baking?

The MINISTER FOR WORKS: If the hon. member will wait a moment I shall give the conference decision on day baking which has prompted me to introduce this Bill. If a draft convention or recommendation is drawn up by a committee, it must first be adopted provisionally by the conference

then referred to a drafting committee for further consideration, and finally submitted to the conference again. A two-thirds majority is necessary for its final adoption. So it cannot be suggested that any decision is likely to be secured on a snap vote.

Hon. Sir James Mitchell: The Minister would not like to have to go through all that procedure.

The MINISTER FOR WORKS: Not in this House; we have to put up with that through having another place to review our decisions. The conference may embody its conclusions in any of the following three forms:—(1) a draft convention; (2) a recommendation; (3) a resolution. The first two are of major importance. They are a vital part of the machinery of the organisation, and the highest expression of conference's authority and competence. They are the source of international Labour legislation. Those are the methods by which the decisions of conference are submitted to the different nations for consideration, but each component part is expected to act on both draft conventions and recommendations. The procedure for their further adoption and the obligations they impose on the Governments of the members are strictly prescribed in Article 405, which may be said to be the heart of that living organism created by Part XIII. A draft convention is in the nature of a treaty between the members, which requires approval in the prescribed form to become binding on the Governments that approve it. It lays down definite regulations governing conditions of labour on the subject with which it deals. It may go into considerable detail or simply prescribe broad principles. It may leave discretion to the Governments on certain methods of application, and it may incorporate special provisions to meet the special climatic, industrial, or other circumstances prevalent in certain specified countries. To take effect, a draft convention must be finally adopted by a two-thirds majority of the delegates present at the sitting at which at least half the total number of delegates attending the conference must be present; otherwise it lapses and entails no further action. That is a very strict provision. Not only is a two-thirds majority required, but an absolute majority of the delegates credentialed to the conference must be present when the vote is taken. Consequently there is every possible safeguard, and the Parliaments of all the affiliated nations have the assurance that the whole question has been thoroughly considered, and that no hurried or fluke decision has been arrived at. Once effectually adopted, the president of the conference and the director of the office must sign it as being the actual and unaltered text upon which the conference pronounced. This signed text is then deposited with the secretary general of the league, who has certified copies made of it and communicated to the Governments of all members. Each Government is bound to bring a draft convention before its Parliament or other competent authority within one year, or in exceptional circumstances within 18 months from the date of closing of the conference which adopted it. We have not done that. We are a defaulting nation. We should have acted within one year on many of the conference decisions.

Hon. Sir James Mitchell: That is, the Federal Parliament should have acted.

The MINISTER FOR WORKS: The Federal Parliament should have acted within its jurisdiction, but its jurisdiction over industrial matters is very restricted. The great bulk of the laws endorsed and urged by the conference are within the scope of the State Parliament. If any Government fails to carry out this obligation, whether it was represented at the conference or not, any other member may refer the matter to the permanent Court of International Justice. Governments have full discretion to recommend Parliament to approve or reject the draft convention and are not legally, though perhaps they are morally, bound to support the attitude taken up by the delegates at the conference. However, the obligatory submission of the convention to Parliament brings it automatically before the bar of public opinion which, in democratic countries, is the best means of securing its proper examination and ultimate adoption. In other words, the progress of international Labour legislation is dependent upon the strength and enlightenment of public opinion in the different countries. When the draft convention has been finally approved by Parliament, it is necessary to put it into operation either by framing new legislation, by repealing old legislation or, if its provisions are already covered by existing legislation, merely by registering a formal assent to the convention. I wish to refer the House to reproductions of a chart from one supplied from the International Labour Office of the League of Nations. It was issued in July of this year, and in-

dicates how the different countries of the world have dealt with the conventions. It shows that Australia stands in a very bad light as compared with other nations.

Hon. Sir James Mitchell: Probably our workers are better off than are those anywhere else.

The MINISTER FOR WORKS: I think the chart shows us in too bad a light, because in many respects our conditions are ahead of those set out by the convention, but because we have not brought in legislation to deal with the convention, we are shown on the chart as defaulting.

Hon. G. Taylor: But that is not so. In reality we have already provided for most of those things.

The MINISTER FOR WORKS: That is what I am explaining, but to live up to our obligations under the League of Nations, we should at least have had resolutions passed by Parliament registering our assent to the convention.

Mr. Davy: Is it a State matter or a Federal matter?

The MINISTER FOR WORKS: The matters I am dealing with are entirely State matters; the Commonwealth cannot deal with the legislation proposed under this Bill or the Labour Exchanges Bill. We are responsible.

Hon. Sir James Mitchell: It is Commonwealth representation and not State representation at the conference.

The MINISTER FOR WORKS: The Commonwealth remits to the State Governments for action the reminders sent out by the League of Nations in connection with matters over which the State has jurisdiction. On the lefthand side of the chart will be found a list of the subjects dealt with by the different conferences, together with signs indicating how the different countries have dealt with the decisions of the conferences.

Mr. Davy: What is the meaning of the terms "registered," "approved," "recommended," etc.?

The MINISTER FOR WORKS: Registered means that the Parliament has passed a resolution approving of a proposal already operating.

Hon. G. Taylor: That you already have adopted that particular proposal.

The MINISTER FOR WORKS: Yes. "Recommended" carries its own explanation, and there are certain conditions with regard to delayed application.

Mr. Sampson: There are not many approved.

The MINISTER FOR WORKS: Oh yes, quite a number. I wish to give the House additional information regarding the various subjects dealt with. No. 1, "Hours," means that in industrial undertakings the working hours shall not exceed eight in the day or 48 in the week.

Mr. Sampson: We are all right there.

The MINISTER FOR WORKS: No, we are not. There is no Act in operation here limiting the hours of work to eight per day or 48 per week. There are thousands of workers in this country who are working more than 48 hours a week.

Hon. Sir James Mitchell: The Arbitration Court fixes the hours.

The MINISTER FOR WORKS: Yes, but this asks more; it asks the Parliament of the country to fix the hours. I venture to say that Australia, as part of the League of Nations, must live up to its obligations. We cannot possibly pass legislation that will be less favourable to the employees than the convention set out by the conference, and as this country is regarded as leading in social and industrial conditions, we are in honour bound to pass laws that will extend to the workers conditions at least equal to those set out by the conventions. We cannot say we are legally bound to do that, although, as I have explained, we could be called before the International Court of Justice for failure to do it.

Hon. G. Taylor: There is no industry in Western Australia covered by an award in which the employees work more than 48 hours.

The MINISTER FOR WORKS: There are some individual workers who work more than 48 hours a week, for instance, watchmen and caretakers.

Hon. G. Taylor: There are no industrial organisations.

The MINISTER FOR WORKS: No, but there are individual workers. It is only in the last few years that waitresses and housemaids have been granted the 48-hour week. Previously they were working up to 56 and 60 hours a week. Watchmen and caretakers are now working about 60 hours a week.

Hon. G. Taylor: Nurses work long hours.

The MINISTER FOR WORKS: There is no limitation to their hours. There are any number of employees working more than 48 hours per week.

Mr. Sampson: Has any country ratified that recommendation?

The MINISTER FOR WORKS: The indications are shown on the chart. No. 2, "Unemployment," relates to the establishment of free public employment agencies under the control of a central authority. That will be dealt with in the Labour Exchanges Bill. No. 3, "Childbirth," provides that women employed in industrial or commercial pursuits shall not be permitted to work in the six weeks following upon confinement, and during such period shall be paid benefits sufficient for the full and healthy maintenance of mother and child. We fall a long way short of that. No. 4, "Nightwork, women," prohibits women from being employed during the night in any industrial undertaking. No. 5, "Minimum wage (industry)," prohibits the employment of children under the age of 14. No. 6, "Night work, young persons (industry)," with a few exceptions prohibits the night employment of persons under 18 years of age. No. 7, "White phosphorus," prohibits the manufacture, importation and sale of matches which contain white (yellow) phosphorus.

Hon. G. Taylor: We have complied with that.

The MINISTER FOR WORKS: Yes, by a provision in the Factories Act, but I do not think all the States have complied with it. No. 8, "Minimum age, sea," prohibits the employment of children under 14 years of age. No. 9, "Unemployment indemnity (seamen)," provides that in cases of loss or foundering of ship, seamen shall be indemnified against unemployment up to a maximum of two months' wages. No. 10, "Employment of seamen," provides for the establishment of free employment agencies. No. 11, "Minimum age, agriculture," prohibits the employment of children under 14 years of age, except outside of school hours, and then not to the detriment of school attendance. No. 12, "Rights of association, agriculture," provides that all persons engaged in agriculture shall have the same rights of association and combination as have industrial workers. No. 13, "Workers' compensation, agriculture," provides that persons engaged in agriculture shall be entitled to the same benefits as are industrial workers. No. 14, "White lead," prohibits with some exceptions the use of white lead and sulphate of lead and of all products containing these pigments in the internal painting of buildings. That has been dealt with by our Arbitration Court, which has put into the award the decisions of the International Conference, almost verbatim. No. 15, "Weekly rest, industry," establishes a rest period of 24 consecutive hours in each seven days. No. 16, "Minimum age (trimmers and stokers)," prohibits the employment of persons under 18 years of age. No. 17, "Medical examination (young persons at sea)": no person under 18 years of age shall be employed at sea unless a medical certificate attesting fitness has been obtained from a doctor approved by a competent authority. No. 18, "Workers' compensation": terms not less favourable than the following shall be provided: (a) compensation shall be payable from not later than the fifth day after the accident; (b) where the worker requires the constant help of another person, additional compensation shall be provided; (c) injured workers shall be entitled to medical and surgical attendance, and artificial limbs and surgical appliances. I should have said that the Articles following No. 7 have been issued since. The articles now number 21. The next, No. 19, "Workers' compensation" (occupational diseases), provides for compensation equal to that applying to accidents. No. 20, "Equality of treatment" (workers' compensation): nationals of any other country which ratifies the Convention shall be given equal benefits with local citizens. I think we are living up to the spirit of this. We do not penalise Frenchmen, Italians or Greeks who live up to the same standard as our citizens. I think that is what is meant in No. 20. No. 21, "Night work in bakeries," prohibits the making of bread, pastry and other flour confectionery during the night. I am adopting the biblical statement that the last shall be first, and I am putting the Bill dealing with night baking the first on the list. I do not think that Australia, or any part of it, no matter what the particular colour of its Government may be, will vote against a Bill that merely sets out the conditions framed by the International Labour Convention under the covenants of the League of Nations. If we do that, we shall repudiate the promises made to the workers of the world. I doubt whether any Parliament in the Commonwealth will do that.

Hon. Sir James Mitchell: We shall be doing nothing of the sort.

The MINISTER FOR WORKS: In the day baking covenant there are four articles and they read as follows:—

Article 1: Subject to the exception hereinafter provided, the making of bread, pastry or other flour confectionery during the night is forbidden. This prohibition applies to the work of all persons, including proprietors as well as workers, engaged in the making of such products; but it does not apply to work which is done by members of the same family for their own consumption. This convention has no application to the wholesale manufacture of biscuits.

Article 2: For the purpose of this convention, the term "night" signifies a period of at least seven consecutive hours. The beginning and end of this period shall be fixed by the competent authority in each country after consultation with the organisations of employers and workers concerned, and the period shall include the interval between 11 o'clock in the evening and 5 o'clock in the morning; when it is required by the climate or season, the interval between 10 o'clock in the evening and 4 o'clock in the morning may be substituted for the interval between 11 o'clock in the evening and 5 o'clock in the morning.

Article 3: After consultation with the employers' and the workers' organisations concerned, the competent authority in each country may make regulations to determine—(a) The permanent exceptions necessary for the execution of preparatory or complementary work as far as it must necessarily be carried on outside the normal hours of work, provided that no more than the strictly necessary number of workers and no young persons under the age of 18 shall be employed in such work; (b) The permanent exceptions necessary for requirements arising from the particular circumstances of the baking industry in tropical countries; (c) The permanent exceptions necessary for the arrangement of the weekly rest; (d) The temporary exceptions necessary to enable an undertaking to deal with unusual pressure of work or national necessities.

Article 4: Exceptions may be made to the provision of Article 1 in case of accident, actual or threatened, or in case of urgent work to be done to machinery or plant, or in some case of force majeure, but only so far as may be necessary to avoid serious interference with the ordinary working of the undertaking.

That is the decision of the International Labour Convention.

Hon. Sir James Mitchell: Recommendation.

The MINISTER FOR WORKS: No, not a recommendation: it was a convention. Recommendations are entirely different. I will show how the other countries dealt with it; they have definitely set out the position and go further than I am asking this House to do at the present time. I am not asking the House to prohibit pastry and confectionery, only bread and rolls.

Mr. Sampson: These are recommendations.

The MINISTER FOR WORKS: I say they are not; I have already explained that a recommendation is different from a convention.

Hon. G. Taylor: Then the convention has power to deal finally?

The MINISTER FOR WORKS: They have not the power to bind a country. We can be brought before the International Court of Justice for not dealing with these matters. That is set out in the articles, but though there is no legal process by which a country can be compelled to deal with the matters, there is a moral obligation upon all countries, that are part of the League, to adopt the convention.

Hon. Sir James Mitchell: Are you going to adopt the whole of the 21?

The MINISTER FOR WORKS: The Bill now before us deals with No. 21.

Hon. Sir James Mitchell: What about treating all the nationals alike?

The MINISTER FOR WORKS: The only exception we have made is in regard to indentured labour. I notice that the Commonwealth has made some difference in their deportation laws; they treat British subjects differently from those who are Australian-born. The Leader of the Opposition and I would be all right, but I do not know how you, Mr. Speaker, stand.

Hon. Sir James Mitchell: Every country in the world deports.

The MINISTER FOR WORKS: We are not discussing deportation now. The hon. member asked whether we intended to treat all nationals alike. We shall do so within the spirit of the decision of the convention. The Bill I am submitting places non-employers of labour on the same footing, as regards working conditions, as employers of labour. Even the League of Nations strictly sets out that. An industrial agreement was entered into in 1924 between the Operative Bakers' Union and the employers, and that was made a common rule. It set out the hours at which baking shall be done, as follows:—Sunday —starting time 12.30 p.m., finishing time not later than 7 p.m.; Monday to Friday inclusive, starting time not earlier than 5.30 a.m., and finishing time not later than 8 p.m. The union, however, is not able to enforce these provisions so far as bakers

who employ no labour are concerned. Several persons can trade as working partners and evade the restrictions placed on other employers.

Hon. W. D. Johnson: It was thought that the Factories Act would cover the position.

The MINISTER FOR WORKS: Yes, and it was found afterwards that it did not. There are several instances where partners have joined together and are working at night and in that way undermining the intention of the Employers' Union when that union entered into the agreement. In a recent case before the Arbitration Court, in which the union cited an employer for carrying on baking operations before 12.30 p.m. on a Sunday, it was ruled that the hours provision in the agreement was invalid in so far as it conflicted with Section 16 of the Bread Act, which states that no person exercising or employed in the trade or calling of a baker shall make or bake any bread before the hour of 5 p.m. on Sunday unless the special permission of the health inspector is obtained. This section of the Bread Act, read in conjunction with Clause 4 of the award, would only permit baking to be carried on during Sunday between the hours of 5 and 7 p.m. That would make it impossible to do any work. Although it cannot be denied that that power was given to the health inspector, it was given only to be used in cases of emergency, and it has been given to get over the difficulty; otherwise, as the decision of the court now stands, the public of the metropolitan area would have no bread on Monday. That state of affairs cannot be allowed to continue, and as the agreement originally arrived at between the employers and the union is quite in keeping with the decision of the International Labour Conference, I am asking the House to pass the Bill into law. I am informed that similar Bills have been introduced this session into the Parliaments of New South Wales, South Australia, and Tasmania, and that an Act similar to this Bill has been in force in Queensland for some time. The same point that was contested in our local courts was contested in France a few years ago The French Parliament first passed an Act covering the employees, but exempting the employers. They ultimately found themselves in the same position as we find ourselves in to-day. The French Chamber of Deputies on July 12th, 1925, adopted a Bill introduced by the Government for an amendment to Section 20 of Book 2 of their Labour code relating to night work in bakeries. I should like to quote a speech delivered by the Minister for Labour on that occasion in order to show members that we are not in the van so far as this reform is concerned, but that we are a long way behind many other countries.

Hon. Sir James Mitchell: Don't do it in French.

The MINISTER FOR WORKS: No doubt we shall be asked to modify this Bill so that it may cover only employees, but I think we ought to take notice of the impossible position that has been created in other countries in this respect.

Hon. G. Taylor: We are only two months behind France after all.

The MINISTER FOR WORKS: They introduced the new standard in July of this year, but had previously passed an Act applying only to employees and not to employers.

Mr. Davy: It was the law of our land under the agreement.

The MINISTER FOR WORKS: Yes.

Mr. Sampson: Is the baking of bread unhealthy when done at night time?

The MINISTER FOR WORKS: Yes. I will quote some authorities on that point later on. I will now read to members the views of the Minister for Labour. The extract I have is as follows:—

> In the course of the discussion on the Bill, Mr. Durafour, Minister of Labour, and Mr. Justin Godart, Chairman of the Labour Committee of the Chamber (who as Minister of Labour, originally introduced the Bill) refered to the provisions of the Draft Convention on the subject, which was adopted by final vote at the seventh session of the International Labour Conference (Geneva), 1925. An amendment was proposed by Mr. Duval-Arnould and Mr. Edouard Soulier, with a view to leaving to the prefects of departments the right to extend the prohibition of night work to heads of undertakings, by decrees issued on the demand of the organisations concerned, if agreement on the matter were reached between the employers' and the workers' organisations. Mr. Justin Godart speaking on this amendment, said, "The proposal raises the very principle of the amendment which we asked the Chamber to make in the Labour Code. In 1919 the Chamber adopted a Bill which would prohibit the making of bread at night, both by employers and workers. The Chamber profoundly modified that Bill, and converted it into a simple measure for the protection of the workers." The Senate said—and this became the text of the Act of 1919

—that it should be forbidden to make operative bakers work at night, the employers being left free to work at night if they so wished. What has been the result? This Act, so necessary from the social and hygienic points of view, as Mr. Soulier recognises, has failed to have its full effect and to be respected, because it does not contain a general prohibition. The prohibition of night work by the employer is not, in this instance, an invasion of his liberty; it is a measure which is indispensable to the maintenance and enforcement of Labour Law. In other countries objections in the name of the liberty of employers have not arrested action. Each of the nations which adheres to the League of Nations, and is a member of the International Labour organisation, has considered the reform which we now desire to complete, and by delegates representing Government workers and employers, has pronounced its decision. During the past year the International Labour Conference has recognised that it is not possible to decree a supression of night work in the bakery without prohibiting all bread making at night. The conference decided that by 73 votes to 15 or 16 in 19924, and by 74 votes to about 20 in 1925. The amendment was rejected by 380 votes to 180.

They have laid down the very principles which we are embodying in this Bill. The French Bill sets out the following:—

Section 20. No head of an undertaking, director or manager shall be permitted to employ workers in the manufacture of bread or confectionery, or himself to work thereat during the night period as defined below.

They have left no doubt about their provisions. Their night time operates from 11 p.m. to 5 a.m., or between 10 p.m. and 4 a.m. in certain districts. The points raised at Geneva, which prompted the delegation to adopt this convention, may be summarised under seven headings. No. 1, night work is unhealthy and unnatural; 2, night work completely disorganises home life; 3, night work makes the baker's wife a veritable drudge; 4, night work is ruinous in its physical and mental effect on the apprentice in his growing years; 5, night work in the bakery trade means night work, year in and year out, not occasionally as in other occupations; 6, night work does not mean fresher bread for the public; 7, night work is unnecessary and benefits neither workers, public, nor even the employers as a whole. These are the seven headings, so far as I can dissect the arguments and the speeches, which prompted the conference to adopt that convention.

Mr. Davy: It is enough to discourage men from going into Parliament.

The MINISTER FOR WORKS: Parliament does not ask us to work all the nights all the year round. In the case of bread baking, bread must be baked at least six hours out of the seven days in the week, and the baker has to do that all the year round.

Mr. Sampson: It is proposed to introduce a Bill to limit the hours of Parliament?

Hon. S. W. Munsie: If you will be reasonable we shall limit the hours ourselves without legislation.

The MINISTER FOR WORKS: A question was asked as to whether night baking has proved unhealthy. I have some evidence adduced in different industrial tribunals, which have discussed this question within Australia. When the matter was before the industrial court in South Australia it was shown by the mortality statistics from the A.M.P Society that the life of the operative baker in respect of mortality compared disadvantageously with the majority of other classes. It was held that night bakers work in air that is abnormal in three respects, namely, heat, moisture, and impurity. At the troughs the temperature may be up to 80 degrees; at the moulding tables up to 90 degrees; and at the ovens up to 120 degrees. Artificial cooling is impossible, because introduced cool air would upset the bio-chemical actions in the dough. The work has to be swift, as the baker is racing the yeast germs, so that the loaf may be in the oven before there is over-fermentation. In hot weather these germs are specially speedy. A high humidity is unavoidable, and the air often carries coal-gas fumes. In Germany, within a fortnight of the Kaiser's deposition, prohibition of night work in bakeries was enacted, in November, 1918. Between 1919 and 1921 it was carried in Czecho-Slovakia, France, Austria, Spain, Sweden, Holland, Denmark, Belgium, Poland, and Russia. It has been the law in Norway, Italy, and Finland since 1908, and it has been recommended in Tasmania and in Victoria by independent official investigations. Day baking was unanimously recommended to the Imperial Parliament by the Parliamentary Committee of 1919. Night baking was denounced by the Minister for Health in Mr. Bonar Law's Government. It was abolished in Scotland. I take it that is a good recommendation.

Hon. G. Taylor: It must be pretty sound if it has been adopted in Scotland.

The Premier: You may be sure it will not have cost any more.

The MINISTER FOR WORKS: In the report of the British Committee of 1919 the Chairman (Sir William Mackenzie) stated that night baking operated to cut the men off from their families, and from ordinary social intercourse with their fellows. Mr. J. Teece, Managing Director of the A.M.P. Society in Sydney stated that bakers were not good lives to insure, probably on account of their night work. None of the insurance companies is anxious to cover these lives. Dr. J. Robertson, Medical Officer of Health in Birmingham, said there was no reason why night baking should be done in the baking trade. Mr. H. M. Murphy, Secretary to the Government Labour Department of Victoria, said he could not find any evidence of public dissatisfaction with day-baked bread in Sydney, Brisbane or Adelaide. There have been many reports by scientists upon the question of the health of the operatives or whether day baking could not be carried out efficiently, and in practically every case I find that night baking has been stringently denounced, and held up as being absolutely unnecessary and against the interests of the employees. There are numerous works by different medical men and different authorities, particularly insurance companies, to show that night baking does materially affect the health of the operatives. Professor Jethro Brown, President of the Arbitration Court in Adelaide, when dealing with the question in 1916, said, "Reduced to the last analysis, and expressed crudely, the issue is one of profits versus free and full life." So far as I have been able to look into the reports and the decisions of professional men, I find that almost all of them hold that night baking is of no advantage either to the employer or to the public, but is a decided disadvantage to the men engaged in the industry. The only medical man we have in this Parliament is Dr. Saw. Last session he said he was opposed to night baking, and would certainly favour its abolition by special legislation.

Hon. Sir James Mitchell: It should be unnecessary.

The MINISTER FOR WORKS: It has been proved to be unnecesary in all these countries. I believe it would be of great advantage to the community if bread were delivered not so fresh as it is now. I take it our first obligation is that we should live up to the conditions under which we entered the League of Nations.

Hon. Sir James Mitchell: I do not know about that.

The MINISTER FOR WORKS: As a component part of that league we cannot afford to hold the reputation that Australia, that is looked upon as being in the van in social and industrial progress, is lagging behind in this particular. It is perhaps peculiar that the first Bill to be introduced here is the last convention to be adopted in Geneva. I hope next session merely to have decisions given confirming what has been done, so that we may be regarded as a nation that has adopted the ideals set out. It is a particularly bad advertisement to this country to have a chart, like that which is before members, scattered the world over, and showing that Australia is lagging behind.

Hon. G. Taylor: It is not a fair description of the position.

The MINISTER FOR WORKS: No. It places us in a false light in the eyes of other countries. I hope next session to be able to put our position right with respect to a good many of the conventions. In many directions we are ahead of what is being asked for, but because Parliament has not recorded it nothing can be done so far as the League of Nations is concerned.

Hon. Sir James Mitchell: We can manage our own affairs without them.

The MINISTER FOR WORKS: I move—

That the Bill be now read a second time.

On motion by Hon. Sir James Mitchell, debate adjourned.

BILL—LABOUR EXCHANGES.

Second Reading.

THE MINISTER FOR WORKS (Hon. A. McCallum—South Fremantle) [6.1] in moving the second reading said: This is another Bill dealing with a decision arrived at in Geneva. I want to be particularly careful as to what I say in this connection, because all speeches of this nature are recorded at the International Labour Office. Moreover, they are quoted all over the world, and therefore I desire especially that everything stated from this side shall be perfectly correct. The Bill deals with the establishment of labour exchanges. The general conference of the International Labour Organisation of the League of Nations convened at Washington on the 29th day of

October, 1919, adopted a draft convention for ratification by members of the International Labour Organisation in accordance with the labour pact of the Treaty of Versailles of the 28th June, 1919, and the Treaty of St. Germain of the 10th September, 1919. Article No. 2 of the draft convention reads—

Each member who ratifies this convention shall establish a system of free public employment agencies under the control of a central authority. Committees, which shall include representatives of employers and of workers, shall be appointed to advise on matters concerning the carrying on of these agencies. Where both public and private free employment agencies exist, steps shall be taken to co-ordinate the operations of such agencies on a national scale. The operations of the various national systems shall be co-ordinated by the International Labour Office in agreement with the countries concerned.

The conference then adopted the following recommendation, which, as I explained in connection with the previous measure, differs from the convention:—

The general conference recommends that each member of the International Labour Organisation take measures to prohibit the establishment of employment agencies which charge fees, or which carry on their business for profit. Where such agencies already exist, it is further recommended that they be permitted to operate only under Government license, and that all practicable measures be taken to abolish such agencies as soon as possible.

By this Bill I am asking the Parliament of Western Australia to live up to that recommedation and abolish all labour agencies carried on for profit. In other words, I am asking for the nationalisation of the business. The report proceeds—

The general conference recommends that each member of the International Labour Organisation co-ordinate the execution of all work undertaken under public authority, with a view to reserving such work as far as practicable for periods of unemployment and for districts most affected by it.

Action in the direction recommended has been taken by quite a number of countries, with reference to unemployment. The chart shows that numerous countries either have passed the necessary legislation, or have before their Parliaments proposed legislation for the establishment of State labour exchanges. Our own State Labour Bureau was established by executive action on the part of the Government in 1898, and was then attached to the Charities Department. It is now operating as a branch of the Chief Secretary's Department. Its functions and duties are not governed by, nor subject to, any statutory authority, and its activities are not subject to any regulations. The Bill is to come into operation on a date to be fixed, and from that date no further private employment agencies shall be permitted. Such agencies now operate under an annual license.

Hon. Sir James Mitchell: If all these State labour exchanges are established, will every man have to be a member of a trade union?

Mr. Thomson: Most certainly.

Hon. S. W. Munsie: One has to be pretty wealthy now to get a job from some of the private agencies.

The MINISTER FOR WORKS: In the case of any licenses current at the time of this measure coming into operation, there are to be proportionate refunds. I take it, however, that any Government would see that the measure came into operation at the end of the year, up to which date such licenses operate. We are repealing in this Bill the legislation now in force for the control of private employment agencies. The interpretation clause is self-explanatory. The Bill authorises the establishment of free State labour exchanges, and provides the machinery for their management, maintenance, and conduct. The principle in view is the setting-up of a number of State labour exchanges throughout Western Australia, so that they will be in touch with employers and workers alike, and will be able to regulate the flow of labour to industries requiring it. Through the medium of the State labour exchanges it will be known where work is offering. The functions of the exchanges are clearly stated in the Bill. There is provision for the labour exchanges for the expenses of persons seeking employment, and such advances shall be a charge on wages, then due or thereafter becoming due from the then employer, or any future employer. Repayment of such advances may be required in one sum, or by instalments, at the discretion of the Minister or his officers. The Bill makes the employer personally liable for the repayment of the advances to the extent of any sum due and payable by him to the borrower, and authorises the employer to deduct the amount from wages due. A receipt for any payment made by the employer in discharge of such a loan is a good discharge as against the borrower. Under the system now operating, it would

be an offence against the Truck Act for an employer to make a deduction from the wages of an employee for the purpose of refunding the amount advanced to the employee by the Labour Bureau. This provision will override the Truck Act to that extent, and permit of the employer making the necessary deduction from wages. Any assignment made for the purpose of defeating or limiting the effect of an order respecting the repayment of a loan will be rendered invalid by the clause in question. Penalties up to £20 are provided for fraud or misrepresentation. Officers of the labour exchanges are prohibited from accepting any fee or reward other than their official salaries for services rendered under the measure, and a penalty of £20 is provided for a breach. There will be no compensation upon the abolition of the private exchanges, as they are operating merely under annual licenses, and there is no guarantee even today that the licenses shall be renewed. The Bill contains a provision authorising the refund by the Treasury to the licensed employment broker of part of the license fee paid under the Employment Brokers Act, 1909, proportional to the unexpired term of the license, should this Bill become an Act and be proclaimed while licenses are current. I know this measure will be regarded as in the nature of drastic legislation, as it proposes to put out of business the private employment agencies. But we are not leading the world in this regard by a long way. That step has already been taken in many other countries. The International Labour Conference has urged that steps should be taken to abolish private employment agencies, from which fact hon. members can take it that such agencies are regarded generally throughout the world as being undesirable, and certainly as not fulfilling any useful function. The following countries are subsidising locally-controlled exchanges, or else have established State-controlled free exchanges: Roumania, Belgium, Japan (for seamen only), Denmark, Greece, Nova Scotia, Manitoba, Saskatchewan, Alberta, British Columbia, Great Britain, and various States of the American Union. As the International Labour Conference passed the recommendations in question in 1921, and as each of these conventions was supposed to form the subject of legislation within 18 months, hon. members will see that in this particular matter we are nearly four years behind the times. The Roumanian Act, passed in 1921, provides for a free public service, open to all, irrespective of sex, nationality, or religious or political creed, to supply labour of all kinds—industry, commerce, agriculture, and domestic science. Workers who are sent from one place to another have the right to a 50 per cent. reduction of fare on the railways and navigation services. Private employment agencies are prohibited from charging fees, and free agencies can function only if granted a license. Employment agencies existing and charging fees were to cease activities three months after the date of the Act. In Germany a Bill was introduced in 1922 under the title of the Employment Exchanges Act, providing for public employment exchanges to undertake the free placing of wage-earning and salaried employees, and to co-operate in the administration of assistance to unemployed. The employment exchanges are empowered, by the Bill, to extend the scope of their activities so as to include vocational guidance, and the placing of apprentices. Power may also be given to the exchanges regarding the regulation of the labour market. No fees are charged to employees or employers. Employment agencies not carried on for gain are brought under the measure, whilst those carried on for gain are prohibited from continuing their activities after the 1st of January, 1931, provision, however, being made for compensation. In that case, therefore, 10 years' notice is being given to quit the business. In Germany there is also an employment exchange for German seamen. It is compulsory for shipowners and seamen's associations to set up for all seamen except deck officers, whether members of trade unions or not, free employment exchanges, the cost to be borne eventually by the two associations, who send representatives for administrative purposes to the joint council with an impartial chairman. Numerous other countries are setting up employment exchanges to be governed by committees. That was the idea of the Internationl Labour Organisation. We are not suggesting that here, but are providing that labour exchanges shall be a State function, and that those exchanges shall be under the charge of the Minister, who shall be responsible for their administration.

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR WORKS: Before tea I was pointing out what other countries have done on the lines proposed in the Bill. In Japan in 1922 an Act was passed relating to the employment exchanges of seamen. There persons or associations carrying on those exchanges must be licensed and shall not receive fees. In Denmark in 1921 an Act was passed relating to employment exchanges. It provides for public recognition of existing communal exchanges, and the appointment of boards to regulate and govern them, the making of travelling grants to persons assigned employment at a distance from their homes, and for the formation of unemployment funds. If a strike or lockout is ordered at any workplace, then the exchange shall not direct any workers thereto until the strike has ceased or been declared illegal. A State subsidy is granted to recognised exchanges. In Canada private employment agencies were found to be subject to abuses, and in 1918 the Employment Offices Co-ordination Act was passed to aid and encourage the organisation and co-operation of employment offices. In Nova Scotia, Manitoba, Saskatchewan, Alberta and British Columbia fee-charging agencies are illegal, but in Ontario and Quebec agencies operate only under license. Sixty-six branches are in operation and are so located that the needs of the communtiy and various industries are satisfactorily served. In England in 1909 an Act was passed enabling the Board of Trade to establish labour exchanges, assist exchanges maintained by other bodies, and take over any other exchange. Nobody shall establish an exchange except with the permission of the Board of Trade. Advances are made for travelling to work found. Even Japan has passed legislation which is a long way ahead of what is in operation in Western Australia. They have their exchanges established in different cities, towns and villages throughout Japan, and labour secretaries are responsible for the investigation of labour and industrial conditions, co-ordination between exchanges and kindred institutions, the transferring of works and the inspection of the work of exchanges. Then they have a system of advancing wage money, lending tools and advancing travelling expenses to reach employment, whilst investigations are made into the recruiting of workers, the supply of women workers and of navvies and home work. In Belgium, a royal order of 1924 provides that public employment exchanges carry on the work of placing workers within their respective areas, co-operating with the agencies approved by the Government and under its control. The governing bodies consist of representatives of public bodies and associations, each contributing to the expenditure. Various committees are formed dealing with the placing of workers, etc. Under that order, all other existing agencies were to be wound up and reconstructed in conformity with the order. That is to say, no private agencies charging fees are now permitted in Belgium. In the United States strict supervision is made over these agencies. The United States "Bulletin of Labour," No. 308, contains this—

> The Commissioner of Labour of Louisiana has been authorised by the Legislature to establish free employment bureaux at such places as he thinks fit; he is authorised also to ascertain the fitness of applicants, and the reliability of employers asking for help.

In Greece, by a royal decree of 1922, they have established free employment exchanges. I think it will be seen from what I have quoted that, the world over, there is a movement by the respective Parliaments to control the operation of these registry offices. It appears to me to be absolutely immoral to charge people who are unemployed fees to find them positions. It is positively repugnant. That is coming to be recognised the world over and all the Parliaments are taking action to abolish this pernicious principle. The Bill I am submitting is modelled largely on the Queensland Act of 1915. It does not require very much explanation. It simply abolishes private agencies and sets up a Government monopoly. In Victoria they have a State labour exchange administered by the Department of Labour. The services are gratuitous. Private registry offices are regulated by statute and only male labour is catered for by the State exchange.

Hon. Sir James Mitchell: There are private registry offices there.

The MINISTER FOR WORKS: Yes, but there is an Act regulating them.

Hon. Sir James Mitchell: You do not propose that here?

The MINISTER FOR WORKS: No, I propose to abolish them altogether. In Tasmania there is a State Labour Bureau controlled by the Industrial Department, its services being gratuitous. There is there no legislation governing private registry

offices, nor any idea of closing them, as there is a degree of co-operation, rather than interference. At Hobart and at Launceston bureaux are administered by the Director of Labour, who is also Chief Inspector of Factories. Country exchanges are established in 45 municipalities, the work being done by the council clerks and notices being exhibited at the council chambers and railway stations. Rail passes are provided for workers, under guaranteed promise to refund cost. In South Australia the exchange is administered by the Public Works Department under the control of a superintendent. The central office is in Adelaide, with branches at Port Adelaide and the principal country towns. It controls engagements of all labour for Government departments and caters for private employers' requirements. All police officers act as exchange agents without remuneration, and send in weekly registrations to the central office. The private agencies there are under the strict supervision of the Chief Inspector of Factories. In New South Wales free State labour exchanges are established by the Minister for Labour and Industries. They co-operate with private employment agencies. Fares are advanced on a refund agreement. Branches are to be found in different parts of the State. I want to give one or two particulars as to the operations of private registry offices in this State and show why I am asking the House to prohibit their continuance. While at the Trades Hall I had frequent complaints from those seeking employment through these agencies as to the treatment they had received. Some of the complaints were difficult to credit. In a number of cases these agencies fleece the worker who is hard-pressed to obtain employment. I have here a number of instances from official records, so there can be no doubt as to their accuracy. These in themselves will justify Parliament in saying that private agencies for employment should no longer continue.

Hon. Sir James Mitchell interjected.

The MINISTER FOR WORKS: They are now, as you know, under the inspection of the Chief Inspector of Factories. I have taken these instances from his reports and from the police file, and in giving instances I will state where the information comes from. There are 14 private employment brokers' agencies operating under the Employment Brokers' Act of 1909 and amendments, 11 of these being in Perth, one at Fremantle, one at Kalgoorlie, and one at Geraldton. So it is not a very extensive business, being mainly situated in Perth with no agencies in agricultural districts. It cannot be said that there is any comprehensive system that would meet the demands the State frequently imposes on the labour market by bringing the unemployed into touch with those seeking workers. Our Act makes no provision whereby the fee charged by employment brokers may be limited. Each broker is permitted to charge any fee he desires, but he is required to charge the employer a fee equal to that charged the worker in respect of an engagement. Also he has to lodge at the office of the Minister a copy of his scale of fees, and post another copy in a conspicuous position in his office. Uniform fees are not charged by the various brokers. Some of them, according to the scale referred to, charge half a week's wages to the employer and the employee respectively, while others charge only a quarter of a week's wages. Just imagine having to pay half a week's wages to get a job!

Mr. MacCallum Smith: The job might last only a month.

The MINISTER FOR WORKS: In some instances only a couple of days. Fancy the extortionate fee of half a week's wages! Without exception the engagement book kept by the various brokers discloses that these fees have been charged to both employer and worker, but it is known that in very many cases, in fact, in the majority of cases, little or no effort is made by the broker to collect the fee from the employer, whilst it is invariably collected from the worker who seldom, if ever, is given an engagement until the fee is paid. Reports are submitted of inspections made by inspectors of the department into the working of the Act as amended during various years. These reports disclose that this is the chief weakness of the existing Act, although it is weak also in other respects. The private employment broker does not always exercise care in selecting suitable persons for employment, particularly when the work offering is in distant country districts. Numerous instances have come under notice where persons have been engaged for employment in country districts and have found on arrival at their destination that the work to be performed was not as represented. I do not know how many instances

were brought under my notice at the Trades Hall of young girls and women sent into the country to positions represented as being suitable but who, on arrival, found they were anything but what had been represented. The work was totally unsuitable and they had to come back, paying their own expenses. Then we frequently see in the newspapers brokers' advertisements such as this—

> Better-class experienced employees selected by a practical man.

I have taken that from the "West Australian." People in the country would be led to believe that a practical man was selecting the employees, and yet that agency was run by two women.

Mr. Sampson: There is nothing to show in what way it was practical.

The MINISTER FOR WORKS: There was no man at the agency, and so the question of his being a practical man did not enter into it. The advertisements of one broker, which appeared in the "West Australian" during one week of the present year were examined, and it was found that if each position advertised had been filled by the broker and the fees to which he would have been legally entitled had been collected —half a week's wages from both worker and employer—his income for the week would have amounted to £154 14s. A subsequent examination of the engagement book for the same week disclosed the fact that the fees paid or payable for engagements actually made that week amounted to £79 2s. 6d. It is certain that £39 11s. 3d. was collected from the workers engaged, but it is doubtful whether similar success was met with in collecting fees from the employers. The inspectors estimate that the cost of running that office would be a maximum of £10 per week. Members will realise what extortionate fees these agencies are charging and how they are fleecing people hard pressed to get work and least able to help themselves. It shows the pernicious system prevailing in this city. It is stated that the scale of charges posted in the offices according to the Act is not strictly adhered to. I have good reason to believe it is not adhered to, but official investigations have revealed only one case since I have been in office, and we were unable to follow that up because of lack of evidence. I have taken the following instances from various departmental files which disclose some very questionable methods and indicate that quite a number of workers have been victimised in various ways, including loss of fees, fares, time, etc., by being sent to jobs for which they are not suited, and the conditions of which have sometimes been misrepresented by the broker or the employer. In many instances it has been impossible, owing to the weakness of the existing legislation, for the department to secure redress for the unfortunate worker who, owing frequently to lack of funds, has been unable to institute proceedings at civil law on his own behalf. A broker in the city engaged a domestic for an employer in Perth, knowing at the time that the place was at a house of ill-fame. False and misleading entries were made in the engagement book, and it was only after exhaustive inquiries that the true position of affairs was brought to light. Naturally the employee concerned, when she found out the nature of the house in which she was employed, left the place and was averse to the fact being made public. Action was taken against the broker, who was fined a total of £6 with costs amounting to £2 19s. 4d. In his defence he pleaded "I did no harm; I only sent old women; I would not send young girls." That is the class of individual we have had carrying on the business in Perth.

Mr. George: There may be some like that, but surely they are not all like that.

The MINISTER FOR WORKS: I do not say they are all like that. When that individual applied for a renewal of his license, needless to say it was refused.

Mr. Angelo: They may not all be bad to-day.

The MINISTER FOR WORKS: I do not wish it to be thought that they are. A Perth broker engaged a waitress for a situation near Karridale. She travelled by coach from Busselton and informed other passengers that she was going as waitress to a farmhouse. The place turned out to be a rough, bush boarding house, and was known to people on the coach, who were of opinion that it was not a suitable place for a young girl. A constable accompanied her to her destination and reported on the accommodation provided for the girl as a bedroom consisting of bag walls and iron roof, no floor, and no door except of cre-

tonne. The girl refused to stay, there being a coloured woman in charge. Later on the constable reported that the girl was stranded, that the position was totally unfit for her, and that her predecessor, a single woman who had just left, was in a certain condition. Investigations which were subsequently made went to show that the broker acted on information received in engaging the girl, who was anxious to get away from town life, and that she did not knowingly misrepresent the position to the girl. A broker engaged a waitress for the Rottnest Hostel at 25s. per week, charging a fee of 12s. 6d. The job lasted 10 days and she was paid off, receiving a total of £3 4s. 5d. as wages, which included a week's wages in lieu of notice. To earn this amount she had to spend £1 6s. 6d., which included the broker's fee and rail and boat fares to and from Rottnest. For clearing work in the Bridgetown district two lads were engaged and each paid a fee of £2. Investigations showed that £2 10s. per acre was the price offered, the employer stating that a good man could earn £4 to £6 per week. No fee was paid by the employer, although the fee had been charged. The boys lasted only two days and were paid 15s. each per day, 5s. being deducted for stores by the employer. In other words, they earned 30s. and paid £2 as fees. A position as teamster was advertised at £4 per week. The broker said to the applicant, "I'll give you the job for four quid, and after you have settled up you can send me a present of a few pounds for getting it for you." A very generous individual! A complaint was sent by the R.S.L. to the Commissioner of Police, who referred it to the Chief Inspector of Factories. It was impossible to trace the man concerned, although letters were sent to the country, and without his evidence no action could be taken. Another broker charged a kitchen-maid 8s. for a position worth 17s. 6d. per week. The girl kept the job for only one day and 3½ hours. She was discharged as unsatisfactory, and although she claimed a week's wages, she was paid only 7s. Thus, she worked 1½ days and paid 1s. for the privilege. Another broker engaged two girls as housemaid-waitress and hotel-general for positions at Greenbushes, the wages being 25s. each. Each paid a fee of 12s. 6d. to the broker, but finding they had not sufficient money to pay their rail fares, they requested the return of the fees but were refused. They were offered other engagements without fees, but those offered were not suitable and the fees were retained by the broker. That is another way in which brokers get at the girls. They obtain the fees before they tell them where the jobs are. Those two girls did not know that the jobs were at Greenbushes, and when it came to finding sufficient money to pay their fares, they were unable to do so, and they could not get their fees returned. So the broker made a clear 25s. out of those two girls. Another broker engaged a man to go to Ballidu, scrub-cutting, and a fee of 15s. was paid. Before he could proceed to Ballidu he was advised by the employer that the position was filled. On applying to the broker for a refund of fee he was refused, the broker stating that it was the man's own fault through not having proceeded by an earlier train. The same man had previously secured a position through the office of the same broker for which he paid a fee of 20s., but he left that job because he was expected to plough on Sundays. On that occasion the broker refunded 5s. A broker engaged a man to go to Kondinin as teamster at £2 10s. per week. The man on arriving at Kondinin found there was no position available. After having paid his fee of £1 5s. and £2 10s. rail fares to and from Kondinin, together with incidental expenses and loss of time, the only satisfaction he obtained from the broker was a promise of another job. The Kondinin employer to whom he was referred stated that he had never instructed the broker to supply a man. On the advice of the Crown Solicitor no action was taken as the facts did not disclose an offence against the Employment Brokers Act. We were also unable to proceed under the criminal law because the police could not secure sufficient evidence. Cases of that description are fairly frequent, and the law at present permits of no redress. Another broker engaged a laundry housemaid to go to Bruce Rock at a wage of 25s. per week, a fee of 8s. 3d. being paid. The engagement was made contingent on the position being still open, the broker to ascertain by wire. An hour afterwards the servant returned to the broker's office asking for a refund of the amount paid as she had found that she would be unable to proceed to Bruce Rock. The broker refused to refund the fee, but did so later

on receipt of a wire from the employer that the position had been filled. The broker, therefore, accepted a fee without definitely knowing that any position was available. A cook-laundress was engaged to go to an hotel at Nannine at a wage of 35s. per week, and she paid a fee of 17s. 6d. to the broker. Owing to the illness of her mother, she found she could not proceed and applied for a refund of the fee, but this was refused. Another servant was engaged for the position who also paid a fee to the broker, but before she could go the order was cancelled. The fee paid by the second person was returned, but the broker contended that she was entitled to the fee paid by the first person who could have proceeded to Nannine but for her mother's illness.

Mr. Richardson: Have you the names of those brokers?

The MINISTER FOR WORKS: Yes; all these instances are taken from official records and I have before me the reference number and dates of the files.

Hon. G. Taylor: If you are quoting from files you should lay them on the Table.

The MINISTER FOR WORKS: I am not quoting from files; I am giving extracts from them. A broker engaged a man to proceed to Wooroloo as cook, at a wage of £2 10s. per week, and charged a fee of 25s. When the man left the position he ascertained that the employer had not been charged any fee by the broker. On account of the complaint having been made months after the engagement and full particulars not being available until after the period allowed by law in which to take action, no proceedings could be taken against the broker.

Mr. Sampson: There is no hotel at Wooroloo.

The MINISTER FOR WORKS: I did not say there was.

Mr. Sampson: There is no house of any size there.

The MINISTER FOR WORKS: There are several boarding houses where cooks are employed. A broker engaged two men for hay pitching at Koorda. The job was stated to be lengthy, but it lasted only a week. Each man received 37s. 6d. for the job, and as a result of investigations it was definitely proved that the employer had not been charged any fee by the broker. Proceedings were instituted against the broker, but had to be abandoned on account of the chief witness, the employer, whose evidence was essential, meeting his death before the day of the hearing.

Hon. G. Taylor: The brokers seem to have luck, don't they?

The MINISTER FOR WORKS: Yes. A broker who had made his legal charge for engaging two shearers was paid by neither the employees nor the employer. He received a letter from the employer in reference to the charge. "I understand the employee paid this. We never had to do it with any of the other offices. This will end our business." A female broker complained of the falling off of business on account of her charging the employer a fee as well as the employee. The employers, it was stated, transferred their business to other offices, where the brokers were not particular so long as they secured payment from the employee only. A broker on sending an account to an employer in respect of the engagement of a servant, was advised in reply: "I have never been asked for anything from any of the other agencies." The Crown Solicitor advised us that it was not possible to take proceedings. On one occasion one of our inspectors was in a broker's office examining the books, when the broker was called to the telephone. The conversation was evidently with an employer who had received an account from the broker, and who objected to paying it. The broker said, "We are obliged to charge the employer as well as the servant; that is what the Act says, but you need not take any notice of it, it is all right. . . . You can ignore the matter." It is quite plain that the fees are not in any way forced upon the employer, and that the workers alone are compelled to pay. I could quote numerous cases of this sort. The departmental files are full of the extortionate rates that are charged, particularly to girls and farm workers. Those unfortunate people have been fleeced regularly, and to a substantial extent, because of these exorbitant fees. We are asking under the Bill not to regulate any further the operations of the agencies, but to abolish them, and make it a national function for the Government to organise the supply of labour throughout the country.

Mr. Teesdale: Will any notice be given to the agencies?

The MINISTER FOR WORKS: The Bill provides that the Act shall not come into operation until it is proclaimed. Ample notice will be given. The Bill also provides

that, if there is any license current when the Act is proclaimed, the holder will have to be compensated in accordance with the period covered by the license.

Mr. Teesdale: And that is all the compensation?

The MINISTER FOR WORKS: Yes. A license is held only from year to year. The substantial argument behind the Bill is that it is advocated the world over, and has the backing of the International Labour Bureau established under the League of Nations. It is really a sister measure to the previous Bill, and I hope it will bring this State into line with the other parties who have previously passed measures in accordance with the provisions of the covenant.

Mr. Teesdale: Will the Labour Bureau be capable of running the lot?

The MINISTER FOR WORKS: Not as at present constituted. We propose to extend the Labour Bureau, and to establish machinery to reach every part of the State.

Mr. Teesdale: Will a big staff be engaged?

The MINISTER FOR WORKS: It will mean a material increase in the staff. It has not yet been decided whether we shall do that through some existing Government agency. At present we are using Agricultural Bank officials, the police, and stationmasters in different parts of the State. Other Government officers also go about the country, and will be able to co-ordinate their work with the new scheme. When any labour is wanted in any part of the State they would be able to advise the Labour exchanges. We would not need to have a branch of the exchange in every hamlet. We propose to co-ordinate other activities of State that already reach out into all parts of Western Australia so that they may keep in touch with the head office, which would then be advised of the requirements of the labour market and be able to bring together the employer and the worker. We have inspectors in various departments travelling throughout the State, and they are continually coming into touch with employers. We shall be able to utilise their services, save expense, and create an effective machine. We are already doing that in many ways. It was urged in connection with the Scaffolding Bill last session that it would mean an extensive increase in expenditure, and the building up of a big staff. We have, however, engaged only one extra man, a chief inspector of scaffolding. Inspectors of the Public Works Department attached to both the country and metropolitan services have all been appointed inspectors of scaffolding, and they act in concert with the chief inspector.

Mr. Teesdale: You have not had any prosecutions.

The MINISTER FOR WORKS: No. We are not looking for them so long as people carry out their duties. I am certain that with the fees charged, the Act will cost the State nothing.

Hon. G. Taylor: It appears there was no great necessity for it.

The MINISTER FOR WORKS: We are having inspections made now. The provisions of the Act are posted up on all buildings, and as soon as a contractor applies for a license to build he is given a copy. The system works very well. With the other activities of State it will be possible to build up an organisation without additional expense that will reach from one end of the State to the other, and allow us to regulate employment, and do away with the pernicious system whereby some people are making substantial profits out of those who are down and out and in search of employment. I move—

That the Bill be now read a second time.

On motion by Mr. Davy, debate adjourned.

BILL—LAND DRAINAGE.

Message.

Message from the Governor received and read recommending appropriation in connection with the Bill.

Second Reading.

HON. J. CUNNINGHAM (Honorary Minister—Kalgoorlie) [8.7] in moving the second reading said: It has for a long time been agreed that a comprehensive Drainage Act is essential to the proper control, management, and maintenance of drainage works carried out by the Government. It is not known why, when it was found that the Act did not provide the necessary machinery for the accomplishment of these necessary functions, the Act was not scrapped and an amending Bill introduced, when one takes into consideration the large amount that has been expended and is being expended in the South-West. This Bill has been on the

stocks for the past 12 years. It is a very necessary piece of legislation, more especially when one remembers the many drainage works that must be undertaken in the near future in the South-West. Large sums of money will have to be laid out, and it is essential that we should have, by legislative enactment, the necessary machinery for the purpose not only of controlling, but carrying out these works. There are at present 13 drainage boards or drainage districts, comprising 126,420 acres. The expenditure on drainage works in these districts amounts to £87,342. Several of the boards are not functioning. There has been considerable trouble in connection with the operation of drainage boards. It is hoped that after the Bill is passed the existing state of affairs will no longer continue. The Bill which will repeal the Land Drainage Act, 1900, and the amending Act, 1902, has but a slight resemblance to the Act. In the first place, under the Act, a drainage board cannot be constituted unless a petition is lodged by a majority of the ratepayers who are within the boundaries of the proposed drainage district. The area of the declared drainage district cannot be added to or reduced except by a petition of the majority of ratepayers affected. Under the Bill the Governor may, by Order in Council, constitute any defined portion of the State as a drainage district. In like manner he can add to or reduce the area of the drainage district. Under the Act a drainage district cannot be declared in a municipality, whereas under the Bill one can be declared in any part of the State. The Bill is framed mostly on the lines of the existing Water Boards and Road Districts Acts. The power of boards to borrow under the Act is practically barred. The rate of interest on the amount borrowed is fixed at four per cent. per annum, but money cannot be obtained at this figure, as the ruling rate is very much higher than that at present. This disability is removed in the Bill, as the Treasurer will determine the rate of interest to be charged. Under the Act land outside a drainage district cannot be rated, but under the Bill the Minister may levy a rate on land outside a drainage area, when such land derives benefit from the drainage works that are being carried out, and further, he can prevent anyone from obstructing any drains that are being excavated by him, as he will have the powers and remedies of a constituted board.

Mr. Sampson: Will there be any retrospective power?

Hon. J. CUNNINGHAM: The passing of the Act will validate any agreement or rate, or any of the functions that have been carried out by boards under the Act.

Mr. Sampson: Will the measure affect places where watercourses have been impeded?

The Premier: That is a matter for the Committee.

Hon. J. CUNNINGHAM: The rating under the Bill differs from that imposed under the Water Boards and Road Districts Acts. The Bill limits the rate to 2s. in the pound on the unimproved capital value, and to 5s. per acre where the area is rated. This is quite a large Bill in point of bulk, and in order to assist members and save the time of the House I have thought it desirable to prepare a statement showing the various sections of the Road Districts and Water Boards Acts that are included in this Bill. It will be seen that out of 177 clauses in the Bill, only 45 are new. Members who have examined the Bill during the short time it has been at their disposal will, I believe, recognise that it is essentially a Committee Bill. I do, however, desire to press on the attention of hon. members the fact that at present there are under consideration some large drainage works, involving an expenditure of hundreds of thousands of pounds. For the proper development of land settlement in the south-western portion of this State it is essential to have an effective measure dealing with drainage. Without drainage much of the good land in the South-West cannot be utilised to its fullest capacity; indeed, large areas of it cannot be used at all unless properly drained. This being essentially a Committee Bill, it is unnecessary for me to say more on the second reading. I move—

That the Bill be now read a second time.

On motion by Hon. Sir James Mitchell, debate adjourned.

BILL—PRIMARY PRODUCTS MARKETING.

In Committee.

Mr. Lutey in the Chair; the Minister for Agriculture in charge of the Bill.

Clause 1—agreed to.

Clause 2—Definitions:

Mr. SAMPSON: I move an amendment—

That in the definition of "Authorised agent" after "and." in line 4, there be inserted "subject to the approval of the board."

The definition would then read:—"Authorised agent" means any person lawfully authorised by a board to take delivery of a product on its behalf, and subject to the approval of the board, includes any person lawfully acting on behalf of any authorised agent. The amendment will make for increased safety.

The MINISTER FOR AGRICULTURE: The amendment is superfluous, because the words "lawfully acting" in the definition mean acting with the authorisation of the board.

Amendment put and negatived.

Hon. W. D. JOHNSON: In the definition of "grower" there is a danger. Unless we have a little more definiteness, everybody will be roped in. In connection with almost all the commodities that may be controlled under the measure there are numerous persons who produce, but do not produce on a commercial basis. Fruit, for instance, is produced in many back gardens by way of a recreation profitable to the family, but not for the purpose of being marketed in competition with fruit produced by those who grow it in order to make a living. The case is similar with regard to eggs and butter. I move an amendment—

That after "Grower" there be inserted "of products other than fresh fruit."

The definition would then read:—"Grower (of products other than fresh fruit)" means the person by whom a product is grown, produced, or prepared. Later I propose to move an amendment limiting "grower" to those who produce fruit from an area of not less than five acres.

Mr. SAMPSON: The proposed amendment will rather complicate the position, and the suggested further amendment would make it even more difficult. The definition in the Bill would meet requirements. In another State where a controlling Act operates, a registered fruitgrower is one who commercially produces fruit from an area of not less than one acre. I hope the amendment will not be pressed.

Hon. W. D. Johnson: I am not wedded to the five acres.

Mr. SAMPSON: The introduction of special conditions and qualifications for the various primary products will cause the Bill to grow very much in size, and unnecessarily so.

Hon. Sir JAMES MITCHELL: The amendment would improve the Bill. To bring under the measure a man who has a fig-tree would be absurd. As the definition stands, the man who grows anything whatever will have an opportunity of saying what shall be done under the provisions of the measure. The amendment is necessary in regard to other things beside fruit.

Mr. DAVY: The definition of "grower" is of the utmost importance; for in the next clause it is provided that the Governor shall authorise the Minister to keep an annual register of growers, who will vote on the question of control. If "grower" is to be vaguely defined, the Minister may make a register of almost indefinite extent. Suppose vegetables were to be included; there would be nothing to prevent some future Minister from roping in on the register everybody who was growing a few cabbages in his backyard. The definition of "grower" ought to be more rigid.

Mr. SAMPSON: If there is to be a special delimitation of "fruitgrower" the Bill will become unnecessarily complicated. Why not allow the fruitgrower to take the same position here as other producers?

Hon. W. D. JOHNSON: We must have some limitation in regard to the control of fresh fruit. It is not desirable that everybody should come in. The control of products takes in dairy produce and eggs. It is pretty difficult to limit that. Take my own position: I have some fruit-trees and vines, and I am also interested in egg production. In my view I ought to be included in "grower" in respect of egg production, but not in respect of fruit. We have to define a grower of other than fresh fruits, because we must bring in the dried fruits. For fresh fruits we require another definition, so as to exempt the backyard growers.

Mr. DAVY: It is proposed to create a roll of persons who shall vote whether or not any product shall be controlled. A successful vote in favour of control will create a complete combine of the growers in question. Therefore it is important that we shall have a rigid and careful definition of who shall be on that roll. The member for

Guildford referred to eggs. Most members of this House are growers of eggs.

Hon. G. Taylor: And they will need them in a few weeks' time.

Mr. DAVY: If a definition be required to restrict vine growers, how much more important is it to exclude those who grow eggs merely for domestic use?

Hon. W. D. Johnson: I know of no definition that will overcome that.

Mr. DAVY: Then the pool is not worth bothering about, for the compilation of the roll will be purely accidental. Apparently every backyard grower of eggs will be entitled to be on the roll to decide whether or not there is to be an egg poll. We must define "grower" within very rigid limits.

Mr. SAMPSON: If a special definition is to be provided for the respective producers of various primary products, the position will be an impossible one.

Mr. Davy: It is impossible now.

Mr. SAMPSON: It is impossible to insert in the Bill all essentials in regard to the control of butter, cheese, eggs and the many varieties of fruit and grain; but it is possible for the Minister to prescribe such limitations and amplifications as are required in respect of each primary product.

Amendment put and passed.

Mr. SAMPSON: Power to prescribe is necessary in respect of marketing butter products. I move an amendment—

That the following be added to the definition, "for market, with such limitations or amplifications in the class of persons as may from time to time be prescribed."

Mr. DAVY: The Minister for Works is against by-law legislation, and in that I am with him. This amendment really provides that there shall be settled by by-law the qualifications for voters who are to say whether or not a combine shall be created.

Mr. Sampson: Do you suggest it ought all to be contained in the Bill?

Mr. DAVY: I suggest that qualifications to be on a roll to vote for a drastic proposition should certainly be defined in the Bill. We could do little worse than leave it to by-laws to decide whether a person should have a vote for a certain purpose.

Mr. SAMPSON: I wish to make the measure practical by limiting the definition of grower to people who produce for market. Since there is such a wide variety of products, and since it is impossible to include all the definitions in the Bill, I desire that the Minister should prescribe the limitations and amplifications that are essential. The member for West Perth has previously pointed out the difficulty of defining a grower and I claim his support.

Mr. LAMBERT: I hope the amendment will be rejected. In a measure so far-reaching the qualification should be clearly laid down by Parliament. We have had an instance under the Inspector of Machinery Act of the most impudent demands being put forward by the department. Objection has been taken time and again to the loose slipshod legislation passed and to essential portions being left to regulation.

Mr. Sampson: On those occasions you are usually silent.

Mr. LAMBERT: If we cannot reach some common agreement as to the actual qualification necessary, how can we expect departmental officials to come to a sane decision? The amendment is altogether too wide.

Hon. W. D. JOHNSON: I suggest that the amendment be limited to include growers of commodities produced "for market." The other words are superfluous.

Mr. Sampson: I accept that suggestion.

The CHAIRMAN: Then the amendment now before the Chair is that the words "for market" be added.

Mr. DAVY: Even that amendment is not satisfactory. The Governor may make regulations empowering the Minister to keep a roll upon which the poll will be taken. Will the amendment mean a man who says he has something for market, a man who has actually grown something the year before, a man who produces evidence of his intention to sell in the market, or a man who is growing something and has a firm contract to sell what he has grown?

The Minister for Agriculture: You do not want to know.

Mr. DAVY: I do want to know.

The MINISTER FOR AGRICULTURE: While the member for West Perth censures and blames, he offers nothing in return.

Mr. Davy: I admit it is destructive criticism.

The MINISTER FOR AGRICULTURE: The definition will mean a man who is going to grow for market definitely.

Hon. Sir James Mitchell: Surely he must be growing produce.

The MINISTER FOR AGRICULTURE: Yes, a man who has grown, produced or prepared products for market.

Mr. Davy: The difficulty will arise in the preparation of the roll to take the vote.

The MINISTER FOR AGRICULTURE: There will be no difficulty. The hon. member's first objection was that the definition was too general, and now he says it is not general enough. I accept the amendment.

Mr. DAVY: When criticising a Bill it is not necessary to offer an alternative. I consider the Bill a bad one and one of the things demonstrating its badness is the impossibility of getting a suitable definition of grower, not for the purpose of controlling after control has been instituted, but to ascertain who shall vote on the question of adopting control. When the Minister is faced with the responsibility of preparing the roll he will find it extraordinarily difficult to decide who are to be on the roll and who are not, and that is a matter of great importance.

Mr. Sampson: The suggestion of the member for Guildford is a complete answer to the objection of the member for West Perth.

Hon. W. D. Johnson: He is not looking for an answer.

Amendment put and passed.

Hon. Sir JAMES MITCHELL: I move:

That the following proviso be added:—"Provided that no grower of less than two acres of vegetables, five acres of fruit, 100 acres of grain, one ton of butter, or 10,000 eggs shall be included in this definition."

The MINISTER FOR AGRICULTURE: The amendment is absurd. Why not include two slices of bacon?

Hon. Sir James Mitchell: I did not think of bacon. On recommittal you can add it.

The MINISTER FOR AGRICULTURE: Five acres of fruit would be too great an area to specify. The figures in possession of the Department of Agriculture indicate that the grower with 4½ acres of apples or orange trees in good order can produce from 800 to 1,000 cases of fruit. Such a person ought to be classified as a grower. I hope the amendment will not be seriously considered.

Hon. Sir JAMES MITCHELL: There must be some limitation when the roll of growers is being prepared. Every man who has a tree or two should not be defined as a grower.

The Minister for Agriculture: If he markets his fruit he should be so defined.

Hon. Sir JAMES MITCHELL: The Committee is beginning to treat this Bill lightly.

Hon. W. D. Johnson: Led by the Leader of the Opposition.

The Minister for Agriculture: Do you want this Bill for the dried fruits people?

Hon. Sir JAMES MITCHELL: I object to the Bill, but if we must have it, we should be reasonable about it. We cannot take a vote from every man who owns a fruit tree or a grape vine. Only the commercial growers should be included when it comes to a question of taking a vote. It would be absurd that the man with a big orchard should be controlled by one who has no more than a few trees.

Amendment put and negatived.

Hon. W. D. JOHNSON: I move an amendment—

That a further definition be added as follows:—"'Fresh fruit grower'' means a person by whom fresh fruit is grown or produced for market from an area of not less than two acres.

This amendment will exclude all those who produce fruit from less than two acres.

Mr. SAMPSON: In the case of growers of strawberries the area is too large.

The Minister for Agriculture: You need not bother about strawberries.

Mr. SAMPSON: I would support a proposal to make the area one acre.

Mr. THOMSON: In the case of apple growers the area should be larger than two acres. Orchardists at Mt. Barker and Bridgetown have built up a satisfactory private and export business, but this amendment proposes that they shall be controlled by the owners of two-acre orchards.

Mr. Sampson: This Bill is a protection.

Mr. THOMSON: The hon. member was not able to convince the growers of Bridgetown and Balingup to that effect.

Hon. Sir James Mitchell: We are forcing the Bill down their throats.

Mr. THOMSON: I intend to move later for the insertion of a provision whereby the area shall be increased to five acres in the case of apple orchards, and that the Bill should be confined to viticulture in other respects.

Hon. W. D. Johnson: Growers can only bring themselves under the Bill.

Mr. THOMSON: I am afraid that men with orchards of two acres may be able to outvote those who have 50 acres under fruit trees.

Mr. Sampson: Their interests are largely identical.

Mr. THOMSON: I am not convinced of that. The Bill should apply only to dried fruits, and then for a period to be defined. We should protect those who are already established, but the Bill does not do that. We are handing over the administration of the affairs of those people to a board.

Hon. Sir JAMES MITCHELL: Under this clause we are merely providing who shall be on the roll and who shall vote. The previous speaker's arguments apply to Clause 7, which provides that products shall be handed over to the pool irrespective of the area on which they are grown.

Hon. W. D. Johnson: I am not under any misapprehension with regard to the matter.

Mr. Thomson: Neither am I.

Mr. SAMPSON: Fruitgrowers have frequently considered a measure to control marketing.

The CHAIRMAN: Let us deal with the amendment.

Mr. SAMPSON: Growers of fresh fruit met in Perth about a year ago and carried, I believe unanimously, a resolution approving of the introduction of a controlling measure. The member for Katanning is not in touch with what is going on.

Mr. THOMSON: In reply to that suggestion, I propose to read a letter sent to me by the Mt. Barker Fruitgrowers' Association.

The CHAIRMAN: The hon. member cannot read a letter dealing with the Bill as a whole. The hon. member is out of order in discussing the Bill generally.

Mr. THOMSON: The following resolution of protest was carried by the association—

This association, having considered the marketing Bill as introduced by the Minister for Agriculture——

The CHAIRMAN: The hon. member is now going into the whole of the Bill. If there is a portion of the letter dealing with this particular point, the hon. member may read it. Otherwise the hon. member must resume his seat.

The Premier: The member for Katanning is defying the Chair. He has been ruled out of order, and is still standing up and endeavouring to go on.

The CHAIRMAN: I think I have made myself clear. The hon. member may read an extract dealing with this particular phase of two acres, but not relating to the whole Bill.

Amendment put and passed.

Mr. THOMSON: I move an amendment:

That after the word "acres" there be inserted "for viticulture and apple orchards shall not be less than five acres."

It is unfair that men making their living from orchards should be compelled to submit to the same conditions as viticulturists. A viticulturist can grow on two acres sufficient to affect the dried fruits market seriously. The apple-growing industry should be protected. Under the Bill a man with two acres will have a vote, while the man with 50 acres will have no more say. Five acres would be a small enough minimum.

The MINISTER FOR AGRICULTURE: Because some people at Mt. Barker have told the hon. member that they do not want the Bill, he moves an amendment. The suggestion would never have been made in this House but for that communication.

The CHAIRMAN: The Minister is now dealing with the Bill as a whole.

The MINISTER FOR AGRICULTURE: I must present that suggestion, Sir.

Mr. Thomson: I hope I shall be given an opportunity to reply to the Minister.

The MINISTER FOR AGRICULTURE: The Bill is in the interests of fruitgrowers generally. It is not proposed to hand over the fruit grower with 100 acres to the fruitgrower with one acre or five acres, or vice versa. There are in this State growers with 10, 20, and 30 acres who are perfectly willing that the Bill should be passed. There must be some limitation, and I think the limit of two acres proposed by the member for Guildford is quite reasonable. A grower with five acres would mean a producer of from 1,000 to 2,000 cases of fruit. To suggest that the large fruitgrower will be overwhelmed on a vote by the small fruitgrowers is ridiculous. The Fruit Advisory Board, elected by the fruitgrowers themselves, is composed of large growers—evidence that the small growers did not exercise the influence we are told they would exercise. The large growers on the board have been elected by the small growers as well as the large growers.

Mr. Teesdale: Does the term "or other produce of the soil of the State" embrace cotton?

The MINISTER FOR AGRICULTURE: We are not dealing with that matter now.

Mr. LINDSAY: The member for Katanning is now reverting to the original amendment. Why did the member for Guildford change from five acres to two acres?

Hon. W. D. Johnson: The Minister for Agriculture convinced me that five acres was too large an area.

The CHAIRMAN: That matter has been disposed of.

Mr. LINDSAY: The member for Katanning is now moving an amendment fixing the area at five acres. With that I agree. The man who has an orchard of less than five acres is certainly not growing fruit for a living, but growing it merely as a side line. No man can make a living from five acres of orchard. Those who grow fruit for a living should not be placed under the direction of men who merely grow it as a side line.

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

Ayes	14
Noes	22
Majority against ..	8

AYES.

Mr. Angelo	Mr. North
Mr. Barnard	Mr. Stubbs
Mr. Brown	Mr. Teesdale
Mr. Davy	Mr. Thomson
Mr. Griffiths	Mr. A. Wansbrough
Mr. Lindsay	Mr. Latham
Mr. Mann	(*Teller.*)
Sir James Mitchell	

NOES.

Mr. Angwin	Mr. Marshall
Mr. Clydesdale	Mr. McCallum
Mr. Collier	Mr. Millington
Mr. Corboy	Mr. Munsie
Mr. Coverley	Mr. Panton
Mr. Cunningham	Mr. Sampson
Mr. Heron	Mr. Taylor
Miss Holman	Mr. Troy
Mr. Hughes	Mr. Withers
Mr. W. D. Johnson	Mr. Wilson
Mr. Kennedy	(*Teller.*)
Mr. Lamond	

PAIRS.

AYES.	NOES.
Mr. Maley	Mr. Chesson
Mr. Richardson	Mr. Sleeman
Mr. Denton	Mr. Willcock
Mr. J. H. Smith	Mr. Panton
Mr. J. M. Smith	Mr. Lambert

Amendment thus negatived.

Hon. W. D. JOHNSON: The definition of "year" has a bearing on Clause 10. When we reach Clause 10, I propose to move to replace "year" by "period." If we now agree to this definition of "year" and my amendment to Clause 10 be carried, I take it the definition of "year" will be consequentially amended.

Hon. Sir JAMES MITCHELL: I do not know whether the Committee realise that they have now included under the clause all produce of every kind. Even the voluntary wheat pools will be affected by the Bill, and will have to be carried out in accordance with its provisions. I strongly object to that.

Hon. W. D. Johnson: We shall never get a vote for wheat. The wheatgrowers are too well satisfied.

Hon. Sir JAMES MITCHELL: The pooling of any produce of the soil must be in accordance with the Bill. I will vote against the clause.

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

Ayes	22
Noes	14
Majority for ..	8

AYES.

Mr. Angelo	Mr. Kennedy
Mr. Angwin	Mr. Lamond
Mr. Clydesdale	Mr. Marshall
Mr. Collier	Mr. McCallum
Mr. Corboy	Mr. Millington
Mr. Coverley	Mr. Munsie
Mr. Cunningham	Mr. Panton
Mr. Heron	Mr. Sampson
Miss Holman	Mr. Troy
Mr. Hughes	Mr. Withers
Mr. W. D. Johnson	Mr. Wilson
	(*Teller.*)

NOES.

Mr. Barnard	Mr. North
Mr. Brown	Mr. Stubbs
Mr. Davy	Mr. Taylor
Mr. Griffiths	Mr. Teesdale
Mr. Lindsay	Mr. Thomson
Mr. Mann	Mr. A. Wansbrough
Sir James Mitchell	Mr. Latham
	(*Teller.*)

PAIRS.

AYES.	NOES.
Mr. Chesson	Mr. Maley
Mr. Sleeman	Mr. Richardson
Mr. Willcock	Mr. Denton
Mr. Panton	Mr. J. H. Smith
Mr. Lambert	Mr. J. M. Smith

Clause, as amended, thus passed.

Clause 3—agreed to.

Clause 4—Power to make primary products subject to this Act:

Hon. W. D. JOHNSON: I move an amendment—

That paragraph (b) of subclause (2) be deleted.

I object to an insignificant minority upsetting the decision of a substantial majority. Under paragraph (a) two-thirds of the growers have to declare in favour of control, after which one-fourth can come along and upset the decision. I cannot see the justice of that.

The MINISTER FOR AGRICULTURE: The provision has had every possible consideration. In legislation of this character we should be conservative. Control should not be entered into until there is a very strong opinion in favour of it. I am not prepared to coerce any body of producers into having their product controlled, or not until every method has been exhausted by which they can ask for and object to control. The Committee will be well advised to let paragraph (b) stand.

Mr. DAVY: I am glad to hear the Minister's statement, although the clause as it stands affords little enough protection to the general public. If one-fourth of the registered fruitgrowers object, control will not be granted, but the public, who outnumber the fruitgrowers, will have no protection.

Mr. THOMSON: I support the Minister. It may happen that one-fourth of the producers are raising much more produce than the two-thirds who desire control. The safeguard is essential.

Amendment put and negatived.

Mr. THOMSON: Is it intended that the Minister shall be able to confine the operation of the measure to one district and exclude another?

The Minister for Agriculture: Yes.

Mr. THOMSON: If one district desired to be exempted and other portions of the State desired control, would the former be exempted?

The Minister for Agriculture: Yes, if the circumstances warranted it.

Mr. THOMSON: Then how would that affect the pooling system?

The MINISTER FOR AGRICULTURE: Growers of oranges in the Carnarvon district might be supplying the local market or boats going north. Such growers would not be brought within the south-western district.

Hon. W. D. Johnson: You could exempt Mount Barker.

The Minister for Agriculture: Oh, no.

Mr. DAVY: Do I understand the interpretation to be that a petition might be presented by growers in one district only, or must a petition be presented by all the growers but be made in respect of only a particular district? Is it possible for growers in one district to present a petition for control in that district only?

The Minister for Agriculture: Yes, the Bill says so.

Mr. THOMSON: The member for Guildford interjected that the growers of Mount Barker could be exempted. Would that mean that those growers, having provided the facilities they require, would not be brought under the Act, while other growers would be?

The Premier: If any particular district could stand out like that, it would destroy the whole principle of the Bill.

Hon. W. D. JOHNSON: I take it that before anything is done in a given district, the growers would hold a meeting and make representations to the Minister. If in his opinion a sufficiently good case were made out to declare the district under the Act, it would be so declared. Then the growers would be registered and a vote would be taken. The Minister, however, would not willy-nilly declare districts until the growers made representations. If it were found that the producers of a given product petitioning represented the whole State, the whole State could be declared, but it is quite clear that any district could be declared after proper representations had been made, and the vote would then be taken in the district as declared.

Mr. DAVY: I do not think the Bill makes it clear that the petition may be of the registered growers in a particular district. I think the petition must be of two-thirds of the registered growers of the product in the whole State. The proviso will make it possible for two-thirds of the registered growers in the State to say that they desire control to apply to only a particular district.

Hon. W. D. Johnson: Does not the proviso make that clear?

Mr. DAVY: I do not think it does.

The Minister for Lands: You want to read Clause 3 with it.

Mr. DAVY: That confirms my impression that the petition must be of two-thirds of the registered growers in the whole State, and that the petition may specifically mention that control is to apply to only a particular district.

The Minister for Agriculture: I think you are wrong.

Mr. SAMPSON: Since the definition of grower has been amplified, will it not be necessary consequentially to amend Clause 4 by including a reference to fresh or dried fruit growers?

Hon. W. D. Johnson: This refers simply to registered growers. It does not matter what they are.

The Minister for Agriculture: No amendment is necessary.

Mr. THOMSON: Subclause (5) states—

An order under this section shall, unless previously rescinded, continue in force for such period not exceeding two years as the Minister may determine and no longer, but may be renewed as hereinafter provided.

We have had various Acts that have had to be renewed each year. As this measure is largely experimental, the House should have an opportunity to consider it at the expiration of one year.

The Premier: This subclause deals with an Order in Council. The House can amend the Bill at any time.

Mr. THOMSON: Other measures have contained a clause at the end stating that they shall remain in operation for a certain period and no longer.

The Premier: This relates only to the issue of an Order in Council, which is an entirely different thing.

Mr. THOMSON: If we allow that term to remain, I might be debarred from moving a restrictive clause at the end of the Bill.

The Premier: It is open to the House to amend legislation at any time.

Mr. THOMSON: But a private member could not get the Act amended. The House should have an opportunity to review this legislation after one year. I move an amendment—

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

The Premier: That will limit not the operation of the measure but the operation of the Order in Council.

Mr. THOMSON: I recognise that, but if the limitation is not inserted here, I might be debarred from moving a clause at the end of the Bill.

The Minister for Lands: What is the good of having a board to operate for only twelve months?

Mr. THOMSON: After twelve months the House might be content to continue the measure.

The Minister for Lands: I am satisfied it will be, the same as with the wheat.

Mr. THOMSON: The measure, however, is experimental and should be limited to a twelve months' trial to ascertain whether it is beneficial.

The MINISTER FOR AGRICULTURE: The hon. member's object will not be met by the amendment, which will merely limit the Order in Council to one year as against two years. If we stipulate that an Order in Council shall continue for one year and no longer, it cannot continue any longer. It will paralyse their operations. In the second year of the existence of the Act a poll will be taken of the persons interested. The Bill does not compel people to do anything. They will have every opportunity of rejecting the experiment if they wish to do so.

Mr. SAMPSON: I should be better pleased if the period had been three years instead of two. There must be nothing of a spectacular nature about the Act, and whatever is done should be done carefully.

Amendment put and negatived.

Mr. SAMPSON: I move an amendment—

That in Subclause (6) after the word "shall," in line 5, the following be added:—"Subject to receipt of the request of 20 per cent. of the relative registered growers."

My object is to prevent a poll being taken unless it is necessary.

The MINISTER FOR AGRICULTURE: The subclause was inserted with the object of ascertaining at the expiration of twelve months by means of a poll whether the growers were prepared to go on with the proposition or not. I am opposed to the amendment.

Amendment put and negatived.

Hon. W. D. JOHNSON: I move an amendment—

That in Subclause (6), in lines 9 and 10, the words "entitled to vote" be struck out, and "voting" be inserted in lieu.

The onus of getting a vote on this question will, as the subclause stands, be thrown upon

those who are satisfied, whereas it should be thrown upon those who are dissatisfied. The Leader of the Opposition laughs. He never took any interest in the marketing of products. His object was to put men on the land to starve. He can sit there and laugh. We all know his interest in this sort of thing. He settled more people than I would like to declare.

The CHAIRMAN: The hon. member must speak to the amendment.

Hon. W. D. JOHNSON: Look at the poor wretches he has put on the land to starve. The subclause as it is printed is unfair to producers.

Hon. Sir JAMES MITCHELL: Unless the subclause is deleted altogether, I hope it will stand as printed. Why should people be dragged into this scheme, but if they are, why should less than a two-thirds majority have a say in the matter? With the member for Guildford it is a question of effecting a change at any price. He is not troubled about the producer.

The CHAIRMAN: Order! That has nothing to do with the Bill.

Hon. Sir JAMES MITCHELL: We want the producers to have as fair a deal as possible. The Minister, in making it necessary for two-thirds of the growers to request the formation of a board and the establishment of marketing facilities, has done as little as he could do. Under this Bill we are including every class of produce that comes from the land. I hope the amendment will be negatived.

The MINISTER FOR AGRICULTURE: I am opposed to the amendment. It is very important that we should secure a majority verdict from those who go to the poll, as well as from those who are interested in the control or non-control of their products.

Hon. W. D. Johnson: It is a very conservative way of looking at the question.

The MINISTER FOR AGRICULTURE: It is the proper way. The Bill will bring about a radical change, and this should not be done without the consent of the great majority of those concerned in the industry.

Mr. SAMPSON: I hope the Minister will reconsider the point. Since two-thirds of all registered growers will be required to vote in favour, it might be impossible to secure continuance of control, in view of growers absent from the State, or sick, or who since the enrolment might have passed away. Those three descriptions of growers might be among the remaining third.

Hon. Sir James Mitchell: The orchard does not pass away.

Mr. SAMPSON: There is no provision for a proxy vote in such circumstances. It might be next door to impossible to secure a vote in favour of continuance of control.

Mr. DAVY: Why should it be more difficult to continue control than to institute control? A two-thirds vote is required in either case. If a two-thirds vote cannot be obtained to continue control, a fortiori it will be impossible to bring in control, since one-fourth can block its introduction. This matter should have been fought out on Subclause 4 of Clause 2, not here. I hope the Minister will stand to his opinion.

Amendment put and negatived.

Clause put and passed.

Clause 5—Marketing boards:

Hon. W. D. JOHNSON: I move an amendment—

That in Subclause (1), line 2, after "board" there be inserted "of growers."

The object is to insure that the board as elected shall be a board of growers only. It is undesirable that anyone who is not a grower should control the product. Someone who is not a grower might endeavour to secure election to the board.

The MINISTER FOR AGRICULTURE: I hope the amendment will not be carried, since it limits the choice of the growers. Those who elect the board will be the growers, and only the growers; and they should be permitted a reasonable choice in the personnel of the board. The limitation to growers might shut out some person who in the opinion of the growers themselves is most suitable for the position by reason of experience and training.

Mr. SAMPSON: I have a somewhat similar amendment on the Notice Paper. There is a widespread desire that marketing and control shall be in the hands of the growers themselves.

The Premier: It is in their hands now, as the Bill stands.

Mr. SAMPSON: It is perhaps not as easy for a grower to be elected as for some other person. I support the amendment.

Amendment put and negatived.

Hon. Sir JAMES MITCHELL: Under Subclause 3 the Minister is to determine the remuneration of members of the board.

The Premier: Better let them fix their own remuneration!

Hon. Sir JAMES MITCHELL: That is what we do. I do not know why the Minister should fix the remuneration of the board. He is also to determine the number of persons of which the board shall be composed, and what persons shall be capable of election to the board. What exactly does that mean?

The MINISTER FOR AGRICULTURE: The Queensland Act contains the following section:—

Any person who has his affairs in liquidation, or is an uncertificated or undischarged bankrupt, or has been convicted of an indictable offence, or is undergoing a sentence of imprisonment, or becomes an insane person, shall be disqualified from being appointed or elected or from continuing a member of the marketing board.

Those are some of the persons not to be elected.

Hon. Sir JAMES MITCHELL: But this subclause gives the Minister absolute power. He might say that a member of Parliament shall not be a member of the board, or that one member must be elected from this section of the people and another member from that section. The growers should have untrammelled right of choice.

The Minister for Agriculture: So they will have.

Hon. Sir JAMES MITCHELL: No. The Minister says certain persons ought to be disqualified.

The Premier: You realise that certain persons ought not to be elected. How are you going to decide it? Suppose the growers elected an insane man?

Hon. Sir JAMES MITCHELL: That would be their own funeral. Of course they would not do so.

The Premier: We know people are capable of electing some extraordinary persons.

Hon. Sir JAMES MITCHELL: The growers should be permitted to make their own choice absolutely, and therefore I move an amendment—

That paragraph (a) of Subclause 5 be struck out.

The MINISTER FOR AGRICULTURE: It is not reasonable for the Opposition Leader to contemplate that the Minister is going to do anything that will not be in the interests of the growers, or that he will declare incapable men to be capable. Since the matter has to be done by regulation, it has to run the gauntlet of this House. Somebody must prescribe the number of persons who shall compose the board, and somebody in authority must declare what persons are unsuitable for election. That is evidenced by the Queensland Act.

Hon. Sir JAMES MITCHELL: Under the paragraph in question the Minister has power to say what persons shall be capable of being elected. The Minister will say "growers."

The Premier: No, he will name those that are ineligible, the bankrupt, the insane, and so on.

Hon. Sir JAMES MITCHELL: The clause prescribes that the Minister shall say what persons are capable of being elected. Under this provision the Minister can shut out the very persons who ought to be members of the board.

Amendment put and negatived.

Clause put and passed.

Clause 6—Powers of the board:

Mr. THOMSON: The clause provides in paragraph (iv.) that the board may make so much of the product as shall be necessary available for consumption or use within the State. In the proviso to the clause the Minister is given the right to veto any action on the part of the board. The board may be able to sell the growers' product at an eminently satisfactory price; but the Minister can come in and say, "You must not sell more than half of it." I move an amendment—

That paragraph (iv) be deleted.

The MINISTER FOR AGRICULTURE: I hope the Committee will not agree to the amendment. If the growers are to get the privileges they will undoubtedly secure under the Bill——

Hon. Sir JAMES MITCHELL: Why, they pay for everything!

The MINISTER FOR AGRICULTURE: Yet the member for West Perth (Mr. Davy) has declared that the Bill is for the growers only, that it affords no protection whatever to the consumers. Whose views amongst the Opposition we are to accept?

Hon. Sir James Mitchell: You can take your choice.

The MINISTER FOR AGRICULTURE: The Leader of the Country Party knows that under the Bill the growers will get certain privileges and advantages that, without it, they could not hope for. Nevertheless they must not be allowed to sell the whole of their commodity abroad and leave the local community in want of it. When, last year, the voluntary wheat pool approached the Government for assistance, they were quite prepared to provide in their agreement that wheat for local consumption should be retained within the State. Paragraph (iv) is the most reasonable proposition in the Bill. No Minister is likely to do anything to injure the producer. Under the existing embargo against the importation of potatoes into the South-West, the South-Western growers have unduly raised their prices. In Bunbury they are charging 3s. per stone for potatoes. They are not entitled to do that.

Mr. Latham: Eastern States potatoes are very dear.

The MINISTER FOR AGRICULTURE: But the price in Perth is not nearly so high, and those growers of the South-West are charging that for potatoes produced in the locality. Only by virtue of the protection they are getting under the embargo are they able to demand such prices. Members have nothing to fear.

Mr. THOMSON: The Minister referred to potatoes, but that was not a parallel case. The price of potatoes is governed by the supplies from the Eastern States when our market is bare. When supplies are plentiful in the Eastern States, potatoes are shipped here and they depress the local market. Last year many growers who had good crops could not profitably dig them.

The Minister for Agriculture: What has that to do with this clause?

Mr. THOMSON: A lot. I do not say that growers will send their produce overseas, but the clause will give power to the Minister——

Hon. Sir James Mitchell: No, to the board.

Mr. THOMSON: But the proviso will give the Minister power to veto any action by the board.

Hon. Sir James Mitchell: Yes, but we hope to get that deleted.

Mr. THOMSON: The hon. member is optimistic. If we permit the Minister to override the board and stipulate what quantity of produce shall be retained, he will have the power to fix prices.

The Minister for Lands: You need not worry about that. We should take it, Bill or no Bill, if the people were short and we wanted it.

Mr. THOMSON: That shows that the Government have sufficient power to conserve the interests of consumers, and rightly so. Why the necessity for this paragraph?

Amendment put and negatived.

Mr. LATHAM: Paragraph (viii.) will empower the board to sell or dispose of any real or personal property belonging to or held by the board. That is an extraordinary power to give a temporary board. Under the Traffic Act road boards have power to close roads, and I know of a road that has been permanently closed because the board have not the money to keep it in repair.

The Premier: We could sell up the property of the whole State, but we are not going to do anything mad.

Mr. LATHAM: No, because the Premier's education tells him it would not be wise to do so.

The Premier: Do you suggest that this will be a stupid board?

Hon. W. D. Johnson: What about when the board close up?

Mr. LATHAM: Then the Minister should have the right to say whether the board should sell or not.

Hon. W. D. Johnson: That would be the board's job.

Mr. LATHAM: It is a big power to give the board.

Mr. THOMSON: I cannot agree to the proviso, which would empower the Minister to prohibit any action on the part of the board that he considers detrimental to the public interest. The Minister should not have this power of veto.

The CHAIRMAN: Are you going to move an amendment?

Mr. THOMSON: I do not think there would be any chance of getting it carried, so I shall vote against the clause. There is no provision for an appeal against the action of the Minister. Some right of appeal should be given against the decision of the Minister.

The MINISTER FOR AGRICULTURE: The hon. member cannot think I am going to agree to his amendment, for it would mean handing the public over body and soul

to the growers. If I did that, I should not be worthy of my place in Parliament. It would be an unparalleled thing to do. Some of the growers passed a motion asking for this legislation.

Hon. Sir JAMES MITCHELL: The Minister is using arguments that could well have been used in opposition to the Bill. People cannot be forced to buy at the prices that are fixed. There will be no market outside the State to equal the market inside. The Minister will be all-powerful under this Bill.

The MINISTER FOR LANDS: I am surprised at the way the measure has been received by those who are supposed to represent the primary producers. This is the only clause in the Bill that protects the consumer. Many of the representatives of the growers who have asked for the Bill are opposing it at every stage. If they do not want it they will not get it. The Minister has done his best to suit the primary producers and give them a fair marketing proposition. He said the Government were willing to agree to anything in reason, but if they want to be unreasonable it is the duty of the Government to see that the consumer is protected, hence the embodying of this clause in the Bill. If the growers do not want the Bill let them say so.

Hon. Sir James Mitchell: I will say so.

The MINISTER FOR LANDS: While prices are fair there will be no necessity to interfere.

Hon. Sir James Mitchell: You form a ring and knock it over.

The MINISTER FOR LANDS: This clause must remain in the Bill.

Mr. DAVY: The Minister can most certainly rely on my vote for the retention of this proviso. Personally I am of opinion that the proviso does not go nearly far enough.

The Premier: That is the fear I have.

Mr. DAVY: It is the crux of the whole thing. My whole objection to the Bill is that under it we are creating an absolute monopoly with statutory powers—power, for instance, to break contracts—while the only protection we have is the Minister. The present Minister may be able to perform the function, but some future Minister may not. If I had my way, I would insert after "Minister" such words as "any member of Parliament or any member of the public." The Minister might not be able to control the price fixed by the board quickly enough or effectively enough.

Clause put and passed.

Progress reported.

House adjourned at 11.4 p.m.

Legislative Assembly,

Wednesday, 30th September, 1925.

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

PRIVILEGE—PRIMARY PRODUCTS MARKETING BILL.

Newspaper Report Challenged.

HON. W. D. JOHNSON (Guildford) [4.33]: Under privilege I desire to ventilate a matter of State interest, and I propose to conclude with a motion. In this morning's issue of the "West Australian" newspaper, in a report of the Committee stage of the Primary Products Marketing Bill, I am credited with having moved an amendment to the definition of "grower" as follows:—

That a fruitgrower means a person by whom a product is grown, produced, or prepared from an area of not less than five acres.

The newspaper states that the Minister for Agriculture accepted the amendment. No such amendment was moved, and therefore