

The Bill proposes to legalise the acceptance by members of such travelling allowances as may be prescribed by the Governor, and it is intended that these allowances shall be appropriate and comparable with those now payable either to senior civil servants or to Ministers of the Crown should they have to collect expenses in the course of their public duties. Thus it proposes to overcome the disability challenge to members for dealing with the Crown legitimately and the disability associated with the non-payment of out-of-pocket expenses incurred whilst serving the State.

Mr. Berry: Would that apply to a farm sold to the Government?

The PREMIER: If a sale were made to the Commonwealth, which would be the Crown, this Bill would not apply, but sales to the Crown as represented by our own Constitution, even if a member were a client of the Rural and Industries Bank or sold a property to the Lands Department or purchased a property from the Lands Department, would come under the provision in this Bill. I move—

That the Bill be now read a second time.

On motion by Mr. Watts, debate adjourned.

House adjourned at 10.27 p.m.

Legislative Council.

Tuesday, 11th December, 1945.

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

QUESTION.

SCHOOLS OF AGRICULTURE.

As to Use for Servicemen's Training.

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

1, Is it the intention of the State Government to utilise the agricultural schools at Narrogin or Denmark as training centres for discharged servicemen during the vacation period?

2, If so, is it intended that equipment so provided for such a course will be retained at the school, or schools, at the termination of such a course, for the use of students?

The CHIEF SECRETARY replied:

(1) No.

(2) Answered by No. 1.

**TRANS RAILWAY, KALGOORLIE-
FREMANTLE SECTION, SELECT
COMMITTEE.**

Extension of Time.

On motion by Hon. A. Thomson, the time for bringing up the report was extended to Friday, the 14th December.

BILLS (4)—THIRD READING.

1, Building Operations and Building Materials Control.

2, Industrial Development (Resumption of Land).

Returned to the Assembly with amendments.

3, Industries Assistance Act Continuance.

4, Adoption of Children Act Amendment.

Passed.

**BILL—ALBANY FREEZING WORKS
AGREEMENT.**

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.40] in moving the second reading said: This Bill seeks to ratify an agreement by the Government for the purchase of the assets and business of the Albany Freezing Works, Ltd., to approve of the purchase price agreed upon, to provide for the incorporation of the business with the W.A. Meat Export Works as a State trading concern, and to validate all transactions in these connections which the Government has carried out.

Before discussing the agreement, members may be interested to hear briefly the circumstances that led to the company requesting the Government to take over the business. The company commenced activities on the 1st January, 1936, when it obtained from the Public Works Department a ten-year lease of buildings that were originally known as the Albany Cool Stores. The yearly rental payable by the company was £275, with an option of purchase of £5,500. The business of the company was that of the killing and handling of sheep and pigs for export, and it also operated a freezing works and cold stores for primary produce. Its authorised capital was £20,000, of which 17,200 shares at £1 each were sold. The principal shareholder was Mr. F. R.

Heron, of Fremantle, who was chairman of directors and who possessed 12,430 shares, or 72 per cent. of the total paid up capital.

The operations of the company for the first two years were conducted at a loss and, early in 1938 the Government was approached to guarantee the company's overdraft with the Union Bank of Australia up to an amount of £15,000 in order to enable the provision of up-to-date treatment facilities for the increased supply of lambs which it was confidently expected would be available in the following few years. In view of the bright prospects of the industry, the Government agreed to give this aid, security being taken over the whole of the assets of the company. In addition, Mr. Heron, the principal shareholder and chairman of directors, personally provided further financial assistance to the company. The company's optimism was justified during 1938, when a record number of fat lambs, amounting to approximately 380,000; were treated in Western Australia for export.

Hon. G. W. Miles: Were all those lambs treated at Albany?

THE CHIEF SECRETARY: No, that was the total for the State. This output taxed to capacity the treatment facilities which were available in the State, including those of the Albany Freezing Works. In view of the fact that it was considered in all quarters that 1939 would see an even greater number of lambs available, action was taken by the Government for the enlargement of treatment facilities throughout the State. This included the duplication of the capacity of the Albany Freezing Works to enable the treatment there of 80,000 to 100,000 lambs. The extensions were financed by the Government, which provided a loan of £20,000 to the company. Unfortunately, the optimistic expectations of further record years were not realised. The three factors mainly responsible for this state of affairs commenced in 1939, which proved to be a drought year, as a result of which all works treated fewer lambs than in 1938. The war then intervened and upset all plans. Many growers changed from the production of lambs to that of wool, in view of the increase in price of that commodity and its guaranteed wartime market.

Another factor which contributed to the partial failure of the scheme was the Commonwealth Government's refusal to allow third-grade lambs to be exported. As approximately one-third of this State's lambs were classified as third-grade, the producers were seriously affected by the Commonwealth's decision. This, too, resulted in many growers reverting to the production of wool. Fortunately this restriction was removed after a few months had elapsed, but a considerable amount of damage had already occurred to the fat lamb industry. As a result of these factors, meat works throughout the State treated far fewer lambs than was anticipated, and the Albany Freezing Works were able to make very little use of the extensions erected in 1939. As I have said, these extensions provided for the treatment of 80,000 to 100,000 lambs. The largest number handled in any one subsequent year, however, was 55,700 in 1943.

Since its inception the company has operated at a loss, but this to some extent can be attributed to causes beyond the control of the company or of the Government. The establishment of these works at Albany has been of great benefit to the Great Southern district, and has been the means whereby approximately 400,000 surplus lambs and sheep have been treated. Mr. Heron, the principal shareholder, had great faith in the prospects of the works, and in addition to his share capital of £12,430, has expended a further £28,688 in the concern by way of guarantees and advances. Thus the amount of money he has provided is approximately £41,000.

At the close of the last lamb season, Mr. Heron approached the Government with the information that the company was unable to continue its activities. He requested the Government to consider taking over the works at a fair price. The Government agreed to examine this proposal, and as a first step arranged for valuations to be obtained of the company's assets. The buildings were valued by Mr. W. L. Brine, of A. T. Brine and Sons, and the plant and machinery received the attention of Mr. Brearley, the chief engineer of the W.A. Meat Export Works. The valuations totalled £58,200, and comprised: Buildings, £23,506; plant and machinery, £23,620; stock on hand, £4,120; sundry debtors, £6,345; and sundries, £609. As the liabilities of the com-

pany at the 30th June, 1945, were £96,800 including accumulated loss to that date totalling £30,000, it can be seen that the shareholders lost the whole of their share capital of £17,200, and Mr. Heron, in addition to the loss of his shareholding of £12,430, was also a heavy loser in connection with his guarantees and advances to the company.

The company could not secure additional capital and was unable to obtain a purchaser, but the Government felt that the works should be retained at Albany in order to assist in the development on sound lines of the Great Southern areas. In view of post-war prospects, it is most likely that farmers in the lower Great Southern areas will increase their production of fat lambs for the export market. The lack of success of this venture can be ascribed to drought conditions and war circumstances over which neither the company nor the Government could have any control. The Government will have many difficult factors to face in the administration of these works; but in enabling the concern to continue its activities the Government considers it will be rendering an essential service both to the district and to the State.

Every effort will be made to stimulate production to its utmost in order to build up the works to their maximum capacity. The Government is hopeful that success on a smaller scale will be obtained at Albany similar to that achieved at Robb's Jetty subsequent to its taking over that venture. It is considered advisable that Albany be made a branch of the W.A. Meat Export Works thereby saving two lots of overhead expenses, in addition to creating a unified policy of management.

The Bill is comprised mainly of the agreement, which has received the approval of the company. Clause 1 provides that the butcher's shop carried on as Hill & Co., of Albany, shall not be taken over by the Government. This shop is the property of the Fremantle Cold Storage Co. and was only on lease to the Albany Freezing Works. Its chief virtue was that it provided "off-season" work for some of the key employees of the freezing works, and also an outlet for reject lambs, boned meat etc. which had previously to be sold mainly to wholesalers in Perth. Clause 2 provides that the sum of £58,200, being the value

tions obtained by the Government, shall be paid for the purchase of the concern, less the company's existing liability to the Treasury, which amounts to £46,123. Clause 3 states that the company shall not for a period of 20 years engage, directly or indirectly, in any activities similar to that which it is selling to the Government, which, in purchasing this concern, is actuated by the conviction that its closure would retard development of the Great Southern district. It is hopeful that, now the war has ended, conditions in the export industry will gradually improve to the extent that the works, under wise management, will become financially self-reliant and producers will reap the benefit of treatment works established in their own district.

I am sure it must have been a great disappointment to those who established these works in Albany to be faced by such difficulties, because prospects at that time appeared to be so bright and the district was being developed so rapidly for the production of fat lambs that one could quite reasonably expect that, in the course of a few years, the works would be very successful. However, it has not turned out that way. The conditions to which I have referred proved too much for the company, and the Government has agreed to take over the works under the conditions I have outlined. I feel sure that under the circumstances this House will agree that the Government has done the right thing in the interests of the producers of the lower Great Southern, and I can only express the hope that as years go by the enterprise will prove successful and the action of the Government be justified in every possible way. I trust the Bill will receive the sanction of this Chamber, and I have pleasure in moving—

That the Bill be now read a second time.

HON. A. L. LOTON (South-East) [4.55]: In supporting the second reading, I must congratulate the Government on coming to the assistance of the producers of the lower Great Southern. When the freezing works started, conditions looked very prosperous in that section of the State, and with pigmeat coming into its own in that lairying area, it seemed as though the freezing works would prove a little goldmine. Unfortunately, war conditions inter-

vened, and the drought led to an alarming decline in the number of sheep. As the Chief Secretary pointed out, wool prices went higher and the production of lambs decreased; consequently, the freezing works had to struggle along.

In 1944, the freezing works did a wonderful job by acquiring so much of the low-grade mutton and treating it. Big portions were boned and stored, until the meat position in the last season became desperate, when it was released for human consumption on the local market. It was not of the best quality, but it was a wonderfully good standby. If it had not been for the carcasses having been treated at the works last year, when sheep were bought at very low prices, the animals would have had to be killed on the farm or left to rot; there would have been no other outlet for them. The Fremantle works could not handle them and it was impossible to rail them to Midland Junction from places like Lake Grace, a 27 hours' journey;; Pingrup, 48 hours; Ongerup, 24 hours, and Borden 23 hours. The sheep would not have stood up to the travelling conditions and the loss would have been great.

When the main road from Lake Grace to Albany is bituminised, producers in that northern area will be able to deliver lambs to the freezing works in less than four hours by fast motor transport. That will make all the difference between getting the lambs to the works in prime condition and having to truck them on railway trucks, bring them all the way to Midland Junction, untruck them and then truck them again to be sent to Fremantle for treatment. I hope that now the Government has taken over the works, the storage facilities will be sufficient to hold enough carcasses to make it worth while for a boat to call and take delivery at Albany. One day last week three boats were in Fremantle, all wanting frozen mutton at the same time; but it was impossible for carcasses to be taken out of the works in sufficient quantities to make the loading of the boats payable. We happened to be there and saw those conditions. One truck came along when the boats were clamouring for carcasses. With the best of intentions about 12 months ago, the plant at the Albany Freezing Works was enlarged in order to cater for the killing of pigs. So much a pound was paid for carcasses; but unfor-

unately the producers down that way thought they would get more by selling over the scales live-weight and the treatment at the works did not come up to the standard anticipated. I am certain that when restrictions on the porker market are lifted, tremendous quantities of porker pigs will be handled for the Old Country.

In the dairying country it is easy to bring pigs to porker weight; and when the restrictions are lifted, I am sure we will see Albany come into its own. In the portion of the Great Southern including the municipalities of Wagin and Albany, there is an area of nearly 21,000 square miles with a population of 25,000. The pig numbers in that area on the 29th June, 1945, totalled 20,348. In a period of twelve months, the number was increased by just over 2,000. Cattle increased from 23,000 to 31,000. These particulars indicate the possibilities of development in that particular area. Now that there are two diseases amongst sheep in several parts of the Great Southern it seems that many of the merino people will have to go back to breeding cross-bred lambs, which means that the prospects for the freezing works at Albany will be unlimited. An improved road transport system will make a big difference in getting livestock to the freezing works. I hope that before long some of the money that has been paid in petrol tax will be devoted to putting the roads into first-class order. I support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—LEGISLATIVE COUNCIL (WAR TIME) ELECTORAL ACT AMENDMENT.

Returned from the Assembly without amendment.

BILLS (3)—FIRST READING.

- 1, Electoral (War Time) Act Amendment.
 - 2, Loan, £956,000.
 - 3, Workers' Homes Act Amendment.
- Received from the Assembly.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER (H. E. H. Gray—West) [5.8] in moving the second reading said: This is a very small Bill which should not take much time to be put through. It has been before the Chamber on many occasions, but, owing to the altered conditions now existing, I think that in the interests of the women, in particular, of Western Australia, the House should agree to the measure. The purpose of the Bill is to amend Section 6 of the Industrial Arbitration Act, 1912-1941, in order to give domestic servants and persons employed as rural workers the right of approach to the Arbitration Court. It is considered that the time is opportune to accord domestic servants the status they deserve. It seems peculiar that this section of the community is not placed on the same level as other workers who have their organisations, their prescribed hours of employment, and their defined rates of pay. There is probably no other employment whose vocation is treated with less consideration than that of the domestic help, and yet the demand for the services of these women and girls is at all times considerable.

During the war years feeling has changed appreciably. It is now recognised by people who believe in progress that the status of the domestic servant should be raised on the ground that she is indeed a very valuable unit of society. If domestic help are given proper standing, mothers and families will be able to secure efficient help, and this will also have a big effect upon improving the services rendered, which in turn will result in a considerable improvement in the health of the people. In pre-war days one heard continuous complaints regarding the paucity of this type of labour, but very few were prepared to provide a domestic employee with reasonable hours or an adequate wage for her labours. For these reasons only the poor type of worker was, in the majority of cases, attracted to domestic employment. It is obvious that an assistant in a private home where there are children to be cared for and household valuables to be looked after, etc., should be of a satisfactory calibre, and it is the intention of this Bill

to take the first step towards raising the status of these valuable adjuncts to the community.

It is an indisputable fact that recourse to arbitration has resulted in the betterment of the conditions of many workers. A consequence of these improved conditions has been the gravitation to the type of work affected, of a better class of worker. It is therefore hoped that the action proposed by this Bill on behalf of the domestic employee will bring about not only more satisfactory working conditions but will attract an improved type of worker, and that no longer will complaints be broadcast of the poor quality of the persons offering for domestic work.

Hon. L. Craig: What difference will this Bill make in the quality of domestic work?

The HONORARY MINISTER: It will increase the status of the workers concerned.

Hon. J. Cornell: What do you mean by status?

The HONORARY MINISTER: A competent domestic servant would be a valuable unit of society.

Hon. L. Craig: She can name her own price.

The HONORARY MINISTER: In past years domestics have not been recognised, and through snobbery and other factors they have been looked down upon.

Hon. J. Cornell: You still have not told me what you mean by status.

The HONORARY MINISTER: I feel sure that if members consult the womenfolk or any women's organisation—not a political organisation—they will find that the women will express the same opinion that I have, namely, that it is absolutely necessary to recognise the need for domestic servants and to extend to them the same rights as are given to other workers. Members will find that the heads of households will benefit considerably by the improvement that will take place, and there will also be benefit for the domestic servant who is engaged in employment.

As I have mentioned, the Bill also proposes to bring rural workers within the ambit of the Arbitration Court. It was the consensus of opinion that the Act catered for these employees in paragraph (c) of Subsection (1) of Section 94; but

in a decision announced on the 8th March, 1945, Mr. President Dwyer stated that the wording of the paragraph was neither clear nor unambiguous, and he recommended that Parliament be given the opportunity more adequately to define the meaning and to decide whether the Act intended to afford protection to farm employees, and that is what this Bill seeks to do. This is another case where the status of employees should be clearly set forth and provision made to attract a suitable type of man to the industry. If rural workers are not provided with the opportunity to place their case, when necessary, before the State Arbitration Court, it is quite possible that they may take action to have their grievances heard by the Commonwealth Court. This would be an undesirable procedure, and an inconvenience both to the employer and the employee as the Commonwealth Court seldom visits Western Australia, and considerable delay and expense would occur should the workers in question desire that their case be heard by that authority. I have outlined briefly the relevant details of the Bill, and trust that members will have no objection to providing two very worthy sections of the working community with privileges that are enjoyed by the great majority of their fellow workers. I hope the House will pass the Bill with very little debate or amendment. I move—

That the Bill be now read a second time.

HON. C. F. BAXTER (East) [5.15]: The Honorary Minister in introducing the Bill said that the time was opportune for its presentation. Since he made the statement I have been puzzling about it. Why is the time opportune? This is not the first time such a Bill has been placed before the House and on each occasion members have handled it as it should have been dealt with, and I hope they will pursue a similar course in connection with this Bill. The Honorary Minister said the Bill would result in a better class of domestic servant being available for employment. Why should that be?

The fact that domestic servants are to be brought under the aegis of the Industrial Arbitration Act means that every home will be regarded as an industry. Will that make for a better class of domestic servant? Of course it will not. I cannot follow that line

of reasoning at all. Then the Bill seeks to bring rural workers under the provisions of the Industrial Arbitration Act. All that I can see in that is that in future one more avenue of employment will be exploited, as it has been in every other part of the Commonwealth. Is it considered that by bringing rural workers under the provisions of the Act and applying all the industrial machinery to the operations on a farm, it will mean an increase in employment? It certainly will not; it will mean a decrease in those activities.

Hon. T. Moore: Why should the rural workers be debarred from the benefits of arbitration?

Hon. C. F. BAXTER: The hon. member is a farmer, just as I am, and he knows just as well as I do that there are many farmers who will not be able to employ men under the projected conditions, and there is certainly no prospect of that being possible. The industry is in the shockingly bad state, due to the robbery on the part of the Commonwealth Government in depriving farmers of the value of their wheat.

The Honorary Minister: That is another question.

Hon. C. F. BAXTER: I would remind Mr. Moore that during the 1914-18 war they received every penny of the export parity for their wheat, but that has not been so with the present Commonwealth Government. Up to the present the accumulated loss to the farmers is in the vicinity of £20,000,000. I do not disagree with the objective that was advanced during the war period which was that the people should get cheap bread, and so on; but the burden in that respect should have been borne by the whole of the community and not by the farmers. Now they are to be loaded by the State Government with extra imposts through an Arbitration Court award, laying down improved conditions and increased wages, and the industry will not be able to carry the added burden. Let the Government fix a payable price for the products of the farming community, and then I shall be the first to support this class of legislation. Until such time as the farmers are placed in a position enabling them to pay the wages and provide the conditions that might be prescribed in an Arbitration Court award, this House will be failing in its duty if it does

not reject legislation of this description. The proposal in Clause 2 of the Bill aims at the inclusion of domestic servants under the purview of the industrial arbitration laws. As I mentioned earlier, this is by no means the first time this proposition has been made to us.

The Industrial Arbitration Act, as its very name implies, was first placed on the statute book for the purpose of controlling conditions applying to employment in industries. Parliament in its wisdom, while agreeing to amend the Act on several occasions, has refused to regard a private home as an industry. Parliament has drawn a line between a private domestic establishment and boarding houses and provided that establishment shall be regarded as private houses unless more than six boarders or lodgers are resident therein or are received for pay or reward. The Bill now seeks to extend the meaning of the word "worker" so that every type of domestic establishment employing servants shall be covered. This would mean that every private house where domestics are employed would be classed as an industry, whereas by the very nature of the home it provides a contradiction of the term "industry" included in the Industrial Arbitration Act.

A private home is not a business, trade or undertaking. It does not come within the category of an industry or a group of industries. On the other hand, a home has always been regarded as a private sanctum and any person who trespasses on that home commits a punishable offence. It needs little imagination to conjure up the obnoxious nature of the right of entry that is involved. It would mean the invasion of the sanctity of the home by union or Government officials in order to police either the provisions of an industrial award or the sections of the Shops and Factories Act. Has it come to such a pass that the sanctity of a home is to be no longer respected? We know what some union officials and even what some Government employees can do. Private homes should be protected against intrusions of this description. Where will all this finish? If we are not careful our homes will be like those in some European countries where a home is not a home at all. The Honorary Minister said it was almost impossible to get first class domestic servants these days, and that this was hardly to be wondered at in

view of the way some sections of the community treated domestics. He said that in view of the prevailing wages and conditions a better class of domestic servant could not be expected. That statement is positively ridiculous. Domestic servants are not looked down upon nor are they degraded.

Hon. T. Moore: They are drudges.

Hon. C. F. BAXTER: Not only are domestic servants in short supply; the same conditions apply in every branch of industry. When the Honorary Minister made the statement that in a large majority of places the provision made for domestics was impoverished, and that their conditions were unsatisfactory, his statement was ridiculous. There may possibly be some homes to which that could apply. In every instance of which I am aware, quite adequate provision has been made for the accommodation of domestics, and proper food has been available for their consumption. In fact, in most homes, the girls take their proper places as part of the family. The domestics and the family are practically one.

Mr. Justice Drake-Brockman in the clothing trades case in the Federal court, to use his own explanation, departed from the sound, economic wage-fixing method of the court, and awarded a flat rate of 75 per cent. of the male basic wage in order to attract females to the industry. Other judges of the Federal court have flatly rejected this proposition, and have expressed their total disagreement with Judge Drake-Brockman's action. That was not the first time they have done that. In the female minimum rates case, the majority of the Federal judges, sitting as the Full Court of the Arbitration Court, dismissed the application because of their stated disagreement with the principle referred to as "the attraction wage principle." During the hearing of this case, evidence was produced by the employers to show that the experiment had been a complete failure and that, as a fact, females had not been attracted to the industry. It was pointed out that it was not so much the rate of remuneration as the class of work offering that affected the situation.

For example, females preferred to work in the lighter trades rather than in the heavier and less attractive forms of em-

ployment, such as that associated with rope and cordage, even though that particular work was directly for war purposes. That is not in accordance with what the Honorary Minister suggested by any means. So far as raising the status of domestic workers is concerned, we are reminded that in the boarding house employees case before the State Arbitration Court, to assist the union, which pleaded that the status of the workers concerned should be raised, the court decided to insert a provision in the award to the effect that unless the worker agreed otherwise, she would be referred to as "Mrs." or "Miss." That was absolutely ludicrous. The result was, of course, that the prefix Mrs. or Miss was never used. Of course it would not be; to call a girl "Mrs." or "Miss" would be too cold. As a matter of fact, the domestic in a home becomes really part and parcel of the home and would almost certainly be called by her christian name.

Hon. G. B. Wood: If the servant desired that privilege, why should she not get it?

Hon. C. F. BAXTER: It is there for her to take advantage of should she so desire, but the privilege is never used. In fact, it is ridiculed. Then again the proposal to include agricultural, pastoral or any other service of a rural nature within the definition of "worker" would not, as the Honorary Minister suggested, overcome the decision of the Arbitration Court to which he referred. At present there is no exclusion of these types of workers in the definition under the Act. This matter was decided by the court in relation to Section 92 which, in paragraph (c) of Subsection (1), reads—

Limit the working hours of piece workers in any industry except workers engaged in the agricultural and rural industries.

The President of the court held that as the legislature distinguished in that subsection between a pieceworker and a worker, the legislature must have intended to except all workers engaged in the agricultural and pastoral industries so far as working hours are concerned. It would appear that to include those types of workers under the definition in the Bill would have no bearing at all on the subsection I have quoted, seeing that it remains unaltered. The pastoral award was issued by the Federal Arbitration Court

and covers sheaters and others, but specifically excludes jackaroos and aborigines. It can be said therefore that the Federal court has complete jurisdiction over the workers in the pastoral industry and has decided that specific types should not be bound by the award.

It is considered that the Federal court, having exercised its jurisdiction, the State court should not be permitted to interfere. I certainly consider it should not. What is at the back of the mind of the Government in this matter, which is so widespread in its implications. I cannot understand it at all. As a matter of fact, I do not know of one Bill that has been brought forward by the Government this session that has been of any importance to the State or to the people generally. All measures have been of a pinpricking nature, just when we want legislation of a directly contrary nature. Goodness knows, the prospects for the future are black enough. Our men are returning from the Front and no work is prepared for them to undertake. As a matter of fact, men are already walking about looking for work. I thought the Government would have been fully engaged by this time providing homes, work and putting men on the land, but instead of that we have been asked throughout the session to consider legislation of a pinpricking nature, legislation that is certainly not required in these times. We know why it is so. The legislation that we have been asked to consider has emanated from Beaufort-st.—from the Trades Hall.

Hon. T. Moore: Oh!

Hon. C. F. BAXTER: Mr. Moore can laugh if he likes. Perhaps this is legislation of the type that he approves. Possibly that is why he is rejoicing at it. The present Government is entirely under the control of the Trades Hall. Its legislation has proved it up to the hilt. This is nothing but a Trades Hall measure. Does the future hold such promise that we can afford to tinker at legislation of this nature? It does not, and I hope the House will deal with the Bill in the same way as it dealt with similar Bills in the past and throw it out. I shall vote against the second reading.

HON. G. B. WOOD (East) [5.31]: I intend to support the second reading of the Bill.

Hon. T. Moore: Hear, hear!

Hon. G. B. WOOD: In Committee I shall move an amendment, which I will explain in a few moments, dealing with the part relating to rural workers. I have always supported any move to give the domestic worker—I do not like the word servant—access to the Arbitration Court. I think that five or six years ago I was the only member of this House not a member of the Labour Party who supported a similar proposal. On the succeeding occasion, I think another member, also not a member of the Labour Party, gave support to a similar proposal, and I hope that on this occasion every member will support the Bill. In my opinion, it is hopeless to try to get domestic workers in these times unless they can enjoy standardised conditions.

Hon. H. Tuckey: You cannot get them in Perth.

Hon. W. J. Mann: Not if you pay low wages.

Hon. G. B. WOOD: Today a girl can get work at many other vocations. She can secure a position in a milk bar or in a shop, where the hours of labour are prescribed and where the wage is fixed by the Arbitration Court. The Bill does not propose to fix the wages and hours of domestic workers, but to give them access to the Arbitration Court in order to put forward a case on their own behalf. In my opinion, there is nothing wrong in that suggestion. Now that the war is over, many girls who were in the Services and others who were engaged in war work are likely to become unemployed. They will not want to go home to mother, so that if they could procure reasonable conditions and fair remuneration by going into domestic service that would be an avenue to absorb them. I do not propose to state what hours a girl should work in a home, whether her hours should be 60, 56 or 48. I would not go below 48.

Hon. L. Craig: Why not 40?

Hon. G. B. WOOD: I do not think any judge would fix the hours of domestic workers at 40 a week, but I am not committing myself on the question of hours. I believe things can be so worked out that a girl could go into a home and work for a cer-

tain period in the morning, a certain period in the afternoon and a certain period at night. There is no big obstacle in the way of making such an arrangement. What I have said with respect to domestic workers applies also to the rural worker. I do not believe that we will get workers in the rural industries unless there is an award fixing their remuneration and governing their conditions of labour. We have now reached the stage when most farmers fully recognise that fact. When the Federal award was mooted some months ago I had something to say about it. At that time I attended a number of farmers' meetings, and practically on every occasion the farmers said that something had to be done. They were not in accord with all the impossible conditions which were included in the Federal award; but, generally speaking, they considered that a basic wage should be paid, without any margin for skill.

Hon. L. Craig: You cannot have your cake and eat it!

Hon. G. B. WOOD: In that particular case, I say we can. A margin of skill and other impossible conditions were provided for the ploughman in that award, but the man who picks up stones and roots on a farm ought to get more wages than a man who merely sits on a plough.

The Honorary Minister: Picking up stones and roots is harder work.

Hon. G. B. WOOD: Yes, the proposed award was ridiculous.

Hon. W. J. Mann: Should a man be paid a margin for skill if he is picking up stones?

Hon. G. B. WOOD: There was no margin for that man, but the man who sat on the plough did have a margin for skill and he was paid a certain sum for feeding his horses. As I believe we will get a Federal award, I favour our rural workers approaching the State Arbitration Court. I spoke of an amendment which I propose to move in Committee. I suggest to the House that workers in the rural industry differ materially from workers in secondary industries. In the latter, the price which the employer gets for his manufactured article is more or less controlled. But the price which the farmer receives for his produce is not controlled. A person may over-produce, as the Chief Secretary suggested the other evening when speaking about the egg industry, and

the future might be very black because of the lack of opportunity for export trade. I say definitely that in some industries a high rate of wages cannot be paid. No-one objects to workers in secondary industries obtaining an award.

Hon. L. Craig: Because it goes on to the price of the product.

Hon. G. B. WOOD: I want to illustrate to the House the difference between rural workers and workers in secondary industries. I believe that the farmer over the past years has paid good wages when he could, particularly during the last seven or eight years—not only during the war years, but before. Wages before the war were almost as high as those during the war. Farmers who did not pay a sufficient wage could not get the help they required. I venture to say that the wages paid in the rural industries today are above those which might be awarded by the Arbitration Court. It is no use anybody saying to me that the primary industries cannot at present stand an award. But what will be the position in a few years, when prices are not as high as they are today? That is what concerns me. My amendment will throw upon the Arbitration Court the onus of making an award which the industry can carry. Nor is that anything new.

In 1926 shearers were paid about £2 per 100; but, as the price of wool fell and the industry was unable to pay that rate, the shearing rates came down to as low as 29s. 6d. or 30s. 6d., I am not sure which. After the war, when the price of wool rose again, the price of shearing also went up. I believe the Arbitration Court could apply that principle in an award governing the growing of wheat, the production of eggs or any other primary product. The award should be based on the prices which the producer gets. Suppose a farmer were paying £5 a week when wheat prices were what they are today—and I do not think anybody would object to that—and the price of wheat fell to 2s. 6d. or even 1s. 8d. a bushel, the Arbitration Court should vary the award accordingly.

Hon. L. Craig: Why mention wheat?

Hon. G. B. WOOD: If Mr. Craig will only have a little patience, I will quote other commodities, such as milk, butter and eggs. For the last few years poultry farmers have

been obtaining a payable price; but with the enormous over-production in Australia it is quite on the cards that eggs may drop to 6d. or 8d. a dozen. I say very definitely that that industry could not stand a high award. The same thing will happen in the wool industry. The price of other primary commodities will fluctuate in the same way. Butter-fat varied from 1s. 6d. to 8d. a lb. The dairying award is satisfactory; it is a Federal award. I consulted many dairy farmers about it and they expressed satisfaction with it.

Hon. L. Craig: Did the whole-milk producers?

The PRESIDENT: Order! Will the hon. member please resume his seat? This is a Bill which seeks merely to amend the definition of "worker." It is a very short Bill, consisting only of a few clauses, and I do not think that the hon. member should range over the whole field of industrial enterprise.

Hon. G. B. WOOD: I am afraid I do not quite follow your ruling, Sir. I was endeavouring to point out that the Arbitration Court should be able to vary its award. It was on that assumption that I decided to support the measure; otherwise I would vote against the rural worker being brought under the Industrial Arbitration Act. I was demonstrating that there are great fluctuations in the prices of primary products.

Hon. E. H. H. Hall: It all hinges on that.

Hon. G. B. WOOD: Yes. In my opinion, the responsibility should be thrown upon the Arbitration Court to furnish a certificate as to the state of the industry, if we are to bring a rural worker under the definition of "worker" in the Industrial Arbitration Act. Our industry may decline, as it has declined in the past, and the court should have power to annul that certificate. I support the second reading.

HON. E. M. HEENAN (North-East) [5.44]: I hope that the Government's persistence in bringing forward this measure will be rewarded on this occasion by its being carried. It appears to me to be quite unfair for the community to say that workers in various phases of industry can apply to the Arbitration Court and obtain the benefit of an industrial award while at the same time other workers should be denied that privilege. That, in effect, is the position which exists today.

I maintain that domestic service is an industry and that a person working in a private home is as much engaged in an industry as, for instance, a barman or a boot maker. So I entirely disagree with Mr. Baxter who said that these people are not engaged in an industry—or that is tantamount to what he said. Another argument of Mr. Baxter's with which I disagree relates to the question of status. I think that undoubtedly the domestic at present regards himself or herself as being in the lowest strata of workers. The name has an unfortunate meaning. The domestic worker is as honest and is engaged in an occupation as essential as many others, and yet, for some unknown reason, the occupation is looked down on. Throughout the years these people have undoubtedly been treated in many cases, in an unfair manner. They have been paid what the employer agreed to pay them; they have been worked whatever hours their employers decided on, and they have been given quarters and accommodation that no organised body of workers or any industrial court judge, would accept.

I quite agree that in recent years, and particularly the present time, the effect of the shortage of domestic workers has been to bring about improved conditions. Nowadays unless reasonable wages are paid, reasonable hours are worked and reasonable accommodation is provided, one cannot get a domestic worker. But I maintain that that improvement has been brought about principally through the shortage caused by the war. Surely all of us want these improved conditions to continue? Would it not be much more satisfactory for the home that can afford the luxury of a domestic worker to know what has to be paid? Is not there a great deal of satisfaction in paying a fair and reasonable wage? We expect it of ourselves and, therefore, we should pay it to those whom we employ. But some standard has to be set. My standard may differ from that of 50 other people. We will all err in some regard. Some people may give above and some below what is a fair standard.

If an Arbitration Court judge, who is chosen for his skill and wisdom in matters of this kind, makes an award, it should be satisfactory to everyone. The wages would be set, the hours and other conditions would be provided, and the same conditions would apply in Hay-st. west as would apply

in Cottesloe. But I do not think a measure such as this warrants the prejudice that Mr. Baxter displayed by referring to it as being Trades Hall inspired and the outcome of Beaufort-st. It seems to me to be a most meritorious piece of legislation. It appears to have all the merits that legislation should have, namely, to give a section of the community the right to apply to a court to prescribe its conditions of employment.

Hon. J. Cornell: I voted for it 33 years ago!

Hon. E. M. HEENAN: I have pleasant recollections of the hon. member supporting it last time, and I feel confident that he will support it again. I come now to the matter of the sanctity of the home. Well, of course, a home is a sacred place and we want to maintain its sanctity, but to suggest that the carrying of this measure would in any way impair the sanctity of the home is, to my mind, reasoning on entirely wrong premises.

Hon. C. F. Baxter: You have had no experience of Miss Shelley, or others like her.

Hon. E. M. HEENAN: Do members think that a judge of the Arbitration Court would allow a union secretary, or some other person, to make himself a nuisance about a home?

Hon. W. J. Mann: He could not stop her.

Hon. E. M. HEENAN: Homes are invaded every day by the butcher and the baker.

Hon. W. J. Mann: Rubbish!

Hon. E. M. HEENAN: And also by the man selling vacuum cleaners. I do not see anything wrong with a union secretary calling to have a look at conditions. To suggest that it is going to affect the sanctity of the home is, in my opinion, gross exaggeration. I am not competent to say much about rural workers, although the same principle that applies to other workers applies to them. I appreciate the great difficulties under which farmers have to carry on their business. They trade in a world market and not many farmers that I know have made much money out of farming in recent years, but we must not let that aspect of the situation blind our reason when considering their employees. No matter where a man or a woman is working, he or she is, to my mind, entitled to reasonable conditions and what are reasonable condi-

tions should be prescribed by some competent authority—in this case, the Arbitration Court. I hope that on this occasion the Legislative Council will pass the measure. If we throw it out we will lay the House open to the charge of being unfair because this is a proposition that, I am sure, meets with the approval of the great majority of the public who fully expect it to be carried.

Hon. J. CORNELL: I move—

That the debate be adjourned.

Motion put and negatived.

HON. L. CRAIG (South-West) [5.56]:

I have listened carefully to the debate this evening but I have not yet heard one word spoken of the people really concerned, namely, the housewife on the one hand and the farmer on the other. One would think, from listening to what has been said, that they did not come into the picture at all, or that it did not matter what happened to them. If ever there was a slave to present-day conditions, it is the young housewife with three or four small children and no help.

The Honorary Minister: Hear, hear!

Hon. L. CRAIG: And she has no chance of getting help. If I thought this Bill would improve the conditions of the rural worker, or the domestic and, at the same time, do no injustice to the employer in each case, I would strongly support it, but I can see nothing in it that would improve the conditions of either. We all know that today if one wants a domestic one must pay probably more than would be granted under an Arbitration Court award, otherwise one does not get a girl. Consequently I find it impossible to believe that an Arbitration Court could determine hours for domestics. It could determine hours for some domestics, but not for all. Their conditions involve the care of children at night when the employers go out on the few occasions that they can. We can imagine a nurse-girl who has to feed a child at 11 o'clock at night taking out a watch and hanging it on the cot, and saying to herself, "This is overtime, and if the kid does not get on with sucking the bottle, then it is all to the good."

The Honorary Minister: The child should not be sucking a bottle.

Hon. W. J. Mann: You are old-fashioned.

Hon. L. CRAIG: I am modern. It is the Minister who is old-fashioned. Babies today are brought up on bottles.

The Honorary Minister: Too many of them are.

Hon. L. CRAIG: The point is that an arbitration award would not improve the conditions of domestics in any way. Today we have to pay an amount equal to or greater than what would be granted under an award.

Hon. E. M. Heenan: What is the amount?

Hon. L. CRAIG: Any amount that domestics like to ask, up to about £5 a week.

Hon. E. M. Heenan: Is not that unsatisfactory?

Hon. L. CRAIG: Yes, but an award fixes a minimum, not a maximum.

Hon. G. Fraser: The minimum is the maximum.

Hon. L. CRAIG: The hon. member knows a lot better than that. A red herring is being drawn across the trail. Some classes of domestic work are for entirely unskilled workers, such as young girls who have not been well trained in anything. They get a reasonably low wage—not today, though—for light work. I cannot believe that it is possible for an arbitration award to fix conditions of work for them. I believe this Bill would do no good to either sex. I remember discussing the position of rural workers with the present Agent General. I said to him, "I know your views on hours and conditions of work, and so on. How do you get on on your own farm? Have your men fixed hours?" He said "No, I find difficulty in that regard. It is impossible to fix hours of work during the lambing season, or after rain when cultivating must be done, but we adjust that. I make up for it to the men by giving them longer holidays and so on." That is the normal and natural thing to do.

Fix the hours on farms and see what happens in the wheat-belt after the first rain! Successful wheatgrowers work 24 hours a day, with two or three shifts going. One man told me recently that he put in 1,000 acres of wheat in a week, and it would be important that that crop be put in in a week so that it would receive the full benefit of the first rain. What would

happen in the irrigation and dairying areas? My irrigation water comes down on Christmas Eve this year, and when it comes I have to take it whether I want it or not. I shall be watering this year on Christmas Day.

Hon. J. Cornell: Will it have a stick in it?

Hon. L. CRAIG: It would take a lot of sticks to make the irrigation water drinkable. I do not think the Arbitration Court could fix reasonable conditions for irrigation farms over that critical period. I will be working on Christmas Day, Boxing Day and the next three days, because the water is forced on me. If it were turned off through the Christmas holidays it would upset the whole scheme of irrigation. Early and late hours sometimes have to be worked in dairying. It is not as if the rural worker is underpaid today. I do not know of one competent man on day work on a farm being paid less than £1 per day in my district. They are getting more than would be granted by the Arbitration Court. On a farm it is a friendly mutual arrangement. One has men working on Sundays, as I will have them working on Christmas Day, but it is made up to them by giving them three weeks or a fortnight off. It is all done by arrangement.

Hon. E. M. Heenan: Does everyone do that?

Hon. L. CRAIG: I believe they do. If they do not, they do not get good men. One cannot impose harsh conditions today, for good men never would stand for it. Farm life gives an opportunity of employment for people who are not quite suitable for other types of industry. Many farms have men on light jobs. They are given a good home and good food and conditions, and their wages are not high. They are happy and contented old men who would not leave for anything, but if we bring in an award it will ruin the living of those men.

I believe domestic and rural workers have been purposely excluded, because it is difficult to impose suitable conditions. If any hardship were being imposed on them they would vote for the Bill, but I can see no conditions under which such workers suffer any hardship. I can see a great deal of harm that would be done to people on middle salaries where the wife employs a young girl to help

her with her three or four children. That does not mean employing a girl from 9 till 4, or whatever the hours might be. It is that little help, which might be right through the night, when one child is sick and another crying, that helps, and what an awful position such a woman would be in without that help. Once we fix rates of pay, hours of work and conditions we break up that harmony which exists today in most homes. If that harmony does not exist today they just do not get domestic help. It would be a great mistake to pass the second reading of this Bill.

HON. H. S. W. PARKER (Metropolitan-Suburban) [6.5]: As far back as 1937 this matter was brought before this Chamber, and the legislation was referred to a Select Committee which reported on it. That Select Committee pointed out that the Industrial Arbitration Act was designed to deal with industries, and that it could not see where domestic servants had anything to do with an industry. I cannot see how a home is an industry. We, therefore, felt that domestic servants should not be brought under the Industrial Arbitration Act, and there is no good reason why they should be brought under that Act today. It is impossible to fix the conditions under which domestics are to be employed in various homes. I speak feelingly on behalf of the industrial worker, who, as a rule, has a large family, and whose wife is hard put to it to make ends meet. She requires help with her children and obtains it, possibly, by a neighbour's daughter or some other young girl doing a lot of light work.

As Mr. Fraser has pointed out, the minimum wage becomes the maximum, and therefore the Arbitration Court, in effect, fixes the maximum wage, which is the wage these unfortunate women will have to pay for the little domestic help they require. It will debar them from getting any domestic help unless they desire to commit a breach of the law, or it will put them in the unfortunate position in which so many people were placed in the early days of the Arbitration Act, when in all innocence they were employing someone who was not competent to earn the full wage, on a wage commensurate with the work done. Such people would suddenly find that they had com-

mitted a breach of the award and would be faced with an action for the recovery of arrears of wages. I have had numerous cases of that sort where, out of kindness of heart, people have employed persons who were not capable of doing a full day's work, and where everyone was happy except the union secretary, whose duty it was to police the award.

In order to police an award a union secretary must inquire. Presumably an award for domestic servants would provide for their living accommodation or quarters, and so the secretary of the domestic workers' union would not be fulfilling his or her duty unless he or she inspected the quarters to see that they were up to the required standard. The net result would be a great deal of friction and trouble because no woman likes some other woman to come in and critically inspect her house. It is against human nature. The only people who at present can get domestic servants are those fortunate enough to have a neighbour who will allow a daughter to come in and help for a certain number of hours per day, or something of that nature. Apart from that, one simply cannot get domestic servants.

Hon. L. Craig: They do not like the name.

Hon. H. S. W. PARKER: I agree, but the labour is simply not available because there are so many other walks of life in which girls can now find employment. Would this measure include governesses and so-called "lady-helps"? In the interests of those who urgently need domestic help at odd times I feel that we should not support this measure. We would be doing grave injustice to those hardworking and honest women who are endeavouring to bring up large families on small incomes. They would be debarred from getting help unless they paid wages out of all proportion to their husband's earnings. Those with very big houses or flats, and presumably with large incomes, are able to pay big wages; they cannot get domestic servants unless they do so. I have heard no demand for this measure since 1937, when I sat on the Select Committee. I have not heard of any domestic servants wanting to join a union; in fact, I have heard only the opposite. They say, "If I am to be made join a union I will not be a domestic servant, because I will not join a union."

Hon. G. Fraser: Then you have nothing to be afraid of in passing this measure, because there will not be any union.

Hon. H. S. W. PARKER: I represent a number of people who cannot get through their lives without domestic help in the bringing-up of their families, and I also represent many poor people whom I wish to see get a fair deal, poor people who also require domestic help and who would not be able to get that help because domestics will not join a union and pay part of their wages to it. After all, that simply means that in fixing the rate of pay, the Arbitration Court takes into account the dues to be paid to the union. In the interests of all those people I feel that we should not pass this portion of the Bill. I have voted against it on many other occasions, and I will vote against it now, even if it be cited at election time as one of the many Bills that this Chamber is said to be always throwing out in the face of the wishes of the people.

Sitting suspended from 6.15 to 7.30 p.m.

HON. G. FRASER (West) [7.30]: My comments on this Bill will be few. On many occasions we have endeavoured to obtain registration for the workers mentioned in the measure, but at no time have we been successful. I have been hoping that through the years there might have been a change of heart on the part of members of this House, but judging by the speeches delivered so far, it appears that instead of giving the domestic servant the right of being classed as a worker, we are going to leave her as merely Mary Ann.

What is asked for in the Bill is quite a simple matter—just an alteration of the definition of “worker”. We know that at present there is a definite shortage of domestics so that we cannot take the existing lack of such helpers as being any real criterion. Many women entered the Services and it has been impossible to secure domestic servants to the extent required, and many other industries have also lacked the help of women. Immediately before the war, however, there were complaints about the dearth of domestics. Many women were prepared to engage in domestic service provided the conditions were made attractive, but they would not enter the industry because of the unsatisfactory conditions prevailing. What the Bill

seeks to do is to give these people the right to be classed as workers and to approach the Arbitration Court. I can see nothing wrong with that proposal. The Bill merely seeks to give them the right that almost all other workers in the community have, and if any worker is deserving of that right, surely it is the one who engages in housework, which is usually regarded as drudgery.

Hon. L. Craig: Oh, no!

Hon. G. FRASER: That is the term usually applied to housework. We want to give these people the opportunity to form an organisation in order that they might approach the court. In the course of the debate, members have attempted to prophesy that certain conditions would be awarded that would be incapable of being put into operation. I can see no greater difficulty in setting out an award for domestic workers than an award for many other phases of industry. It has been suggested that quite a number of domestic workers would not join a union. If they will not join a union, there will be no possibility of their getting an award, and if there is no award there will be nothing to fear.

We have heard that domestic servants are expected to work day and night. The hon. member who mentioned that put his finger on the real reason why it is so difficult to get domestic servants and that is the outrageous hours and conditions under which they have to work. If the Bill be passed and these people are included in the definition of “worker,” and given an opportunity to approach the court and obtain an award, a great improvement will be effected in their conditions. I shall not attempt to prophesy what sort of an award they might get from the court. I can only judge by what has happened when other organisations have sought an award. The evidence would be tendered and the President would consider the evidence and various aspects of the industry, and then award what he considered to be a fair and reasonable thing for the industry. There is nothing to be afraid of in that. The employers will have an opportunity to state their case on the lines that have been put forward in this Chamber and the award will be given to the side that puts the better case to the court.

As regards the provision for rural workers, I congratulate Mr. Wood on the stand he has taken. In past years a union organiser took his life in his hands when he went on to many of the farming properties. A.W.U. organisers, when attempting to organise employees on farm properties, were warned off, not with words, but with something more vital.

Hon. J. Cornell: I think you are exaggerating now.

Hon. G. FRASER: No, that was the experience of some of the A.W.U. organisers.

Hon. J. Cornell: Then they had their remedy.

Hon. G. FRASER: I am glad that there has been a change of attitude in many country areas towards such organisers. The same thing applies to rural workers as to domestic servants. All that is desired is to give rural workers an opportunity to put their case before the court and leave the court to make an award in accordance with the evidence tendered. There is nothing to be afraid of in that, and that is all the Bill provides for. The measure is quite small and simple, and I think the House might well pass it without the risk of any great tragedy overtaking the State.

HON. T. MOORE (Central) [7.37]: I support the second reading. The arguments we have listened to today have been heard in this Chamber for many years, going back to the time when there was a great struggle to get the Act and it was considered to be the best of its kind in Australia. There was a long conference between managers of the two Houses.

The Chief Secretary: It lasted 19 hours.

Hon. T. MOORE: And these were two of the questions that occupied much of the time of the conference. In the end, the opposition of this House prevailed. Going back to the year 1922 or 1923 and recalling the long debate that took place then, I could not help thinking how inconsistent Mr. Baxter has been. He would have us believe that if times were good, he would favour the inclusion of rural workers, and would even go to the extent of introducing a Bill of this sort. But when he had the opportunity, did he do so? No; the hon. member said the time was not ripe.

Hon. C. F. Baxter: I did not say that, did I?

Hon. T. MOORE: What the hon. member really said was that time was not apt, which amounts to the same thing. At that time a very high price was ruling for wheat and the farmers could well have afforded to give better wages and conditions to the employees. The hon. member is not consistent in the line of argument he has adopted.

Hon. C. F. Baxter: The price of wheat in one year would not govern it.

Hon. T. MOORE: We had a high price for a number of years. Industries were flourishing, but those men working in the rural industries had to be kept down. Other members who were with us at that time used to say, "We will keep the hands of the Arbitration Court off the rural and pastoral industries." And they have done so. I know the agricultural industry, or a great portion of it, fairly well and have concluded that owing to the fact that farm labourers were the most poorly paid of all workers, we did not get a good class of employee. The men who were good workers preferred to go to better paid industries. Unfortunately, what Mr. Craig said is true. Those who can potter about, the older men who could not get a decent wage in any other industry, remain on the farms. That is how it works out. We have never been able to draw on the class of labour that is available to other industries for the simple reason that workers in the rural industries were too poorly paid. So we have been suffering on that account for many years and are still suffering. What happens to the sons of farmers? Do they remain in the industry? Not on your life! Many of the bright young fellows went to the goldfields or to other occupations, and these were the men who could have accomplished much more on the farms than did those who remained there. The sons of farmers did not remain on the farms, nor did they go to work for other farmers.

Hon. J. Cornell: They did what you and I did.

Hon. T. MOORE: Yes. Until we set up a decent standard in any industry, it is impossible to get workers of the best class. There are farmers in this State who have been paying good wages for years, and they

have been able to get and retain exceptional men, and this has proved much cheaper for the employer because the better man was able to do ever so much more work. A man on £5 a week was much cheaper because better results were obtained from employing him than was the man who was paid 30s. or £2 a week. It is labour of the better class that we want on the farms.

With the introduction of machinery, we must have the better men. Those who have been employed in the past would not be able to do justice to the machines now being used. A good tractor today costs £1,000 or £1,100, and we want a good standard of employee to work machines of that type. Unfortunately, the day of the horse is passing; we have to undertake mechanised farming. Are we going to keep the men we have had in the past to drive those machines? If the old conditions are to continue, we shall have to be satisfied with them. The bright men will go where they are well paid. They are not well paid on the farms today, despite the statement by Mr. Craig. I know many farmers who are anxious to get men of the better class, and the only way to get them is by providing conditions that will attract such men to the industry.

Hon. C. F. Baxter: What is to prevent that man from making an effort on the terms that you set out?

Hon. T. MOORE: Only a few men are attracted to the industry. If we could make it general, as is the case in the mining industry where a man has a decent wage to go to, or as is the case in the factories in the town, the proposition would be altogether different. It would then be possible to get the class of man that is required in the industry. Do members imagine that Mr. Bolton would offer low wages to his employees in his factory? The conditions are set out through the Arbitration Court and the hon. member is offering good conditions, decent wages, and therefore gets decent men.

Hon. H. L. Roche: Does he do that on his farm?

Hon. T. MOORE: It is no use one or two men offering good conditions; all must do it. Generally speaking, there is an exodus from the farms to the industries in which men are better paid. Let all the farmers set themselves up as decent employers! They would then be better off because at present the

farmer has to battle along by himself, and do a great proportion of his own work. Very often he cannot leave the men he may have with him in the field to carry on alone. He has to be there himself to see that the machines are kept going. That is one of the results of paying a worker a low wage. Mr. Craig shakes his head and groans, and grunts. This seems to be hurting him very much! The case he put up was about the poorest I have ever heard from him.

I have been amongst farmers as much as have most members, and I believe they are prepared to pay a decent wage if they can get the right men. It is possible to get the right men only by offering the same conditions as are being provided in other industries. That is the only way to keep a man. In other industries where the pay and conditions are reasonable, the men are keen to do their work. That is the type of men that the farmer needs. I see no reason why domestic servants should be singled out as being persons who have not the right to approach the Arbitration Court. Mr. Baxter was on unhappy grounds when he said what the Federal Arbitration Court had done. He said it had debarred jackeroos and aborigines from going to the court or obtaining any benefits under the Act. He wants to exclude from the Act all domestic servants, so that he is putting them on a plane with jackeroos and aborigines.

Hon. L. Craig: A jackeroo is the finest type of fellow you can have on a farm.

Hon. T. MOORE: He wants to debar domestics and put them on the same footing as aborigines. Does he want it to be known that he puts girls on a par with aborigines? These girls are the daughters of our citizens. I hope the House will not follow the hon. member.

Hon. C. F. Baxter: I have never known you to be so weak.

Hon. T. MOORE: The hon. member made an unfortunate statement, and that is where he has left himself. Why should not these girls have recourse to the Arbitration Court? Some mention was made about the union secretary visiting the home to see how the domestic was being treated. If some member were to move an amendment to provide that if the agent visited the home that agent was not allowed inside without the permission of the housewife, I would

be with him. I hear another groan now! Evidently the hon. member concerned finds the ground knocked from beneath his feet. Poor fellow! I do not know what he is groaning about. That is the course that could be taken by members opposing this Bill if they were "dinkum". If that is their only objection to the measure, they know quite well it can be dealt with in this Bill. We can provide in the measure that the Act can only be policed to a certain extent. Where there is a will there is a way.

Hon. J. Cornell: The scope of the Bill will not allow that to be done.

Hon. T. MOORE: Every clause can be altered if we have the will to do it.

Hon. J. Cornell: This is only a Bill to amend the word "worker".

Hon. T. MOORE: The conditions can be laid down. That is only put up as a reason for objecting to the measure. Who will be attracted into domestic service? That is one of the most essential requirements I know of today. Mothers who are rearing young families are not able to get help in the house. They have not been able to do so in the past because no-one will take such a job.

Hon. H. Seddon: You want to stop them for ever.

Hon. T. MOORE: They are stopped already. Girls do not take on that sort of work unless they fail to secure other employment. Surely mothers who are rearing families are entitled to have help in the house! Domestic servants ought to be trained for the work they have to do, and the job ought to be made attractive enough for them to go to. As a rule girls prefer to work in a shop or in a factory. Domestic service has a stigma attached to it. Let us remove that stigma and allow domestic servants to go to the Arbitration Court and have their conditions laid down. Mr. Craig referred to junior workers and said that women would not be allowed to employ juniors unless they paid the full rate. Provision could be made by the Arbitration Court for junior workers.

Hon. L. Craig: I did not mention the word "allow".

Hon. T. MOORE: The hon. member said that a woman would not be able to employ a junior worker unless she paid the full basic rate. Juniors are provided for in

every other industry, so that the hon. member's argument again falls to the ground. I believe that Mr. Craig wants to do a fair thing. He is always fair and reasonable. He has voted more often than some of the reactionaries in this House for Government measures. After his wife has spoken to him about the wants of women in the country, and knowing what influence she must have upon him because she herself has great influence in the country, I feel that he will soon appreciate the fact that our womenfolk do need domestic servants and will change his mind on the subject. Let us give the domestic servants a proper standing in the community, such as is enjoyed by other people. I hope the House will pass the second reading of the Bill, but trust that in Committee members will not do as they have done in other cases—strangle the measure. No reason has been put up why domestic servants should not have the standing that is enjoyed by other sections of the community, and I therefore hope the second reading will be carried.

HON. W. J. MANN (South-West) [7.55]: I am not particularly impressed by the views of Mr. Moore although here and there I noticed a gleam of common-sense—

Hon. L. Craig: Just a gleam!

Hon. W. J. MANN: —in some of his remarks. It may surprise the hon. member that I propose to support the second reading, but I reserve to myself the right to vote against the third reading if the Bill is not amended in Committee in the way I think it should be.

Hon. J. Cornell: You will not be able to amend it very much.

Hon. W. J. MANN: I believe the time will arrive when the farmworker must be given a little better status in some respects than he has today. The position is full of difficulties. I was shown recently a copy of a Federal log for rural workers. If I had any idea that a similar log was to be introduced in this industry, I would definitely be opposed to it. The log sets out the varying duties of men on farms such as a chaffcutter, a feed mixer, the potato bagger, the man employed in milk sheds, an axeman, fencer, ploughman and other unclassified employees. The log provides that if a ploughman, for instance, is called upon

to do fencing and the fencing margin for skill is higher than that of the ploughman, the fencing has to be paid for at the higher rate. Very few farmers in the South-West employ more than two men. Very frequently they are men who are not specialists in any one direction but just ordinary farmhands who may be called upon to do any of the things mentioned in the log.

There are very few that could be described as really excellent farm workers today. If they were good men they would not be working for other people, but would have sufficient brains and ability to carve out a job for themselves. The farmer is in much the same position as the hotelkeeper who could not get a yardman because if a man had any sense he would not be a yardman. The same principle very largely applies in the agricultural world. I know of many farmers who are employing only one man. I remember a few months ago in the far South-West saying to a man I knew, "What sort of fellow are you employing?" I would not like to repeat the words he used, but in effect he said, "I have to work harder to make sufficient money to pay the man." That was one of the reactions in that case.

Whilst I believe the time is coming when the farmworker should be given a better status, I do not want to see envisaged anything in the nature of what appears in the log to which I have referred. I would sooner see that section of workers come under the State Arbitration Court than under the Federal Court, because, being in the State, they would have a better chance of putting forward their claims at a minimum cost, while the employers would also have the same opportunity to put their side of the case without great expense. If people have to go to the Eastern States one or two men may be sent over and the evidence may be good or otherwise. That is one of the weaknesses I see about the Federal Arbitration Court.

Regarding domestics, Mr. Moore said he was prepared to support an amendment that would compel the union secretary to remain outside the door until admitted by the housewife. We know what happens in such cases. We know what some union secretaries are like. Although it does not apply in every instance, we know that they include some very disagreeable, offen-

sive and spiteful people who would go to no end of trouble in order to harass any person who said, "What do you want? Here is my reply. You cannot come inside." The Bill proposes to amend the Act by deleting the references to premises where there are fewer than six boarders or lodgers. I think it would improve the situation if we suggested that this legislation should not apply to homes where only one or two domestics were employed. If we did that, we would be getting somewhere. It is quite beside the question to say that domestics are badly treated these days. I do not know of anyone who would be fool enough to treat good domestics other than well.

The Honorary Minister: But we want to get more good domestics.

Hon. W. J. MANN: If the girls are not treated satisfactorily they will not stay with their employers. I do not like the term "domestic servant" but we know that girls who take up such positions for the most part have an excellent time. Generally speaking, they are allowed off for certain hours during the day and after they have attended to their duties in connection with the night meal they can go to the pictures. That is one of the reasons why many girls do take up domestic service in preference to situations in factories or shops where they would not have time off during the day.

I think the hardship aspect in connection with domestic service has been unduly stressed. Economic circumstances have forced people to pay highly for domestics. I know that my own washer-lady comes to work in a motor car! The old idea of slavery has gone; it cannot exist in these days because people who have labour to sell will not accept employment if conditions are unsuitable to them. I certainly hope that the Bill will be amended with regard to domestic servants so as to apply where only more than two servants are engaged. I shall support the second reading but if I am dissatisfied with the measure after it has been dealt with in Committee, I shall vote against the third reading.

HON. H. TUCKEY (South-West) [8.5]: Supporters of the Bill have endeavoured to show that domestics and rural

workers are unsatisfactorily treated and that if the Bill be passed it will improve their pay and conditions, so much so that there will be plenty of such labour available in the future. I do not think it will make a scrap of difference regarding the number of rural workers or domestic servants that will be available. In the metropolitan area, from Government House down to the smallest home, people are finding difficulty in securing any domestic help at all. In the country areas the conditions are different from those applying in the city and their difficulties are greater still. A man who is conducting a guest house near Perth told me that he could employ six girls permanently if he could get them. His business has been operating for many years past, but it is likely to be closed down and if so, it will not be reopened.

Hon. L. CRAIG: His girls would be employed under an award.

Hon. H. TUCKEY: That may be so, but I am pointing out that even in the existing circumstances domestic servants are not available. The same position arises regarding rural workers. I have had to pay £1 a day for a casual worker and have been glad to do so. I know a dairyman in the South-West who advertised for a dairyman, offering £5 a week with board and lodgings. He finally got a man who stayed for a few months and then left the job because he got tired of it. Another man has not been able to secure any labour and he and his family have to carry on all the work. I could quote other instances indicating that farmers have tried to get labour and have offered to pay extra wages but all without avail.

If the Bill be passed it will mean that should a girl desire to go to the country for a few weeks to take up some employment, she would first have to join a union and pay 25s. or so for her union ticket. That is most unfair. It might be that the girl wanted to do a kindness for a relative, but she would not be allowed to do so—without joining a union. I do not know where there has been any demand for this legislation. I have never heard a single worker in the country districts say that he had not been fairly treated and that he would have to join a union in order to obtain justice. It seems to me that this is a move on the part of the Trades Hall or some other body in order to advance

trade unionism in Western Australia at any cost. I shall vote against the second reading.

HON. H. L. ROCHE (South-East) [8.9]: I hope the Chamber will give sufficient support to carry the second reading so that members will have an opportunity to consider it in Committee. Insofar as the measure relates to rural workers, it may be possible to so amend it as to make it a much more worthwhile piece of legislation than it is at present. A good deal of humbug is talked about conditions, particularly with regard to the manner in which farm workers are expected to carry on. My experience and observations in recent years lead me to the conclusion that if one wants a decent man on the farm one must be prepared to pay him well and having got one must do everything possible to keep him. In some cases where a hand may be subnormal or slow on the uptake, he may not wake up to what is going on. If the farm worker receives the average wage and conditions he is better circumstanced than the worker in the metropolitan area on the basic wage. So far as the pay aspect is concerned I think the farming community could approach that from the standpoint that reasonable conditions should operate.

Considerable concern has been expressed as to whether with the issuing of an award we shall not have some of the absurd restrictions on working conditions that have been applied to other industries, once an award has been issued. Those people charged with the implementation of unions' desires very often seem to experience very considerable difficulty in repressing their enthusiasm once they have secured their awards. I fear the issuing of an award could make conditions in a rural industry impossible. Despite the eloquent championing of this legislation by Mr. Moore, I did not hear him say anything about the farmers' ability to pay, and any award that will impose on the rural industry an obligation to pay fixed wages to rural workers must, to my mind, as a natural corollary carry the obligation to ensure that the industry can stand the impost that the award will establish.

Hon. T. MOORE: And you know we are asking for a fixed price for our own industry!

Hon. H. L. ROOHE: If we could get a fixed price for the producers so that they could afford to pay wages prescribed in an award, I would see no objection whatever to an award, but I remind Mr. Moore that there is no word in the Bill which provides any such safeguard. I remind those members who may feel disposed to vote against the second reading that they should reconsider their views so that we may at least consider the Bill in Committee. If that is not done we may be confronted with a Federal award. It was not so long ago that the Federal Minister for Labour ordered into the Arbitration Court the question of an award for rural labour. I think I am correct in saying that it was only that the power that would have been exercised was given under the National Security Regulations and that the court, owing to the termination of the war with Japan, had considerable doubt as to the time those regulations would operate, which prevented the Federal Arbitration Court from making an award whereby we in this State would have been bound. In view of our experience of past Federal legislation operating in this State, I think we should prefer State legislation. I hope members will give us an opportunity to amend the Bill in Committee and if the Bill is not satisfactorily amended I will be prepared to join with others and vote it out on the third reading.

HON. E. H. H. HALL (Central) [8.14]: I wish to explain my position with regard to this Bill. We have listened to some interesting speeches by members with first-hand knowledge, if not of domestic work, at least of farm hands. The difficulty has been explained to the House of obtaining efficient, reliable and regular farm workers, but no mention has been made of the isolation in which these workers carry on their duties. They are, as a rule, miles away from their fellow-workers and miles away from the country hotel and local picture show. That helps considerably in retaining efficient labour on the farm. Until Mr. Mann spoke, I was inclined to vote against the second reading, principally because I could not see how farmers could be expected to pay Arbitration Court award wages to their men unless assured of a fair price for their products. A fair price, I

understand, is something outside State control.

I have heard one or two members refer to the measure as a simple little Bill. I do not regard it as a simple little Bill. Anything that has to do with our primary products, to my way of thinking, cannot be considered simple, especially in this State, which is so far removed from the markets of the world and when nearly all workers, except the farm hands, enjoy the benefits of an Arbitration Court award. In those circumstances, I cannot see that anything likely to affect the industry can be considered simple. In dealing with domestic workers, we get to a matter equally difficult. If I thought that the passing of this measure would ensure fair remuneration and decent living conditions for a girl, including a room to which she could go in the evening and in her spare time, I do not think one member of this Chamber, even were he ultra—

Hon. H. L. Roche: Tory.

Hon. E. H. H. HALL:—would do other than support it, because, by so doing, help would be given to the mother and housewife which she so much deserves. I have not in mind the bridge-playing, cigarette-smoking society woman whose husband provides her with all that is required to obtain sufficient help. I am referring to the woman who is charged with the great responsibility of rearing a family, a responsibility which our public men are forever saying is her sacred duty. If by our united efforts we can by any means lighten the burden for such women, I am sure we would not refuse to do it. But will the passing of this measure do that? I do not think so.

Hon. G. Fraser: Will the defeating of it?

Hon. E. H. H. HALL: I will follow Mr. Mann's example and vote for the second reading in the hope that we shall be able to make this a satisfactory measure. If I am not convinced that we can do something of a practical nature by amending the Bill, then I shall vote against the third reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West—in reply) [8.21]: The debate on this Bill has been a good one. The opponents of the measure have used the same arguments that were used over a quarter of a century ago. I imagine Mr. Lovekin sitting in the seat now occupied by Mr. Mann; he was a wonderful charac-

ter in many respects, but an old Conservative, and he used the same arguments as have been put forward tonight. Surely things have changed since then. We ought to look at the matter from a different angle. Mr. Mann made much of the Federal rural log. Well, everyone puts his best wares in the shop window, and, after all, a farmer's log is nothing. The matter is thrashed out in the Arbitration Court and decided by the President and his colleagues. The whole matter will be well and fairly dealt with. Mr. Moore, who is a practical and successful farmer, made out an unanswerable case for the rural worker. It would be painting the lily for me to re-state his arguments, especially after he made out such a good case. His views should be respected by the farmers' representatives in this Chamber.

I shall now deal with the domestic worker. I think we have overlooked the fact, well recognised, that the Australian housewife is the hardest worked woman in the British Dominions. That is acknowledged by every one who sees the job she is doing. Unquestionably, the introduction of labour-saving machines will better her position in the future. But what is the use of the Education Department spending huge sums of money on teaching domestic science if it is not followed up properly? A girl trained properly in a school would have a far better standing as a domestic worker if her status were raised. She could be graded in the Arbitration Court to start as a junior, and as the years passed she would become a qualified cook and housekeeper.

Hon. V. Hamersley: She would not be trained to go into the country.

Hon. H. L. Roche: Would you have examinations?

The HONORARY MINISTER: Yes, of course. They could be employed first as apprentices. I do not mind using the words "domestic service."

Hon. L. Craig: It is an honourable occupation.

The HONORARY MINISTER: It is the duty of every man and woman to be a servant of the State in some way or other. Girls trained in domestic science should be regarded as having a profession, and in undertaking the work they would be making a great contribution to the coun-

try. That is only possible by raising their status. The argument put up in favour of the domestic worker is unanswerable, especially from the points of view of the housewife and the women's organisations. I hope the Bill will pass the second reading.

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

Ayes	..	..	..	16
Noes	..	..	..	11

Majority for 5

AYES.	
Hon. C. R. Cornish	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. A. L. Loton
Hon. G. Fraser	Hon. W. J. Mann
Hon. F. E. Gibson	Hon. H. L. Roche
Hon. E. H. Gray	Hon. A. Thomson
Hon. E. H. H. Hall	Hon. C. B. Williams
Hon. W. R. Hall	Hon. G. B. Wood
Hon. E. M. Heenan.	Hon. T. Moore
(Teller.)	

NOES.	
Hon. C. F. Baxter	Hon. H. S. W. Parker
Hon. Sir Hal Colebatch	Hon. H. Seddon
Hon. L. Craig	Hon. H. Tuckey
Hon. V. Hamersley	Hon. F. R. Welsh
Hon. J. G. Hielop	Hon. J. A. Dimmitt
Hon. G. W. Miles	(Teller.)

AYE.	PAIR.	No.
Hon. J. Cornell		Hon. L. B. Bolton

Question thus passed.

Bill read a second time.

In Committee.

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

Clause 1—agreed to.

Clause 2—Amendment of Section 6:

Hon. H. S. W. PARKER: I move an amendment—

That paragraph (a) be struck out.

The effect of this amendment is to delete the domestics from the Bill.

Hon. E. M. HEENAN: This is a drastic amendment and I cannot conceive that anyone who supported the second reading would support an amendment that cuts the measure in half.

Hon. C. F. Baxter: That is why we voted for the second reading.

Hon. E. M. HEENAN: The domestic servants cannot be dissociated from the rural workers in this measure. The same principle applies to both, namely, that they should have the right to approach the Arbitration Court to fix their conditions. Mr. Parker has given no reasons for the

amendment, and if he can show why domestic workers should be left out and rural workers remain in—

Hon. C. F. Baxter: We might put them out yet.

Hon. E. M. HEENAN: —I shall be greatly surprised. This Bill involves a question of principle and I could understand any member opposing it on the ground that he did not agree with the principle.

Hon. H. S. W. PARKER: The domestic servant is not engaged in any industry, and this Bill seeks to amend the Industrial Arbitration Act.

The CHAIRMAN: Have you read the clause, Mr. Parker?

Hon. H. S. W. PARKER: Yes.

The CHAIRMAN: It states this—

Section 6 of the principal Act is amended by deleting from the definition of "Worker" the words "but shall not include any person engaged in domestic service in a private home, provided that no home in which more than six boarders and/or lodgers are received for pay or reward shall be deemed to be a private home" in lines five to ten (both inclusive) of the said definition and inserting in lieu thereof a paragraph as follows:—

Do you intend to allow that to remain in the Bill?

Hon. H. S. W. PARKER: I agree with you, Mr. Cornhill. These Bills are rushed at us at the last minute. We received this only just before tea. The whole of that needs amending. We should strike out all the words after the word "by" in line 1 down to the word "paragraph" in line 8 and say that it is amended by the addition of certain words.

The CHAIRMAN: If this amendment is carried and rural workers remain in the Bill, it will have to be recommitted.

Hon. H. S. W. PARKER: If we get the principle decided now, we can recommit on the wording.

The HONORARY MINISTER: I hope the Committee will ignore Mr. Parker's advice when he says that domestic service is not an industry. Neither is rubbish-carting or caretaking an industry. There are 101 people affected by the Arbitration Court who are not engaged in industry.

Hon. H. S. W. Parker: Tell me one.

The HONORARY MINISTER: A rubbish-carter. I hope the Committee will not pass this amendment.

Hon. G. FRASER: We have heard a lot about peace in industry and we claim to favour arbitration. All that is sought by this Bill is to give the domestic servants in this State the right to arbitration. If we carry this amendment we will deny them that right which has been preached by members of all parties for the last 10 or 15 years.

The CHAIRMAN: I hope that members will not repeat what they have already said a dozen times on the second reading.

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

Ayes	..	..	..	..	13
Noes	..	..	..	..	13
					—
A tie	..	..	..	..	0

AYES.

Hon. C. F. Baxter	Hon. H. S. W. Parker
Hon. Sir Hal Colebatch	Hon. H. L. Roche
Hon. L. Craig	Hon. H. Seddon
Hon. J. A. Dimmitt	Hon. H. Tuckey
Hon. E. H. H. Hall	Hon. F. R. Welsh
Hon. J. G. Halseop	Hon. V. Hamersley
Hon. W. J. Mann	(Teller.)

NOES.

Hon. C. R. Cornish	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. A. L. Loton
Hon. G. Fraser	Hon. T. Moore
Hon. F. E. Gibson	Hon. A. Thomson
Hon. E. H. Gray	Hon. C. B. Williams
Hon. W. R. Hall	Hon. G. B. Wood
Hon. E. M. Heenan	(Teller.)

The CHAIRMAN: The voting being equal, the question passes in the negative.

Amendment thus negatived.

Hon. G. B. WOOD: I move an amendment—

That at the end of the clause the following words be added:—"If the court declares (and so long as such declaration is not revoked by the court) that in consequence of the stabilisation of the prices of the major products of the industries mentioned in this paragraph the general economic conditions existing and likely to exist in those industries are such as to warrant the making of an award and will permit the employers engaged in such industries to comply with the same without hardship."

My reason for moving that amendment is that some safeguard may be provided for the primary producers concerned. Manufacturers are subject to awards and are protected by tariffs and their prices are passed on to the wholesalers and retailers, who in turn pass them on to the public, together with their margin of profit, but the primary producers have no such protection except when the primary products are consumed in Australia and are subject to a home consumption price.

The CHAIRMAN: The scope of the Bill is confined to an alteration of the existing definition of "worker" to include domestic workers, and agricultural, pastoral, horticultural, viticultural or other service of a rural nature, without qualifications. Any condition that the court may put on it may be put on it, but I rule the amendment out of order.

Hon. G. B. WOOD: Would I be in order in moving to disagree with your decision, Mr. Chairman?

The CHAIRMAN: If you give your reasons in writing, the President then gives the decision.

Hon. G. B. WOOD: If the Bill is to be recommitted I can state the case tomorrow.

The CHAIRMAN: If the hon. member moves to disagree with my ruling, and gives his reasons in writing, I report it to the President and the President decides whether it is in order or not.

Progress reported.

BILL—LEGISLATIVE COUNCIL REFERENDUM.

Assembly's Message.—Laid Aside.

Message from the Assembly received and read presenting the Bill for the Council's concurrence.

As to Certification.

HON. C. F. BAXTER (East) [9.55]: Is there any certification, Mr. President, that the Bill was passed by a constitutional majority in the Assembly?

The PRESIDENT: There is no certificate on this Bill that the Bill has been passed in the Legislative Assembly for the second and third readings by an absolute majority.

Hon. C. F. BAXTER: I ask your ruling, Mr. President, whether the Bill is in order?

The PRESIDENT: I rule that it is in order. I may say that I expected this question to be submitted, because several members personally asked me whether an absolute majority would be necessary for the second and third readings. I went to some trouble in considering the point and I confess that the matter gave me some concern. It seems to me that there is room for a difference of opinion, and I have given my ruling that the Bill is in order, but, at the same time, I

wish to inform Mr. Baxter and other members that the House is master of its own procedure, and, on its decision as to whether my ruling is right or wrong, the future of this question will be decided.

Dissent From President's Ruling.

Hon. C. F. Baxter: I regret that I am forced into the position of moving to disagree with the ruling. I move—

That the House dissent from the President's ruling.

I regret having to take this step. You, Mr. President, have said that the matter is complex, but at the same time, it seems to be clear that it is an interference with the Constitution. Standing Order 242 reads—

If any Bill received from the Assembly be a Bill by which any change in the Constitution of the Council or Assembly is proposed to be made, the Council shall not proceed with such Bill unless the Clerk of the Assembly shall have certified on the Bill that its second and third readings have been passed with the concurrence of an absolute majority of the whole number of the members of the Assembly.

Hon. G. Fraser: This Bill does not alter the Constitution.

Hon. C. F. Baxter: Section 73 of the Constitution Act, under the heading of "Miscellaneous," includes the following:—

The Legislature of the Colony shall have full power and authority, from time to time, by any Act, to repeal or alter any of the provisions of this Act. Provided always, that it shall not be lawful to present to the Governor for Her Majesty's assent any Bill by which any change in the Constitution of the Legislative Council or of the Legislative Assembly shall be affected, unless the second and third readings of such Bill shall have been passed with the concurrence of an absolute majority of the whole number of the members for the time being of the Legislative Council and the Legislative Assembly respectively.

While there is room for a difference of opinion, I think the difference is in favour of this Bill being an attack on the Constitution. The words "by which any change in the constitution of the Legislative Council or of the Legislative Assembly shall be affected" mean that it does affect the Constitution.

Hon. G. Fraser: In what way?

Hon. C. F. Baxter: It is the first step towards an amendment of the Constitution. One proposal is the abolition of this House, which would mean an amendment of the Constitution, interfering with the rights of the people. The other matter is that of

adult franchise, and there again the Constitution is affected. It is to be brought about by referendum of the people and that having been done, if the people approved of the abolition of this House that would be an amendment of the Constitution. This is the first step towards amending the Constitution.

Hon. J. Cornell: I second the motion. Like Mr. Baxter, I regret that it has been launched, but as you, Sir, have said, there are grounds for an honest difference of opinion. You have said that the House is the master of its own proceedings, and this being so, it is within the province of the House to uphold or disallow your ruling. The question is: Does this Bill effect an alteration of the constitution of the Legislative Council?

Hon. G. Fraser: No.

Hon. J. Cornell: Such an authority as the hon. member says it does not. We have to look further than the present and consider how the Bill may affect the Constitution. As I view the measure and the situation, here is a Bill asking for a referendum to be taken on the Assembly roll to get an expression of opinion as to whether the electors are in favour of the abolition of the Legislative Council or whether they are in favour of adult suffrage for this House. If both questions were answered in the affirmative, it would be left to the Government to decide—

Hon. C. B. Williams: And to this House.

Hon. J. Cornell: No.

Hon. C. B. Williams: I cannot follow you.

Hon. J. Cornell: The hon. member does not wish to, but he hopes that I win. If both questions were answered in the affirmative, it would be left to the Government to decide on subsequent legislation. Assume that an affirmative vote were cast for the abolition of this House.

Hon. G. Fraser: It still would not affect the Constitution.

Hon. J. Cornell: Is it logical to assume that the Government would let the matter rest there? The Government would be bound to endeavour to implement the vote by introducing a Bill.

Hon. G. Fraser: And this House would still have a say.

Hon. C. F. Baxter: I wish Mr. Fraser would keep quiet.

Hon. J. Cornell: When the Bill came before us, by all the canons of decency, the Council, having passed this Bill, must concur in the subsequent measure. In the final analysis, the effective result of this Bill would be to affect the Constitution. Those are the grounds on which I seconded the motion, and I will let it rest at that.

Hon. G. Fraser: I oppose the motion, as I consider the ruling to be quite sound. Even taking the speech of Mr. Baxter, we find nothing binding in the President's ruling on this Bill. Are we prepared to allow a referendum to be taken? That is the question. If we agree, we shall not affect the Constitution, though we shall be permitting some further action to be taken, and the further action would be the referendum. Even supposing the referendum were carried, there would still be no alteration to the Constitution. Fresh legislation would have to be introduced and be passed by both Houses, just as does any other measure that comes before Parliament. In a very indirect way and by a long stretch of imagination, it might be said to have something to do with the Constitution, but this Bill itself does not affect the Constitution. It is merely to permit of the people expressing their opinion, and even if that opinion were favourable, it still would not affect the Constitution until a further measure had been introduced, which would have to run the gauntlet of both Houses. To contend that this Bill affects the Constitution is stretching the long bow.

The Chief Secretary: I, too must strenuously oppose the motion. I think that Mr. Cornell in seconding the motion, proved that your ruling, Mr. President, is correct. We are faced with a rather remarkable position. In the first place, it is the first time I remember exception being taken to any Bill at this particular stage. It is also one of the first occasions when members have indicated that they have a knowledge of the contents of a measure before it has been introduced into this Chamber.

Hon. L. Craig: What about my Bill?

The Chief Secretary: The object of the hon. member's Bill was made very patent by the terms of his notice of motion for

leave to introduce the measure. All that the Bill now before us does is to propose to submit two questions to the people by means of a referendum.

Hon. W. J. Mann: For a purpose.

The Chief Secretary: That does not matter. It proposes to submit to the people two very important questions.

Hon. J. Cornell: What is the objective?

The Chief Secretary: To ascertain the attitude of the people to the suffrage for this House and whether they are prepared to support the abolition of this House.

Hon. J. Cornell: If they agree, you will go no further!

The Chief Secretary: If they voted in favour of the abolition of this House and the Government introduced a Bill to give effect to that expression of opinion, it would be necessary to have an absolute majority on the second and third readings in both Houses. This is the first time I have heard any suggestion that a Bill to submit a referendum to the people requires to be passed by an absolute majority of members.

Hon. J. Cornell: There has been only one referendum—the one on secession.

The Chief Secretary: There is nothing in the Standing Orders to substantiate or support in any shape or form the arguments submitted by Mr. Baxter that this Bill required an absolute majority to pass another place. I am astounded at the reasoning of some members. On numerous occasions I have heard members suggest that a referendum should be held on a particular question. They have said, "Let the people decide." Now we are bringing forward a Bill to allow the people to indicate to the Government their views on one of the most important questions ever submitted to Parliament, and some members are contending that the Bill is not in order because it was not passed in another place by an absolute majority. I hope that the ruling will be upheld and that the arguments used against it will not be substantiated by the House.

Hon. E. M. Heenan: The Bill introduces a matter that will certainly give rise to a lot of controversy. I can quite appreciate that a number of members will be opposed to it, but I hope they will not let their opposition to the Bill mislead them in their

judgment on your ruling, Mr. President, because I do not think there is any doubt whatever as to the correctness of your decision. If members refer to Standing Order 242 they will find these words "If any Bill by which any change in the constitution of the Council is proposed to be made—" Those are the material words.

Hon. L. Craig: "Is proposed to be made."

Hon. E. M. Heenan: This Bill does not propose to make any change whatsoever in the Constitution.

Hon. J. Cornell: Standing Orders cannot help in this argument.

Hon. E. M. Heenan: The Bill proposes to submit two questions to the people. That is the sole purpose of the Bill.

Hon. G. W. Miles: To change the constitution of the Council.

Hon. E. M. Heenan: The questions undoubtedly concern a change in the Constitution.

Hon. G. W. Miles: That is all that is necessary.

Hon. E. M. Heenan: But all that this Bill proposes is to submit two questions to the people.

Hon. L. Craig: Affecting the Constitution.

Hon. E. M. Heenan: Yes, but that cannot be construed to mean that the Bill itself proposes to amend the Constitution. All that the Bill does is to ask the people of the State two questions and if they answered them in the affirmative another Bill would have to be introduced.

Hon. J. Cornell: What is the object of the questions? It is to affect the constitution of this House.

Hon. E. M. Heenan: This Bill contains no provision for altering the Constitution.

Hon. A. Thomson: A pity the other House did not say that.

Hon. E. M. Heenan: If members allow their opposition to the Bill to mislead them in their judgment on this motion, it will be a grave error. I hope members will read the Standing Order I have quoted before they disagree with the ruling. I feel certain that your decision, Sir, is legally correct and is a strict interpretation of the Standing Orders and the Constitution, which cannot be rationally disagreed with.

Hon. H. Seddon: I have been brought into the discussion by two arguments which have been used by the Chief Secretary and Mr. Heenan. As the Chief Secretary indicated, this is one of the most important measures ever brought before the House. It is important because it affects the constitution of the House and is a first step towards effecting an alteration in the Constitution. It would bring about the effect referred to in Standing Order No. 242. That contention was confirmed by Mr. Heenan's remarks when he referred to the words, "alteration proposed to be made." The hon. member could not have deduced a stronger argument in support of the contention of Mr. Baxter, backed up by Mr. Cornell, that this affects the Constitution and therefore requires a constitutional majority of both Houses.

Hon. Sir Hal Colebatch: One of the many objections I have to the Bill is that it will not affect anything. There is no provision in the Constitution for the taking of a referendum, and no matter what the result may be the Government can still do as it likes in connection with the matter. I cannot see that the Bill affects the Constitution and consequently I support your ruling, Mr. President.

Question (to dissent from the President's ruling) put and a division taken with the following result:—

Ayes	....	....	....	16
Noes	....	....	....	10
				—
Majority for	....	....	....	6
				—

AYES.

Hon. C. F. Baxter	Hon. W. J. Mann
Hon. L. Craig	Hon. G. W. Miles
Hon. J. A. Dimmitt	Hon. H. L. Roche
Hon. F. E. Gibson	Hon. H. Seddon
Hon. E. H. Hall	Hon. A. Thomson
Hon. V. Hamersley	Hon. H. Tuckey
Hon. J. G. Hilslop	Hon. F. R. Welsh
Hon. A. L. Loton	Hon. J. Cornell
(Teller.)	

NOES.

Hon. Sir Hal Colebatch	Hon. E. M. Heenan
Hon. C. R. Cornish	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. T. Moore
Hon. G. Fraser	Hon. C. B. Williams
Hon. E. H. Gray	Hon. W. R. Hall
	(Teller.)

Question thus passed.

As to Procedure.

The PRESIDENT: I accept the ruling of the majority, and the Bill is out of order.

Hon. C. F. BAXTER: Seeing that the House has ruled against your decision, Mr. President, is it not necessary now for me to move a motion to the effect that as Section 73 of the Constitution Act, 1899, has not been complied with by the Legislative Assembly, therefore under Standing Order No. 242 the Bill cannot be proceeded with?

Hon. J. Cornell: The President has already ruled that the Bill cannot be proceeded with.

The PRESIDENT: I have already accepted the decision of the majority of members, and have accordingly ruled the Bill out of order.

Hon. C. F. Baxter: Then you do not need a motion to that effect?

The PRESIDENT: It is not necessary.

Bill laid aside.

BILL—MORTGAGEES' RIGHTS RESTRICTION ACT CONTINUANCE.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the amendment made by the Council.

BILLS (2)—FIRST READING.

- 1, Superannuation and Family Benefits Act Amendment.
- 2, Commonwealth and State Housing Agreement.

Received from the Assembly.

BILL—HOSPITAL BENEFITS AGREEMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [9.27] in moving the second reading said: The Commonwealth Parliament recently approved of legislation known as the Hospital Benefits Act, 1945, which makes provision for the execution by the Commonwealth of an agreement with the States. The particulars of the agreement were approved at the recent conference of Ministers for Health held at Canberra in October last, Western Australia being represented at the conference by the Minister for Health and the ex-Under Secretary for Health, and are embodied in the schedule to the Bill. Clause 2 of the schedule sets out that the agreement shall

remain in force for not less than five years, and that notice of at least 12 months shall be given by either party in connection with its termination. It has been requested by the Commonwealth Government that the agreement shall take effect as from the 1st January next, and all States have prepared legislation which will enable the Commonwealth's wishes to be met.

The basis of the agreement is to provide benefits for patients in hospitals, but not to the hospitals themselves. It provides that any sick person, regardless of income, may be supplied with in-patient treatment free of charge in a public ward of a public hospital. One result of this concession will be that the means test usually applied to each patient in a public hospital will be abolished. Under the present system, no person who can afford to pay for treatment is entitled to take advantage of the medical attention provided by honorary surgeons and physicians. Under this Bill they will be entitled to treatment in any Government hospital or any public ward of any public hospital whether the medical staff be honorary physicians or surgeons, or not. The putting into operation of this agreement may mean an alteration in the present system, whereby very valuable service is rendered by physicians and surgeons in an honorary capacity. In that event the additional cost will be met by the Commonwealth Government.

The agreement provides for the payment by the Commonwealth of 6s. daily for each bed occupied. Patients in public wards will receive free treatment, and patients in the intermediate and private wards of public hospitals will pay the difference between this 6s. per day and the usual fee chargeable by the hospital concerned. There are variations in the charges by different hospitals, but whatever they may be, they will be reduced by 6s. per day. This applies also to patients who are being treated at private hospitals, so that my original statement that these benefits apply to patients and not to hospitals is explained by these remarks. In order that no hospital may endeavour to obtain additional revenue as a result of the Commonwealth payment, by increasing its scale of charges, the Bill provides that, as from the 1st September last, no increased charges will be allowable unless authorised by the Commonwealth Government.

On examination the Bill will be found to be composed of a clause authorising the implementation of the agreement between the State and the Commonwealth in accordance with what are described as "the heads of agreement" specified in the schedule, which comprises the remainder the Bill. It is provided in the Bill that the exact amount of 6s. daily received by the State in respect of beds in public wards may not necessarily be paid to the hospitals concerned.

Hon. L. Craig: Then this is a price-fixing Bill as well.

The CHIEF SECRETARY: If the hon. member reads the agreement, he will see that in any negotiations that take place all increased costs of hospitals must be taken into consideration. This money will be administered by the State Department of Health, and payment will be made to public hospitals at a rate equivalent to the average daily amount recovered by them from patients during the two years ended the 30th June, 1944.

Hon. L. Craig: It is like the State disabilities grant.

The CHIEF SECRETARY: I do not know that any such comparison could be made, but at any rate the average recovery rate in Western Australia was 5s. 9d. daily, so it will be seen that some hospitals will be paid a greater daily sum than the Commonwealth rate of 6s, and some will receive a lesser amount. It was decided at the conference that this payment should be based on the 1942-1944 collection figures rather than on those for the two years ended the 30th June, 1945. The conference upheld the Commonwealth's contention that the 1945 figures were inflated by wartime expenditure and that the average for the two previous years provided a much fairer basis.

The difference of 3d. per day between the Commonwealth subsidy and the amounts paid to the hospitals is to be placed in trust under Commonwealth control and utilised for hospital projects. In the case of Western Australia, the surplus will be approximately £5,416 per annum only, compared with the surpluses in the other States ranging from £32,000 in Tasmania to £293,000 in New South Wales. The disparity between the Western Australian amount and those of the other States is caused by the fact that

in the other States the average recovery of hospital fees from patients in public hospitals is lower than in Western Australia.

In the other States it ranges from 3s. 2d. in Victoria to 4s. in New South Wales and Queensland. It can therefore be seen that all the other States will make a good profit from the Commonwealth grant. One factor which may affect the utilisation of the small surplus in this State is that if donations received by public hospitals fall below the average of the 1942-44 years then the difference may be adjusted from the "surplus" account. In this State, however, donations are small and it is not anticipated that there will be sufficient drop in these receipts to affect us to any extent.

In view of this State's infinitesimal surplus under the agreement our representatives were assured at the conference that we would receive further assistance towards hospital projects should we find it necessary to submit applications in this regard. The definition in the Bill of "public hospital" means any hospital recognised as such or any hospital in receipt of a subsidy from the State and includes any State institution used for a hospital and any ward in any other institution which is used for hospital purposes but it does not include any tuberculosis hospital within the meaning of the Commonwealth Tuberculosis Act, 1945. In other words, if we had a hospital ward in the Old Men's Home then that ward would be covered as would any other such ward in a similar institution, but so far as tuberculosis is concerned it does not apply. Hospitals treating tuberculosis are excluded from the provisions of this agreement as they are being specifically catered for under another scheme. The daily rate of payment of 6s. for private hospitals will most likely be made through the State Department of Health in which case the administrative costs will be recouped by the Commonwealth.

It is proposed in the Bill that a national hospital council shall be appointed to advise the Commonwealth and the States in respect to matters pertaining to hospitals which are referred to the council by either party. The Bill specifically states that nothing in the agreement shall be construed to affect the State's control of clinical teaching and research in public hospi-

tals. Those are the salient points of the agreement. Although it treats Western Australia far less generously than the other States it will render a considerable amount of benefit to individual persons, and it must be approved by this Parliament if we are to take advantage of it. This is, of course, in accordance with the policy of the Commonwealth Government regarding social services generally. The Commonwealth Parliament having passed this legislation and it being necessary for any State that participates in the scheme to ratify the agreement, which is necessary between the Commonwealth and State, I hope that this Chamber will raise no objection to it. I move—

That the Bill be read a second time.

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

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Second Reading.

Debate resumed from the 6th December.

THE HONORARY MINISTER (Hon. E. H. Gray—West—in reply) [9.40]: I do not intend to reply to the speeches delivered by members, for the Bill is, as members know, one that has emanated from municipal authorities. All the amendments, apart from some machinery clauses, have been requested by them, and their numbers are too great to be ignored. It is essentially a Committee Bill, and many amendments have been indicated. It is better to deal with the clauses as we come to them.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1 and 2—agreed to.

Clause 3—Amendment of Section 49:

Hon. Sir HAL COLEBATCH: I have on the notice paper a number of amendments to strike out clauses.

The CHAIRMAN: The hon. member cannot move to strike them out. He can speak against them with a view to their deletion.

Hon. Sir HAL COLEBATCH: All the clauses I suggest should be struck out deal with two principles. One of these is dealt with in Clause 3, the purpose of which, together with other clauses, is to abolish plural voting and to conduct municipal elections on the basis of the Legislative Assembly rolls. I explained my reasons fully at the second reading stage and I shall not discuss them further.

The HONORARY MINISTER: Sir Hal Colebatch has given notice of numerous amendments, all dealing with plural voting. His desire is that the provisions in the Bill relating to plural voting shall be struck out. I think there are 16 of such amendments on the notice paper. Therefore, a vote could be taken on the matter of plural voting. If this amendment succeeds we need not waste time discussing the other amendments on the subject. The time has come when we should abolish the provision for plural voting in our local governing authorities legislation. Sir Hal Colebatch said that some States had not abolished it. We must remember, however, that the Old Country abolished it some time ago and substituted adult franchise, the result being that 7,000,000 additional electors were enrolled.

New South Wales and Queensland have also abolished plural voting. As we have passed through a critical period safe and well, we must have some regard for the men and women of our Fighting Services. The greatest service a man can render his country is to offer his life for it. Our soldiers are returning in increasing numbers and will probably have houses of their own entitling them to a vote. At present, a man or woman who owns a vacant block of land has a vote, although he or she may not have done anything for the good of the country, but merely sat back and reaped the benefit of the increased value of land.

Hon. H. S. W. Parker: Do they not live in houses?

The HONORARY MINISTER: They own a block of land in a municipality, but live outside of the municipality. Nevertheless, they are entitled to a vote for the municipality; a person owning land in the Perth municipality may have as many as eight votes, while another person with a house in the municipality may be entitled to only one vote. This antiquated method cannot be justified.

Hon. F. E. GIBSON: I hope the clause will be struck out. I have been closely associated with local governing bodies in the metropolitan area, but I do not know of anybody who has asked for the provisions included in this Bill. The fact that a person may have as many as four votes is an indication that he has been thrifty and has acquired property in the municipality entitling him to those votes. I point out that the local governing authorities in England carry far greater responsibilities than do the local governing bodies in Western Australia. In England, local governing bodies are responsible for education, police, fire prevention and many other activities. The Minister is unfortunate in having referred to New South Wales and Queensland. I remember some little time ago, after the one-ratepayer-one-vote system was inaugurated in New South Wales, the Sydney Municipal Council got into a terrible mess and it was necessary for the Government to go to its assistance. The Government practically dismissed the council and put in a board of management. With regard to Queensland, it must be borne in mind that the members of the Brisbane Municipal Council each draw £750 a year for their services. The loan indebtedness of that council increased to such an extent that it became necessary for the Queensland Government to come to its help.

Hon. H. S. W. PARKER: I was interested to hear the Honorary Minister talk about our soldiers. One thing the Government will not give them is preference. In the case of the soldiers, the last on is first off. Will the Honorary Minister say why he desires to deprive the soldier of his full voting powers where he has invested money in property? The Minister spoke of the time when the soldiers would be returning. Consequently, there has been no demand for this alteration by the soldiers, because they are not back yet. This Bill does not help the soldiers at all. It is all eye-wash. It will help irresponsible persons who have no real interest in the country, but are out to disrupt it. I refer to the communists, many of whom live in rooms.

The HONORARY MINISTER: Mr. Parker stated that communists were living in rooms.

Hon. H. S. W. Parker: I said many of them did.

The HONORARY MINISTER: If they live in rooms they do not have a vote at all.

Hon. H. S. W. Parker: You want to give them a vote.

The HONORARY MINISTER: Had it not been for our soldiers, we would have lost all our property. We would have lost our country. Surely we owe a debt to them! I do not wish to waste the time of the Committee. Voters for municipalities should be put on the same footing as voters for the Commonwealth and State Parliaments.

Hon. H. TUCKEY: I cannot agree with the Minister's views on this amendment. Many returned soldiers will want to retain plural voting. Thousands of them own valuable property entitling them to more than one vote. I would like to know what justifies this proposal. I know of several local authorities that are unanimous in their opposition to the clause, and some of them are composed of men of different political views.

Hon. L. CRAIG: I am perturbed at the trend of the legislation being introduced in this State. It seems to be almost a crime to own property now. If one owns property one is looked upon as being something inferior, but if a person owns no property and pays a little rent he is regarded as being the salt of the earth. The very basis of the constitution of a municipal council is the collection of rates which it distributes throughout the municipality in an equitable way. In a year or two property will have no rights at all. It seems that the whole function of Governments today is to condemn the man who wants to save for the future by putting his money into houses or land.

Hon. W. R. Hall: And then they take it from him.

Hon. L. CRAIG: Yes. We must break down this absurd antagonism to thrift, careful living and investment. A man is looked at askance if he owns three or four houses. A man who saves is looked upon as a fool.

Hon. G. B. Wood: As a rogue!

Hon. L. CRAIG: Yes, practically. He is looked upon as a fool because he will

not later be eligible for the old-age pension, whereas the man who does not save will. I am utterly opposed to the abolition of plural voting.

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

Ayes	..	..	..	8
Noes	..	..	..	16
Majority against				8

AYES.	
Hon. J. M. Drew	Hon. E. M. Heenan
Hon. G. Fraser	Hon. W. H. Kitson
Hon. E. H. Gray	Hon. C. B. Williams
Hon. W. R. Hall	Hon. T. Moore (Teller.)
NOES.	
Hon. Sir Hal Colebatch	Hon. H. S. W. Parker
Hon. O. R. Cornish	Hon. H. L. Roche
Hon. L. Craig	Hon. H. Seddon
Hon. F. E. Gibson	Hon. A. Thomson
Hon. V. Hamersley	Hon. H. Tuckey
Hon. A. L. Loton	Hon. F. R. Welsh
Hon. W. J. Mann	Hon. G. B. Wood
Hon. G. W. Miles	Hon. J. A. Dimmitt (Teller.)

Clause thus negatived.

Clause 4—Amendment of Section 50:

Hon. Sir HAL COLEBATCH: Clauses 4 to 7 will become meaningless as they simply provide the method by which the principle embodied in Clause 3 was to be carried out.

Clause put and negatived.

Clauses 5 to 7—negatived.

Clause 8—agreed to.

Clause 9—Amendment of Section 85:

Hon. Sir HAL COLEBATCH: Clauses 9 to 13 are also dependent on the abolition of plural voting.

Clause put and negatived.

Clauses 10 to 13—negatived.

Clause 14—Amendment of Section 157:

Hon. Sir HAL COLEBATCH: Here we come up against a principle just as objectionable as the other. Clauses 14 to 16 seek to prohibit any council holding a meeting before 7 o'clock in the evening. One interesting exception is made in that an adjourned meeting of a committee may be held before 7 o'clock if all the members decide in favour of it. That is a new interpretation of the principle of majority rule. I can see no justification for taking away from a municipality the right to fix for itself just what time it shall hold its meetings.

The HONORARY MINISTER: This is a very important proposal affecting chiefly the Perth City Council. Thousands of citizens

cannot offer their services as councillors because they cannot attend day meetings. A large body of those people consider they should have an opportunity to serve on the council, but they are prevented by reason of the fact that the council holds its meetings in the afternoon. I would not object to an amendment permitting a majority of the members to fix the time for an adjourned meeting.

Hon. Sir HAL COLEBATCH: I have been advised that it would be quite impossible for the City Council to carry on its business if meetings were not held before 7 p.m. It would involve heavy expense and great inconvenience to the staff. Why should not a council fix the time of its meetings?

Hon. H. TUCKEY: I oppose the clause, which would affect the whole of the municipalities in the State. Town clerks and other members of the staff would have to work overtime, and councils do not wish to work at night if they can transact their business in the daytime.

Hon. F. E. GIBSON: I see no reason for the clause. It would make conditions difficult for country councils. At Fremantle we hold council meetings in the evening, but we have six workers as members and they have no difficulty in attending committee meetings during the week. I cannot imagine any local authority being able to conduct its business satisfactorily if all meetings have to be held in the evenings. Parks and ovals, health and works committees have to make inspections in daytime.

The HONORARY MINISTER: I think it would be advantageous to the Perth City Council to hold its meetings in the evening. The town clerk and his assistant would be the only officials who would be needed. I have been a member of a small municipality for years and the work has been done at night, on Saturday and on Sunday.

Hon. F. E. Gibson: I have never attended a committee meeting on Saturday or Sunday.

The HONORARY MINISTER: Our people are prepared to forgo the pleasure of a race meeting in order to attend to municipal matters. I have been informed that no country municipality holds its meetings in daytime.

Hon. H. Tuckey: Sometimes special meetings are held.

The HONORARY MINISTER: If there was a special meeting, the position would be met. The interests of thousands of rate-payers in the Perth area should be considered.

Hon. W. R. HALL: I cannot agree to the clause. The council should be permitted to decide the hour for meeting. Why bring in legislation that will apply only to the Perth City Council? I would not like anyone to interfere in this way with the road board of which I am a member. We arrange our meetings as far as possible to suit the convenience of all.

Hon. H. S. W. PARKER: Would this clause prevent the holding of a council meeting before 7 p.m. on Saturday or Sunday?

The HONORARY MINISTER: A committee meeting is provided for in the amendment, but meetings of the council could not be held in the daytime.

Hon. W. R. Hall: Will not this affect all councils outside of Perth?

The HONORARY MINISTER: Yes.

Clause put and negatived.

Clause 15—Amendment of Section 167.

Hon. Sir HAL COLEBATCH: This and the following clause involve the same principle.

Clause put and negatived.

Clause 16—negatived.

Clause 17—Amendment of Section 179:

The HONORARY MINISTER: The Country Municipal Association has requested that councils be allowed to vote funds for the expenses of two delegates to the annual conference.

Clause put and passed.

Clause 18—Amendment of Section 180:

Hon. H. SEDDON: Does this clause mean that a caravan may be prohibited from occupying private land or only public land of a municipality?

The HONORARY MINISTER: It means that before the owner of a caravan may park in a public place, he must secure a license and use a parking place. A similar provision appears in the Road Districts Act. If people are permitted to park a caravan anywhere, it becomes a menace to the health

of the community. An outbreak of enteritis last summer was attributed to lack of proper sanitary precautions.

Clause put and passed.

Clauses 19 and 20—agreed to.

Clause 21—New sections:

On motion by the Honorary Minister, consideration of clause postponed.

Clauses 22 to 31—agreed to.

Clause 32—Amendment of Section 451:

Hon. Sir HAL COLEBATCH: This brings us back again to the question of plural voting.

Clause put and negatived.

Clause 33—agreed to.

Clause 34—Amendment of Section 480:

Hon. Sir HAL COLEBATCH: I object to subparagraph (vi). Municipal councils should not use the ratepayers' money to relieve the Education Department of its responsibilities. Section 350 of the Act gives the councils wide powers in the matter of improving their grounds, etc. Not one municipality in this State has ever had sufficient money to carry out the obligations already imposed on it by the Act. This is an unreasonable obligation. I move an amendment—

That subparagraph (vi) be struck out.

The HONORARY MINISTER: Sir Hal Colebatch misunderstands the meaning of this amendment. The idea is to encourage parents and citizens' associations to provide amenities in school grounds.

Hon. Sir Hal Colebatch: They can do that.

The HONORARY MINISTER: This will permit the local authority concerned to encourage this by contributing £50 or £20 providing the association raises £200. It has nothing to do with the Education Department. If the parents and citizens' association does nothing, no-one else will do anything.

Hon. Sir HAL COLEBATCH: There is nothing in the Bill to show who the contributors, on a £ for £ basis, are to be. To my mind they should be the parents and citizens' associations and the Education Department. As the Bill stands it might mean that the Education Department may decide to spend £50 and call on the municipality to spend another £50.

The Honorary Minister: That is not the idea.

Hon. H. TUCKEY: The clause does not refer to any body other than a local governing authority. This could easily be used to get money out of municipalities for works that are the responsibility of the Education Department.

Hon. L. CRAIG: What will happen in practice is that a deputation will wait on the Minister and point out that improvements are necessary to certain school grounds. The reply will be, "We will give you £50 if you get £50 from the council."

Hon. Sir Hal Colebatch: It is the same as has been done in regard to hospitals.

Hon. E. M. HEENAN: This merely gives the councils the right to contribute if they so desire.

Hon. L. CRAIG: That is so.

Hon. E. M. HEENAN: If the parents and citizens' associations subscribe money—

Hon. L. CRAIG: Most of them have not two shillings!

The Honorary Minister: No, but they raise money.

Hon. E. M. HEENAN: The councils will probably not have much money to spend either, but it is not a bad thing for them to encourage and support the schools in their towns and districts. It is like everything else—let the Government do it!

Hon. L. CRAIG: This is a Government department.

Hon. E. M. HEENAN: That is so. The Government builds the schools and maintains them, but I cannot see anything wrong in giving a municipality power to subscribe a little money in that direction if a town takes a healthy interest in its school.

Hon. G. B. WOOD: I agree that the Minister will always go to the municipal council and do nothing towards the school grounds unless the council subscribes on a £ for £ basis.

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

Clause 35—agreed to.

Clause 36—Amendment of Fourth Schedule:

Hon. Sir HAL COLEBATCH: Clauses 36 to 38 are consequential on the knocking out of the plural voting provisions.

Clause put and negatived.

Clauses 37 and 38—negatived.

Clauses 39 to 44—agreed to.

Progress reported.

House adjourned at 10.41 p.m.

Legislative Assembly.

Tuesday, 11th December, 1945.

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

QUESTIONS.

REGIONAL HOSPITALS.

As to Planning Committee's Report.

Mr. TELFER asked the Minister for Health:

1, Has the hospital planning committee reported as to the potential regional hospitals for the State?

2, Is Kellerberrin or Merredin chosen as a regional hospital site?

3, Immediately manpower and materials are available will steps be taken to have the regional hospital built and completed?

4, Will a pathologist be attached to such hospital?

5, Have any efforts been made to have restrictions lifted so as to allow nursing staff to approach the State Arbitration Court in order that nurses may receive salary commensurate to the services they have rendered?

The MINISTER replied:

1, The committee has made tentative proposals.

2, Merredin is recommended.

3, The plan is one for progressive fulfilment, and hospitals will be constructed or enlarged in order of urgency and practicability in relation to other urgent demands for labour and materials.

4, Pathological services will be available. It is probable that a laboratory assistant will be attached to each regional hospital and more difficult pathological examinations be referred to the central pathological laboratory.

5, Yes—by prolonged correspondence and personal representations to Federal Ministers.

COLLIE COAL INDUSTRY.

(a) As to Report of Commonwealth Commission.

Mr. WILSON asked the Minister for Mines:

1, Has the report of the Commonwealth Government's Commission—headed by Sir Raphael Cilento—on the Collie coal mining industry been received by his Department?

2, If so, does that report contain recommendations regarding health matters, modern bathrooms for mine workers, prevention of dangerous and careless use of high explosives, and the humane treatment of horses working underground?

3, When is it intended to implement the recommendations contained in the report?

The MINISTER replied:

1, No.

2 and 3, Answered by 1.

(b) As to Stone Drive to Co-operative Mine.

Mr. WILSON asked the Minister for Mines:

1, Is it a fact that for the past five years the Collie Miners' Union and myself have