

ment moved by Mr. Holmes. It would be advisable to move the amendment in the following form, "That the following words be added to Subclause 1: 'Provided that the representation of the council of the Royal Agricultural Society at any such conference shall not exceed 30 in number.'"

Hon. J. J. HOLMES: I will accept the suggestion and move the amendment in that form.

Hon. A. J. H. SAW: I cannot support the amendment. It appears the contention is that the Royal Agricultural Society became a little too greedy and tried to stint the clothing of the smaller agricultural societies. Now by way of revenge Mr. Holmes proposes to snip the cloak of the Royal Agricultural Society. I do not think that altogether fair. I do not see why these two bodies should not remain on a fifty-fifty basis, as, apparently, was the intention. In that event neither body would predominate.

The CHIEF SECRETARY: I am beginning to have a little sympathy for the Royal Agricultural Society. The Bill was drafted by that body.

Hon. J. M. Macfarlane: Not this particular clause.

The CHIEF SECRETARY: This clause was redrafted under instructions from Cabinet.

Hon. J. J. Holmes: By a barrister or by a solicitor?

The CHIEF SECRETARY: Both, I think. I suggest that we give the Bill a trial. In view of the circumstances, I do not anticipate that the Royal Agricultural Society will be too severe.

Hon. J. J. HOLMES: With the consent of the Committee I will withdraw my amendment. The discussion will probably be an indication to the Royal Agricultural Society of what will happen should there be trouble in the future.

Amendment by leave withdrawn.

Hon. E. H. HARRIS: The clause contains references to "open voting." What is the explanation for that? It might be desirable to take a vote by ballot.

The CHIEF SECRETARY: Surely there would be no necessity for a secret ballot in connection with the framing of by-laws. The duties of the conference will be confined to the preparation of by-laws, and why should there be any necessity for a ballot?

Hon. E. H. Harris: But why the reference to open voting.

The CHIEF SECRETARY: That is a very old phrase and suggests ordinary voting as against proxy voting.

Clause put and passed.

Clause 7—agreed to.

Schedule, Title—agreed to.

Bill reported without amendment and then report adopted.

House adjourned at 9.25 p.m.

Legislative Council,

Tuesday, 7th December, 1926.

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

QUESTION—GROUP SETTLEMENT.

Hon. A. BURVILL (for Hon. H. Stewart) asked the Chief Secretary: 1, The number of settlers living on the groups as at 30th June, 1923, 1924, 1925, and 1926? 2, The total number of persons comprised in the families of those settlers for the same years?

The CHIEF SECRETARY replied: 1, 30th June, 1923, 1,278; 30th June, 1924, 2,296; 30th June, 1925, 2,229; 30th June, 1926, 2,244. 2, 15th October, 1923 (date of first complete census), 4,765; 30th June, 1924, 8,829; 30th June, 1925, 8,874; 30th June, 1926, 9,405.

BILL—ROAD DISTRICTS ACT AMENDMENT.

Further Recommittal.

On motion by Hon. Sir William Lathlain, Bill recommitted for the purpose of further considering Clause 41. Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clause 41—Amendment of Section 160:

Hon. Sir WILLIAM LATHLAIN: I move an amendment—

That proposed new paragraph (27) be struck out and the following inserted in lieu:—(27) Subject to the approval of the Minister, erect or acquire at a cost not exceeding £750 a suitable dwelling house within the district to be let to any secretary of the council who may desire to occupy it as a home; provided that (a) whenever the secretary for the time being shall not be willing to occupy such house on the terms offered by the council then the house may be used or disposed of in such manner as the council shall deem expedient. (b) This paragraph shall not apply to the council of any district which is wholly or partly within the limits of the metropolitan area as defined for the time being for the purposes of the Traffic Act, 1919.

When the division was taken on this clause the voting was equal, and a number of members are of the opinion that the power given to the various road boards by the clause are far too great. There are over 100 road boards in the State and we are going to give them practically the same powers as are enjoyed by the Workers' Homes Board. I believe that in a number of districts there is great difficulty in providing a proper and suitable home for the local secretary. It is with the idea of obviating that difficulty that I am moving the amendment. It will give to the road boards greater power than they would have under the clause as previously agreed to, for under the amendment a road board will be authorised to spend up to £750 out of its revenue, without appealing to the ratepayers for confirmation.

Hon. A. Burvill: How will it work where the secretary undertakes other duties?

Hon. Sir WILLIAM LATHLAIN: He still must have a home.

The CHAIRMAN: I again direct attention to a contravention of the Standing Order. The Bill has been recommitted. But it is proposed to strike out certain words and afterwards to put some of them back again. The Standing Orders provide for doing that only on further recommittal. If a copy of the amendment had been handed

to me earlier, I should have been able to compare it with the paragraph that the hon. member proposes to delete and put it in proper form. The method chosen by the hon. member is an easy one but is not the customary one.

Hon. G. W. Miles: It was drafted by Dr. Stow.

Hon. Sir WILLIAM LATHLAIN: I have not had the experience that some members have had and I left the matter entirely in the hands of Dr. Stow.

The CHAIRMAN: The difficulty will be overcome by my amending the amendment from the Chair.

The CHIEF SECRETARY: I trust that the paragraph in the Bill will be retained. The local authorities will not be compelled to erect dwelling houses. The paragraph will give them an opportunity to consider the matter and decide whether the erection of dwellings is in the interests of the district. Apart from the secretary there may be permanent employees such as an engineer or manager of electricity or gas works for whom it is desired to cater. In some towns houses are very scarce and it is difficult to provide accommodation for permanent employees.

Hon. Sir WILLIAM LATHLAIN: The manager of electric light works would have the same opportunity as would any other individual to secure a home under the Workers' Homes Act. The paragraph was introduced to enable provision to be made for road board secretaries in outback places. There is no need to duplicate existing legislation.

The CHAIRMAN: I shall put the amendment in two parts. The question is that all the words after "erect" in line 1 of paragraph 27 be struck out.

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

Ayes	..	..	..	..	14
Noes	..	..	..	..	6
					—
Majority for					8
					—

AYES.

Hon. A. Burvill	Hon. G. W. Miles
Hon. J. J. Holmes	Hon. G. Potter
Hon. G. A. Kempton	Hon. E. Rose
Hon. Sir W. Lathlain	Hon. H. A. Stephenson
Hon. A. Lovekin	Hon. Sir E. Wittenoom
Hon. J. M. Macfarlane	Hon. H. J. Yelland
Hon. W. J. Mann	Hon. J. Nicholson

(Teller.)

NOES.

Hon. J. R. Brown
Hon. J. M. Drew
Hon. E. H. Harris

Hon. J. W. Hickey
Hon. H. Seddon
Hon. W. H. Kitchin
(Teller.)

Amendment thus passed.

The CHAIRMAN: The question now is that the following words be inserted in lieu of the words struck out:—"or acquire at a cost not exceeding £750 a suitable dwelling house within the district to be let to any secretary of the council who may desire to occupy it as a home. Provided that (a) Whenever the secretary for the time being shall not be willing to occupy such house on the terms offered by the council, then the house may be used or disposed of in such manner as to the council shall seem expedient; (b) This paragraph shall not apply to the council of any district which is wholly or partly within the limits of the metropolitan area as defined for the time being for the purposes of the Traffic Act, 1919."

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

Bill again reported with further amendments.

BILLS (5)—THIRD READING.

- 1, Lake Brown-Bullfinch Railway.
- 2, Dairy Cattle Compensation.
- 3, Ejanding Northwards Railway.
- 4, Boyup Brook-Cranbrook Railway.
- 5, Royal Agricultural Society.

Passed.

BILL—LEGAL PRACTITIONERS ACT AMENDMENT.

Report of Committee adopted.

PAPERS—WORKER'S HOME, J. R. DAVIS.

Debate resumed from the 2nd December on the following motion by Hon. G. Potter:

That the file relating to the purchase, sale and transfer of a worker's dwelling-house, held in the name of John Roy Davis, being piece or parcel of land Perth Lot No. 505, comprised in and the subject of lease of a worker's dwelling No. 69/12 (Crown Lease 8212/1913), be laid on the Table of the House."

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [3.32]: In moving for the production of the papers mentioned in his motion, Mr. Potter stated that his reason for taking the step he did was an opinion given by an eminent K.C., supported by the Crown Law Department, and acted upon by the Workers' Homes Board in connection with the sale of a worker's home. It was contended that if a leasehold tenant had discharged his financial obligations to the board and wished to sell his house, he had freedom of sale, and that if the board wanted to buy it, they would have to purchase at the present-day value of the property. Mr. Potter added that this was a matter of great public interest; that it should be given the widest publicity; and that with a view of giving it that publicity he had decided to move for the production of the file. Mr. Potter omitted to mention in the course of his speech that, when he gave notice of the motion, he was informed it was not desirable that the papers should be laid on the Table of the House. He was told he would be accorded an opportunity to go through them. He did not tell members that he failed to take advantage of the opportunity so readily offered by the board. I really cannot understand his attitude. In similar cases, other members have met the circumstances in a frank way by perusing papers in the office concerned. The only ground on which Mr. Potter still seeks for the production of the file, is that he desires to give the matter the widest publicity. He has already given the matter the widest publicity in the course of his speech, and consequently has achieved his end. It should not require much argument or many facts to show that, unless for the gravest reason, the placing on the Table of the House, and making them available to the Press, of personal files relating to the ordinary dealings of private individuals with one of the business enterprises of the Government, is open to strong objection and would establish a dangerous precedent.

Hon. J. Cornell: Until they overthrow the existing policy.

THE CHIEF SECRETARY: Let me take workers' homes, for instance, for we are now dealing with workers' homes. On all these files there is practically a record of the character of the clients of the board. All their sins of default are shown, and, where necessary, the reports and comments of the officials who are connected with the

administration are shown. Sometimes these reports are of a scathing nature, and deservedly so.

Hon. J. Cornell: I know that.

The CHIEF SECRETARY: In some instances, not only do such reports and comments appear, but it is often found necessary to introduce third parties, who might not be flattered if what appears on these files concerning them were given publicity. Take the case of a client of the Agricultural Bank. A member may hear rumours in the district that a certain farmer is very much in arrears respecting interest and principal, and he may consider it a matter of public concern to have this made widely known. He moves for the production of the papers, his motion is carried, and the file is laid on the Table of the House. It is then open to the Press to peruse that file. Defamatory statements may appear on the file, but these would be open to the Press, which may give these statements circulation under the protection of the House. Mr. Potter will say, "Oh, we are only asking for this particular file. We know there is nothing in this that will reflect on Mr. Davis or anyone else." That may be so. I feel sure it is so, but that does not affect the principle. If this motion be carried, it will be the right of any other member to ask for the file of some other client of the Workers' Homes Board, with a view to giving the contents the widest publicity; and, if he can put up a reason as weak as Mr. Potter's, he will be entitled to its production.

Hon. J. Cornell: If you will declare the Government's policy on this I will withdraw anything I have said.

The CHIEF SECRETARY: I will probably deal with that later on. When I learned that Mr. Potter had decided to persist in his motion, I thought he proposed to level some charge of mal-administration against the board. But he had not a word to say in that direction.

Hon. G. Potter: That was not in question.

The CHIEF SECRETARY: He made no charge of mal-administration against the board, and Mr. Cornell, who followed him, adopted a similar course. In fact, it was common ground with the mover and second of the motion that there is nothing of a discreditable nature to be said against the Workers' Homes Board in this connection.

Hon. J. Cornell: I lauded the course taken by the board up to a certain point.

The CHIEF SECRETARY: Mr. Potter asks for the file because he wants to give the legal development the widest possible publicity. Everybody in this House knows that he has already attained that object. Through the medium of the Press this matter has had wide publicity. In seeking to establish the principle that for the reason he has indicated a personal file should be open to the public view, he is seeking to establish a wrong and vicious principle. There could be occasions when even the sacredness of a personal file should be violated. I refer to occasions when a Government would feel impelled to produce a personal file in self-defence. In this case, however, no such element presents itself. It has not even been hinted at. While Mr. Cornell was speaking I asked him whether any improper conduct was alleged. He replied that this was not so. I believe the same position still exists, and that there is no imputation against the Government or the board.

Hon. J. Cornell: Not at all.

The CHIEF SECRETARY: Besides the personal character of the file, there is another reason why it is not advisable it should leave the hands of the Government at the present time. It is in action, and in vigorous action. Cabinet may have to go into the whole question without delay. That cannot be done if the papers have to lie on the Table until the end of the session.

Hon. J. Cornell: About four days.

The CHIEF SECRETARY: Mr. Cornell stated, in reply to another question of mine, that the final recognition of Davis's claim took place only two days before last Thursday.

Hon. J. Cornell: About four days.

The CHIEF SECRETARY: Surely in the circumstances Cabinet has the right to be given time in which to go through the file, and to have priority over the newspapers which would have access to these private documents if they were laid upon the Table.

Hon. J. Cornell: The reply was before the Minister controlling the department fully a month ago.

The CHIEF SECRETARY: Mainly on the ground of the objectionable principle involved, I intend to oppose the motion. If it were carried, the example might be followed in another place, and where would we get to in the end? The papers are lying in my office now, and so far as the Govern-

ment are concerned, are open to perusal by any member of Parliament. That is quite a different thing to placing them on the Table, and enabling newspapers to make extracts from them under the protection afforded by this House.

On motion by Hon. J. M. Macfarlane, debate adjourned.

BILL—TIMBER INDUSTRY REGULATION.

In Committee.

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

Clause 1—agreed to.

Clause 2—Interpretation.

Hon. J. NICHOLSON: I move an amendment—

That in the definition of "Agent" after the word "person," in line 2, there be inserted "being in charge of and."

A man might be an agent and yet far removed from the scene of actual operations, fulfilling a merely subsidiary capacity. The Bill proposes serious and strict obligations, to which an agent resident in Perth, for example, should not be subject.

The HONORARY MINISTER: This is one of many amendments Mr. Nicholson has placed on the Notice Paper. It would remove from the definition of "agent" the legal representative of a foreign company, and thus owners could escape their obligations.

Hon. J. Nicholson: No.

The HONORARY MINISTER: I have consulted the officials concerned, and that is the conclusion arrived at. Millars' Timber and Trading Company Ltd., for example, is a foreign company. This definition has been copied from the Coal Mines Regulation Act, like most of the provisions to which Mr. Nicholson takes exception. The Coal Mines Regulation Act 1895 was framed by Sir Edward Wittenoom, and it has not injured the coal mining industry to any appreciable extent. Similar provisions cannot injure the timber industry of the present day, which is in a far more advanced stage than was the coal mining industry in 1895. I hope the amendment will be defeated.

Hon. E. H. HARRIS: The Honorary Minister states that the definition of "Agent" has been copied from the Mines Regulation Act, but the definition in this

Bill omits the words "or body corporate." The omission is important. Why has it been made?

Hon. H. STEWART: The definition in the Coal Mines Regulation Act of 1906 refers to the agent or manager as meaning the person or body corporate having, as attorney or representative of the owner, control and supervision of the mine or its management. That definition, therefore, includes what Mr. Nicholson seeks to obtain by his amendment. Mere slabs of the Coal Mines Regulation Act have been introduced into this Bill.

Hon. Sir EDWARD WITTENOOM: The Honorary Minister suggests that provisions introduced in 1896, when I was Minister for Mines, are applicable to the conditions of to-day. I fail to see the validity of that argument. Provisions which were perfectly right at that time may require considerable alteration now. Therefore I do not feel bound by what was done in 1896.

The CHAIRMAN: The Interpretation Act defines "person" or "party" as including body corporate. That Act has been passed since the Coal Mines Regulation Act.

Hon. J. NICHOLSON: The Honorary Minister apparently fears that under the amendment some owners may elude their obligations, but that is quite impossible because the owner is the person primarily liable. I, myself, am agent for various companies, and I am located in Perth, but the companies must take the obligation and bear the brunt of permitting any infraction of the law. If I were on a mill and operating it, the position would be entirely different; then I would be taking on my shoulders the obligation for the conduct of the mill. But, in fact, I have no more to do with the conduct of the mill than has any member here, beyond giving general directions. Surely it is the man on the spot who should provide safeguards and so forth as specified in the Bill. Clause 16 says that every owner or agent shall provide sufficient guards. If an agent is to be included in that clause, it should be the agent who is in charge on the spot, not the agent in Perth, for whom it is a physical impossibility to exercise control over such matters. The Honorary Minister overlooks the definition of "Manager" contained in the Bill—

"Manager" means the person having immediate charge and direction of the operations of the timber owner, and includes any deputy or foreman acting under his instructions.

Here it is proposed to bring in, by a side wind, the agent, and make him responsible though he may have nothing to do with the actual control of the concern. My amendment will place the definition of "Agent" in harmony with the definition of "Manager." The object of my amendment is not in any degree to remove the responsibility of the owner.

Hon. J. E. DODD: There is one point regarding the amendment upon which I would like to have Mr. Nicholson's opinion. He asserted that it would not afford an owner an opportunity to evade his responsibilities. Will an owner not be able to evade his legal responsibility under actions at common law, if the amendment be carried and we take away all responsibility from the owner? All the employees of the timber industry from managers downwards will be in common employment, and should there be an action at common law, which is very rare to-day, will it not be possible for an owner to evade his responsibility altogether by adding that responsibility to some other person? If the inclusion of a provision in the Mines Regulation Act of 1895 and in the amending Act of 1906, similar to that proposed in the Bill, worked satisfactorily, surely there can be nothing wrong in including it in the Bill. No harm has resulted to the mining industry and I do not see that any harm could follow if it were applied to the timber industry.

Hon. J. NICHOLSON: My amendment has nothing to do with the definition of "owner," which is dealt with elsewhere, but merely with the definition of "agent." I propose to limit the application of the definition to the person actually in charge of operations, so that he shall be responsible for seeing that the provisions of the Act are duly carried out. My amendment will have no effect regarding the responsibilities of owners. If the Crown Law Department can show me that the amendment will affect the liability of owners, I shall be prepared to consider a further amendment.

The HONORARY MINISTER: In reply to Sir Edward Wittenoom, I do not hold that what applied a great many years ago should apply to-day. On the other hand, I suggest we should advance and not agree to retrograde action. We should certainly not agree to include in the Bill less than is included in the Mines Regulation Act. While we hold mine managers responsible to a certain extent, the owner is not altogether

responsible, nor is the agent solely responsible. Each has his respective share of the responsibility. There may be circumstances that will exempt an agent from responsibility. On the other hand, there is no reason why Mr. Nicholson, who has told us he is the agent for various companies, should not be prepared to accept his share of responsibility involved in the positions he holds.

Hon. E. H. HARRIS: I cannot follow the Honorary Minister's contention that we want something in advance of what we had formerly.

The Honorary Minister: We are not asking for that, but merely for the same as we have had in the past.

Hon. E. H. HARRIS: The Mines Regulation Act Amendment Act of 1906 includes definitions of "owner" and "manager" and I cannot see that we can get anything in advance of that. I suggest that the definition appearing in the Mines Regulation Act Amendment Act of 1906 is sufficient to meet the requirements of both Mr. Nicholson and the Honorary Minister.

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

Ayes	..	..	..	..	10
Noes	..	..	..	..	10
<hr/>					
A tie	..	..	..	..	0
<hr/>					

AYES.

Hon. J. J. Holmes	Hon. J. Nicholson
Hon. G. A. Kempton	Hon. H. A. Stephenson
Hon. Sir W. Lathlain	Hon. Sir E. Wittenoom
Hon. J. M. Macfarlane	Hon. H. J. Yelland
Hon. W. J. Mann	Hon. E. Rose

(Teller.)

NOES.

Hon. J. R. Brown	Hon. J. W. Hickey
Hon. A. Burvill	Hon. W. H. Kitson
Hon. J. E. Dodd	Hon. H. Seddon
Hon. J. M. Drew	Hon. H. Stewart
Hon. E. H. Harris	Hon. E. H. Gray

(Teller.)

The CHAIRMAN: In accordance with the Standing Orders, the question passes in the negative.

Amendment thus negatived.

Hon. J. NICHOLSON: I move an amendment—

That in lines 2 and 3 of the definition of "agent" the words "as the attorney or representative of the owner" be struck out.

Before a company that has been incorporated elsewhere than in Western Australia can carry on operations in this State, it is

necessary that the company shall have somebody resident here who will undertake the duties required under the provisions of the Companies Act, so as to enable the company to become a registered body and carry on operations in this State. The usual thing is to appoint somebody who is resident in Perth. As a matter of fact a large number of solicitors for the various companies have been appointed formally with the necessary powers. Persons who act in the capacity of attorneys are really only fulfilling a legal requirement. In many cases they do not perform any active work for the companies, beyond complying with what may be necessary under the Companies Act. It is proposed here to provide that an attorney or representative of the owner shall also be responsible. Although the attorney may have a certain measure of control under the powers given him he does not exercise them, but merely fulfils the legal requirements for the registration of the company. Here he is to be brought in and made liable, although the company's operations may be carried on a couple of hundred miles from the place where he is resident. That is why, in the previous amendment, I endeavoured to make the agent in charge responsible.

Hon. E. H. Harris: Add the words "or manager" at the end.

Hon. J. NICHOLSON: That would not assist, for there is a definition of "manager" in the Bill.

The HONORARY MINISTER: For the same reasons as I gave on the previous amendment, I will oppose this one.

Hon. H. STEWART: The definitions of "manager" and of "owner" have been drawn from the Mines Regulation Act. The Bill and the Mines Regulation Act have both the same general objective. The Mines Regulation Act has been in operation for many years, and any phase of it that Mr. Nicholson may bring up here now has applied equally to mining companies. To alter this definition without knowing exactly what the effect will be, would be to go away from the comparative instances established in many years of experience. This definition has been drastically altered by the leaving out of the words "or manager," words that have had a place in the original definition and so have been in operation for many years in the mining industry. It is hardly wise to depart from a definition that, in comparative circum-

stances, has stood the test for so many years.

Hon. E. H. HARRIS: I strongly support the views expressed by Mr. Stewart. We have had these words in the Mines Regulation Act for something like 20 years. Viewed from the legal aspect as to what is intended, practically everything in that Act has been tested in respect of validity, and so we all know exactly what the various provisions mean. I am afraid Mr. Nicholson has not noted the interpretation of "manager" in the Bill, which is a copy of what is in the Mines Regulation Act. I urge him to agree to amend the provision along the lines of the original Mines Regulation Act. It will then be perfectly safe in respect of its meaning.

Hon. W. H. KITSON: If we agree to the amendment we shall be shunting on to some other individual responsibility that rightly belongs to some man occupying the position defined by Mr. Nicholson. I can understand an agent or attorney of a timber corporation being resident hundreds of miles from the scene of operations, and yet being responsible for those operations. I can understand an attorney having power to dictate to the mill manager what policy he shall adopt in regard to many matters. If we agree to the amendment we shall be putting the responsibility on to other individuals who should not be asked to bear that responsibility. I think we shall be doing the right thing by retaining the clause as printed.

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

Ayes	..	..	..	12
Noes	..	..	..	12
				—
A tie	..	..	..	0
				--

AYES.

Hon. J. J. Holmes	Hon. J. Nicholson
Hon. Sir W. Lathlain	Hon. E. Rose
Hon. A. Lovekin	Hon. H. A. Stephenson
Hon. J. M. Macfarlane	Hon. Sir E. Wittenoom
Hon. W. J. Mann	Hon. H. J. Yelland
Hon. G. W. Miles	Hon. G. A. Kempton
	(Teller.)

NOES.

Hon. C. F. Baxter	Hon. J. W. Hickey
Hon. J. R. Brown	Hon. W. H. Kitson
Hon. A. Burvill	Hon. A. J. H. Saw
Hon. J. E. Dodd	Hon. H. Seddon
Hon. J. M. Drew	Hon. H. Stewart
Hon. E. H. Gray	Hon. E. H. Harris
	(Teller.)

The CHAIRMAN: In accordance with the Standing Orders, the question passes in the negative.

Amendment thus negatived.

Hon. J. NICHOLSON: "Bush landing" is defined as any place at which timber in the round is or hewn sleepers are first loaded into trucks for transport or removal. The term is well understood in the industry as implying a landing from which logs are loaded on to the trucks. Hewn sleepers, on the other hand, are stacked on the ground, and no landing is built for them. The definition as printed would apply to a place that is not a bush landing. I move an amendment—

That after "place" the words "used in connection with a timber holding" be inserted.

The HONORARY MINISTER: I cannot grasp Mr. Nicholson's idea. The Government intend to apply the definition to timber holdings only.

Hon. J. Nicholson: Then you will have no objection to the amendment.

The HONORARY MINISTER: The amendment is not desirable. The hon. member proposes subsequently to strike out the reference to hewn sleepers. Why should not sleeper landings be subject to regulations? The operation of loading sleepers involves danger.

Hon. J. NICHOLSON: The Honorary Minister says the Government intend to apply the measure to timber holdings only, and my amendment will make that clear.

Hon. J. J. HOLMES: Sleepers are generally loaded from the ground, alongside the railway, and not from a landing. To impose the responsibility of building a landing for the loading of sleepers would be to place an obstacle between the sleepers and the trucks.

Hon. A. BURVILL: The definition should be retained. Sleepers are often hewn in forest reserves, stacked alongside the line, and then pulled into trucks on skids. There is an element of danger attached to loading sleepers in that way.

Hon. W. H. KITSON: The definition seeks to widen what is generally understood by "bush landing." There is considerable danger in loading timber at places where no preparation has been made to get it on to the trucks. The definition should be retained in order that there may be no doubt as to what "bush landing" implies.

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

Ayes	..	..	..	15
Noes	..	..	..	8

Majority for .. 7

AYES.

Hon. C. F. Baxter	Hon. A. J. H. Saw
Hon. J. J. Holmes	Hon. H. Seddon
Hon. G. A. Kempton	Hon. H. A. Stephenson
Hon. J. M. Macfarlane	Hon. H. Stewart
Hon. W. J. Mann	Hon. Sir E. Wittenoom
Hon. J. Nicholson	Hon. H. J. Yelland
Hon. G. Potter	Hon. Sir W. Lathlain
Hon. E. Rose	(Teller.)

NOES.

Hon. J. R. Brown	Hon. J. W. Hickey
Hon. A. Burvill	Hon. W. H. Kitson
Hon. J. E. Dodd	Hon. G. W. Miles
Hon. J. M. Drew	Hon. E. H. Gray
	(Teller.)

Amendment thus passed.

Hon. J. NICHOLSON: I move an amendment—

That in the definition of "Bush landing" the words "or hewn sleepers are," in line 2, be struck out.

It is not the practice to load hewn sleepers at bush landings.

Amendment put and passed.

Hon. J. NICHOLSON: I move an amendment—

That in the definition of "Manager" the words "or foreman," in line 3, be struck out.

It is recognised in the trade that a foreman has not the responsibilities of a manager or deputy manager. Therefore "foreman" should not be included here. If the amendment is carried, responsibilities will not be imposed or escaped on either one side or the other.

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

Clause 3—agreed to.

Clause 4—Control:

Hon. E. H. HARRIS: I move an amendment—

That the words "officer in the Public Service as the Minister may appoint. Such officer is hereinafter referred to as the 'controlling officer'" be struck out, and the following inserted in lieu:—"person as the Minister may from time to time appoint, and shall act in such districts or portions of districts as the Minister may from time to time direct."

My amendments, including the present one, follow the lines of the Mines Regulation Act, 1906. The present amendment will place machinery inspectors appointed in connection with the Bill under the Inspection of Machinery Department.

Hon. H. STEWART: On the second reading I drew attention to the question of the controlling officer. In most Australian States the State Mining Engineer is also the chief inspector of mines and the controlling officer for mining legislation. I have suggested that probably the Conservator of Forests would administer this Bill, and the suggestion seems to have astonished some members. We ought to have an indication as to who will administer the measure, which contains no sign that needless inspections are to be avoided.

The HONORARY MINISTER: There is certainly no necessity for the amendment. The Bill provides that officers already in the service may act under it.

Hon. J. J. Holmes: Does the Bill say that?

Hon. H. Stewart: Cannot you indicate to us the proposals of the Government?

The HONORARY MINISTER: It is not proposed to create a special department to administer the Bill. The measure will be administered by the head of an existing department.

Hon. H. Stewart: What is the name of that department?

The HONORARY MINISTER: The amendment will not get us anywhere.

Hon. G. W. Miles: Why all this secrecy about the department that is to control the Bill?

The HONORARY MINISTER: There is no secrecy about it. The measure will be controlled by the department under the Minister.

Hon. J. J. Holmes: Under which Minister?

The HONORARY MINISTER: The Minister for Works, who controls the State Saw-mills and is also Minister for Labour.

Hon. H. Stewart: He might with equal logic administer the Mines Regulation Act.

The HONORARY MINISTER: We have a Minister for Mines.

Hon. E. H. HARRIS: Inspectors are to be under the control of such an officer in the Public Service as the Minister may appoint. Mr. Dodd proposes to move to insert a new clause to provide that inspectors shall come under the Public Service Act, 1904. I submit that the Minister has given no reason

for objecting to my amendment. My desire is to follow as closely as possible the Mines Regulation Act.

Hon. H. STEWART: We might summarise the information given us by the Minister in this way, that as there is a Forests Act, that portion of the Bill dealing with forests will have a close relationship to the Forests Department; that part of the Bill in close relationship to mines regulation will come within the scope of the Minister for Mines, and so on. We are forced to the conclusion that the Bill will be administered by those who are at present administering the Factories Act, the Machinery Act, the Health Act, and a few others. That seems to be the conclusion we must arrive at from the very indefinite statement made by the Honorary Minister.

Hon. J. E. DODD: The amendment will certainly make the clause more definite. The Chief Inspector of Factories will be the officer in charge, as he has control of all industrial affairs.

Hon. J. NICHOLSON: I suggest that the Minister might insert words to indicate who will be the controlling officer. If he is to be the Chief Inspector of Factories, it would be advisable to say so in the Bill. Mr. Harris will agree that it is better to provide that an officer of the public service shall undertake the duties.

Hon. E. H. Harris: I am assuming that Mr. Dodd's amendment will be carried later on.

Hon. J. NICHOLSON: The Honorary Minister should state who the controlling officer will be.

Hon. Sir Edward Wittenoom: He does not know.

Hon. G. W. Miles: Perhaps Mr. Kitson will tell us.

Hon. J. NICHOLSON: There are no specific duties assigned to the controlling officer.

Hon. A. BURVILL: I, too, would like to know under whose control the officers will be. We are certainly entitled to be told exactly who they are to be. If Mr. Dodd's amendment is carried we shall certainly know something more than we do now.

The HONORARY MINISTER: There is not a shadow of a doubt that the officers will be under the controlling officer appointed under the Bill.

Hon. J. Nicholson: But who will he be?

The HONORARY MINISTER: The Minister controlling the Act will have power to

appoint the officer in control, and there is just a possibility that that officer may be the Chief Inspector of Factories.

Hon. Sir William Lathlain: Which Minister will control?

The HONORARY MINISTER: The Minister for Labour. The hon. member would not expect to find the Minister for Mines in control. The Minister for Forests will act in conjunction with other Ministers so far as that which affects his own department is concerned.

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

Ayes	..	..	17
Noes	..	..	6
			—
Majority for	..	11	—

AYES.

Hon. C. F. Baxter	Hon. G. Potter
Hon. A. Burvill	Hon. E. Rose
Hon. J. E. Dodd	Hon. H. Seddon
Hon. E. H. Harris	Hon. H. A. Stephenson
Hon. G. A. Kempton	Hon. H. Stewart
Hon. Sir W. Lathlain	Hon. Sir E. Wittenoom
Hon. J. M. Macfarlane	Hon. H. J. Yelland
Hon. W. J. Mann	Hon. J. J. Holmes
Hon. G. W. Miles	(Teller.)

NOES.

Hon. J. M. Drew	Hon. W. H. Kitson
Hon. E. H. Gray	Hon. J. Nicholson
Hon. J. W. Hickey	Hon. J. R. Brown
	(Teller.)

Amendment thus passed: the clause, as amended, agreed to.

Clause 5—Classification of Inspectors:

Hon. E. H. HARRIS: I move an amendment—

That at the end of paragraph (a) the following words be added: "and that he has passed an examination prescribed or approved by the Minister in accordance with the regulations."

This will make further provision for examinations. It is taken from the Mines Regulation Act. The men who have the qualifications should be those appointed to these positions.

The HONORARY MINISTER: The duties of inspectors under this measure will be many and varied. They must have a knowledge of bush work as well as of mill work. It would be a difficult matter to prescribe the type of examination suitable for them. The officer in control, or the Minister, would be in a better position to decide who were eligible to hold these positions. The clause should be left as it is.

Hon. H. STEWART: I support the amendment. The duties of inspectors in the gold mining industry are just as varied as they would be in the case of the timber industry. It appears that the Minister for Labour will really control these matters, and he should have as inspectors men who have shown their capability by the passing of examinations. I see no reason why a board should not be appointed to test every applicant.

Hon. H. J. MANN: The object of appointing inspectors is to ensure efficiency, and protection for the employees. To that end examinations should be prescribed. If it is difficult to set out the type of examination required it would be equally difficult to define the duties of inspectors.

Hon. J. E. DODD: In this industry more than merely practical men are required. The district inspector may have to preside at inquests, and he should be an educated as well as an intelligent man. There is nothing in the amendment that limits the Minister with regard to the nature of the examination that is set.

Hon. A. BURVILL: I also support the amendment. Every inspector should be obliged to pass a rigid examination to prove that he is a capable man. The term of five years should also be increased, because that is scarcely long enough to enable a man to acquire a sufficient practical knowledge of the industry.

The HONORARY MINISTER: It is my desire that the men who are appointed as inspectors should be practical men, possessing common sense and a certain amount of education. If people are obliged to pass a stiff theoretical examination we shall lose the opportunity to secure the services of many competent and practical men, some of whom might not be able to pass a fourth standard examination. It would be foolish to carry the amendment.

Hon Sir WILLIAM LATHLAIN: I hope the fact that men have some education will not disqualify them from receiving these positions. In the event of an accident the inspector must be able to give an intelligent description of what occurred. An educated man would probably be in a better position to do this than one who was not educated. The information tendered to the district inspector ought to be reliable, and based on sound knowledge and judgment. I support the amendment.

Amendment put and passed.

Hon. E. H. HARRIS: I move an amendment—

That in line 5 of paragraph (b) after "knowledge" the words "as the Minister may from time to time direct" be inserted.

Hon. H. STEWART: What is the object of the special inspectors? I thought it was intended to do away with special inspections, but, if I have followed the discussion, it would appear that it is intended to appoint special inspectors to conduct investigations for which men possessing special scientific training and knowledge will be required.

Hon. E. H. Harris: It will be only once in a while that such inspections will be required.

Hon. H. STEWART: I do not consider it necessary to include such a provision in the Bill. If the paragraph dealing with special inspectors were deleted, the Minister would be able to appoint a committee to investigate various phases of the industry. Then again, in view of Mr. Dodd's amendment that will be moved subsequently, it is evidently contemplated that the special inspectors should be employed permanently and should be under the Public Service Act.

The CHAIRMAN: Order! It is not customary to anticipate amendments on the Notice Paper.

Hon. H. STEWART: I would have been quite ignorant had that phase not been mentioned earlier in the discussion! I will support the amendment and will move for the deletion of the paragraph relating to special inspections so as to test the feeling of the House as to whether such officers should be appointed permanently.

Hon. A. BURVILL: I agree with Mr. Stewart, and will support him.

The CHAIRMAN: The Committee have approved of the appointment of special inspectors, and are now considering whether we shall qualify their authority.

Hon. A. BURVILL: Behind that phase of it is the question whether the special inspectors shall be permanent officers. If they are to be made permanent officers, it will entail unnecessary expense, and I shall support the amendment foreshadowed by Mr. Stewart.

The HONORARY MINISTER: The amendment is entirely unnecessary. It will take out of the hands of the controlling officer the appointment or recommendations

regarding special inspectors. There is no intention on the part of the Government that the special inspectors shall be permanent officers. They will be appointed for a special investigation, because of special knowledge and scientific training that they may possess. After the investigation is completed, their employment will cease.

Amendment put and passed.

Hon. H. STEWART: The Committee have agreed to the appointment of special inspectors, with certain restrictions. I could not test the feeling of the Committee regarding special inspectors formerly. I will now move a further amendment—

That paragraph (b) as amended be deleted.

The CHAIRMAN: The hon. member may move such an amendment only on recommitment.

Hon. A. BURVILL: I move an amendment—

That in line 2 of paragraph (c) the words "elected by the majority of" be struck out, and "selected from" inserted in lieu.

There are 112 mills operating within 13 districts throughout the State. Workmen's inspectors are to be elected by the majority of persons bona fide employed as workers in the timber industry in the several districts.

Hon. E. H. Harris: Surely you would not object to them being elected by the workers?

Hon. A. BURVILL: On a previous occasion when another Bill was before us, the Chief Secretary objected to a proposal of this description, and I am pursuing a similar course.

Hon. E. H. Harris: That is a poor argument to advance!

Hon. A. BURVILL: I want the Government to be consistent.

Hon. Sir William Lathlain: You are not setting them a good example.

Hon. W. H. Kitson: If you can't get it yourself, no one else must get it.

Hon. A. BURVILL: When speaking on the Bill I refer to, the Chief Secretary said, "Certainly no outside body should have the right to insist upon any member being appointed."

The Honorary Minister: Where was that?

Hon. A. BURVILL: That was on the Albany Harbour Trust Bill. If that system is good enough for constituting the Albany Harbour Trust, it should be good enough here. Why should the Albany Harbour Trust be appointed, and these workmen's in-

spectors be elected by their fellow workers? I have moved the amendment to draw attention to the inconsistency of the Government.

Hon. H. SEDDON: I should like to know whether it is intended to hold these proposed elections in the same way as elections are held of workmen's inspectors on the mines?

Hon. H. Stewart: How are they held?

Hon. H. SEDDON: The inspectors are elected every year.

The HONORARY MINISTER: It is intended that the election of workmen's inspectors in the timber industry shall be on all fours with the election of workmen's inspectors in the mines. The election will be controlled by the Chief Electoral Officer.

Hon. H. STEWART: I should like to know from the Minister how many of these inspectors are likely to be appointed.

The HONORARY MINISTER: If it be found practicable, there will be two district inspectors and one workmen's inspector in each district.

Hon. A. BURVILL: I am altogether in favour of there being a workmen's inspector, but I am not in favour of his being elected. He should be selected by the Government. That would be in uniformity with the methods adopted under other Acts. He should be selected by the Government, who will have to pay him.

Hon. E. H. HARRIS: I am surprised at Mr. Burvill moving an amendment that, if carried, would preclude a man being elected by a majority of his fellows. The hon. member having achieved his object, which was to castigate the Government on an alleged inconsistency, ought now to withdraw the amendment, for no argument can be adduced in support of the Government's selecting a man, as against that man being elected by his fellows. I should like to ask the Minister why "workers" has been inserted. The Bill follows closely the Mines Regulation Act, but under that Act everyone engaged in the industry—not merely the workers—is entitled to record a vote. Here the election roll is to be restricted to workers, notwithstanding which I see no definition of "worker."

Hon. A. BURVILL: I believe that in another place exception is being taken under another Bill to the very point I have touched upon. It appears to be the policy of the present Government to recognise any worker, but to ignore the primary producer. I will withdraw the amendment.

The CHAIRMAN: Is it the wish of the Committee that the amendment should be withdrawn?

Hon. H. Stewart: No.

The CHAIRMAN: The amendment stands.

Hon. H. STEWART: From time to time the primary producers have endeavoured to arrange for representation of certain interests on given boards. It is only camouflage on the part of any Government to say they do not take whoever is selected by a section of the interests concerned, but ask for a nomination and, if it meets with their approval, make an appointment. In the Mines Regulation Act there is provision for direct representation after election by a majority.

Hon. A. Burvill: So also in the Lunacy Bill.

Hon. Sir William Lathlain: A very good place for it.

Hon. A. Burvill: The primary producers cannot get it at all.

Hon. H. STEWART: Past Governments have declared that they would not make appointments as the result of selection, but would receive recommendations for an appointment. However, the present Government are inconsistent in this matter. As primary producers we have sought to have representation by somebody who has our approval, but we do not get that consideration to which we are entitled.

The HONORARY MINISTER: The men in the industry are entitled to appoint their own inspector. Mr. Burvill's remarks are quite beside the question. The Government have been strictly consistent in this as in other matters. It is necessary that the workers in the industry should have direct representation.

Amendment put and negatived.

Hon. E. H. HARRIS: I move an amendment—

That after "work" in line 6 of paragraph (c) "as a working timber worker" be inserted.

The clause as it stands would admit workers who have not worked in the industry for the last 10 or 15 years. I want to see it confined to those in the industry at the present time.

Hon. H. STEWART: I have a prior amendment.

Hon. E. H. HARRIS: I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Hon. H. STEWART: It may be desired that the inspectors should be elected by all people working in the industry. That would bring the measure into conformity with the Mines Regulation Act. I move an amendment—

That in line 3 of paragraph (c) the words "as workers" be struck out.

Amendment put and passed.

Hon. E. H. HARRIS: I move an amendment—

That after "work" in line 6 of paragraph (c) the words "as a working timber worker" be inserted.

The HONORARY MINISTER: It is difficult to imagine how a person could be engaged in general practical work in the industry for at least five years except as a working timber worker.

Hon. E. H. HARRIS: He may not have been in the industry for 15 years and may be out of touch with present-day methods.

The HONORARY MINISTER: I cannot believe that the workers would elect a man who had been out of the industry for even five years.

Hon. A. BURVILL: The amendment is unnecessary. A thoroughly competent inspector might have been out of the industry, through accident or other cause, for three years or five years. The choice should be left with the workers.

Hon. E. H. HARRIS: I am prepared to trust to the good sense of the workers to elect a competent man. I ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Hon. A. BURVILL: Paragraph (c) provides that no person shall be eligible for appointment as a workmen's inspector unless he has been engaged in the industry for five years. That term is not too much, but it should be stipulated that the person seeking appointment has had experience of the mill as well as of the tramways and the bush. I move an amendment—

That the following words be added to the paragraph:—"half of which has been served in the mill and half in bush work connected with the industry."

Hon. Sir William Lathlain: The wording of the amendment could be improved.

Hon. C. F. Baxter: Make it "part" instead of "half."

Hon. H. STEWART: The paragraph as printed should meet requirements, but if it

is desired to add a condition as Mr. Burvill suggests, it would be sufficient if the person seeking election had had two years in one part and three years in another part of the industry. I suggest that Mr. Burvill alter his amendment to read, "unless he has been engaged in practical bush and mill work in the industry for at least five years."

Hon. W. H. KITSON: Why hedge the election of workmen's inspectors with restrictions? The men in the industry know what is required, and surely we can leave it to them to decide what they want.

Hon. A. BURVILL: With a view to improving the wording, I ask leave to withdraw the amendment.

The CHAIRMAN: I hope that in future improvements will be made at an earlier stage.

Amendment, by leave, withdrawn.

Hon. A. BURVILL: I move an amendment—

That after "practical" in line 6 the words "bush and mill" be inserted.

The HONORARY MINISTER: Men engaged in the industry are the best judges of what they require. Under the Mines Regulation Act the shoveller-down, trucker, mullocker and machine-man are given equal chances. Why depart from that principle here?

Sitting suspended from 6.15 to 7.30 p.m.

Hon. A. BURVILL: The workmen's inspector, besides looking after the Government side of the question, will have to look after the employers' side. The Honorary Minister said the workers should be left to judge of the qualifications of their inspector. It appears, therefore, that one section of the community, the workers, are to be absolutely immune from regulation as to the choice of representatives under legislation of this kind. On the other hand, farmers, for instance, are to have no such right. I fail to understand the Government's attitude. If the amendment is not carried, there will be no real qualification for the workmen's inspector. Under a measure relating to a harbour, there is to be no sectional representation. Here, however, a sectional representative is created, and the Honorary Minister wants him to be without any qualification.

The Honorary Minister: A qualification of five years is required.

Hon. A. BURVILL: If the matter is left entirely to the workers, they may elect an inspector with only mill experience, having no bush experience whatever.

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

Ayes	12
Noes	6

Majority for	6
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AYES.

Hon. A. Burvill	Hon. W. J. Mann
Hon. E. H. Harris	Hon. J. Nicholson
Hon. J. J. Holmes	Hon. E. Rose
Hon. G. A. Kempton	Hon. H. Seddon
Hon. Sir W. Lathlain	Hon. H. A. Stephenson
Hon. J. M. Macfarlane	Hon. H. Stewart

(Teller.)

NOES.

Hon. J. R. Brown	Hon. J. W. Hickey
Hon. J. M. Drew	Hon. W. H. Kitson
Hon. E. H. Gray	Hon. G. Potter

(Teller.)

Amendment thus passed; the clause, as amended, agreed to.

Clause 6—Conditions of appointment of special and workmen's inspectors:

Hon. E. H. HARRIS: I move an amendment—

That after the word "powers," in line 3, there be inserted "and the number of days to be given by them to the duties of their office."

The Minister can put an officer in control of the measure, and from that officer the inspectors are to take their instructions. For that reason these words, which appear in a kindred Act, might well be inserted.

The HONORARY MINISTER: The amendment assumes that the workmen's inspectors will be employed half-time only. That will not be so. It is hoped that only two workmen's inspectors will be required, but they will give the whole of their time to their duties.

Hon. E. H. HARRIS: The amendment applies to special inspectors as well as to workmen's inspectors. It may happen that one inspector has to cover half a dozen districts, and he may devote the whole of his time to one district. In that case the Minister should be empowered to instruct him to devote part of his time to other districts.

The HONORARY MINISTER: One can never say when the duties of a special inspector will terminate.

Hon. E. H. Harris: How is it that such a provision has worked well in the case of mining inspectors for 20 years?

The HONORARY MINISTER: The conditions of mining are quite different from those of the timber industry. The inspectors will be entirely under the direction of the controlling officer.

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

Ayes	14
Noes	5

Majority for	..	9
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AYES.

Hon. A. Burvill	Hon. J. Nicholson
Hon. J. J. Holmes	Hon. G. Potter
Hon. G. A. Kempton	Hon. E. Rose
Hon. Sir W. Lathlain	Hon. H. Seddon
Hon. A. Lovekin	Hon. H. A. Stephenson
Hon. J. M. Macfarlane	Hon. H. Stewart
Hon. W. J. Mann	Hon. E. H. Harris

(Teller.)

NOES.

Hon. J. R. Brown	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. E. H. Gray
Hon. J. W. Hickey	

(Teller.)

Amendment thus passed; the clause, as amended, agreed to.

Clause 7—Term of appointment of workmen's inspectors:

Hon. E. H. HARRIS: I move an amendment—

That the following words be added:—"For any cause which the Minister may in his discretion deem sufficient."

The amendment provides that a workmen's inspector may be removed from his office by the Minister. The Minister has opposed all my amendments, but I feel confident he will not oppose this.

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

Clause 8—Powers of inspectors:

Hon. J. NICHOLSON: I move an amendment—

That paragraph (d) reading "For the purpose of such examination or inquiry to require the attendance of any official or employee, and such official or employee shall attend accordingly" be struck out.

There is no such provision in either the Mines Regulation, Machinery, or Factories Acts. To give such a power as is proposed is unreasonable. An inspector may require a manager to come to Perth.

Hon. W. H. Kitson: What would be wrong with that?

Hon. J. NICHOLSON: An inspector's duty is to inspect and make his inquiries, and he has all the requisite powers provided by the other paragraphs. Under paragraph (d) he would have the power to summon the manager to Perth.

Hon. J. J. Holmes: And all the officials as well. *

Hon. J. NICHOLSON: And leave the men there.

The HONORARY MINISTER: This paragraph is almost word for word with a paragraph that appears in the Factories and Shops Act.

Hon. J. Nicholson: No, that paragraph in the Factories and Shops Act is similar to paragraph (f) of the clause we are now discussing.

The HONORARY MINISTER: Not so. It is surely recognised that the measure will be administered with some degree of intelligence. I am not so sure that a similar paragraph does not appear in the Mines Regulation Act.

Hon. E. H. Harris: You want a microscope to find it.

The HONORARY MINISTER: In any case, it has been thought fit to include the paragraph in this Bill.

Hon. W. H. KITSON: What is the use of giving inspectors power if we are not going to allow them to call upon officials to appear at a given time? What would happen if such an official were to say, "I am not going to say anything about the matter"? I can understand such a position arising fairly frequently. It would be impossible, as has been suggested, for all the officials to be called away at the same time.

Hon. J. J. Holmes: If you pass this paragraph, there will be nothing to prevent it.

Hon. W. H. KITSON: Not at all. Members seem to think that inspectors want to put employers to as much inconvenience as possible. My experience is that inspectors use common sense, and if officials fall in with the wishes of the inspectors, there is never any trouble. Members need not fear that an inspector will put an individual to any more inconvenience than is absolutely necessary.

Hon. J. NICHOLSON: The clause quoted by the Minister as appearing in the Fac-

tories Act is not similar to the paragraph I propose to strike out. It simply calls upon officials to answer questions and requires them to make a statutory declaration. That power is contained in paragraph (f) of the clause we are discussing. It should be no part of the power of an inspector to compel the attendance of any official in any case when he may think proper to do so. That is the duty of a judge or magistrate.

Hon. W. H. KITSON: Of what use will these powers be unless an inspector can compel the attendance of witnesses? Some interested individual may say he is not prepared to supply certain evidence. It should be possible to compel such a person to do so. If it is necessary to secure the services of a magistrate it will cause serious delay in all directions.

Hon. A. BURVILL: Inspectors have all the powers they require. Any recalcitrant witness can be summoned by the proper authority.

The HONORARY MINISTER: Paragraph (f) deals only with written statements, and inquiries respecting accidents. The paragraphs are based on the Mines Regulation Act. That is sufficient justification for their embodiment in the clause.

Hon. H. STEWART: Timber mills come within the definition of places that are factories.

Hon. E. H. Gray: But that does not apply to bush landings.

Hon. H. STEWART: We have no real ground for supposing there will be any simplification of the powers already existing in other Acts that have to do with the timber industry. The power sought in paragraph (d) is not contained in the Mines Regulation Act. If further power is necessary it need not be made as wide as is now proposed.

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

Ayes	..	..	..	11
Noes	..	..	..	7
Majority for				4

AYES.

Hon. A. Burvill	Hon. G. Potter
Hon. J. J. Holmes	Hon. E. Rose
Hon. G. A. Kempton	Hon. H. A. Stephenson
Hon. J. M. Macfarlane	Hon. H. Stewart
Hon. W. J. Mann	Hon. Sir W. Lathlain
Hon. J. Nicholson	(Teller.)

NOES.

Hon. J. R. Brown	Hon. J. W. Hickey
Hon. J. M. Drew	Hon. W. H. Kitson
Hon. E. H. Gray	Hon. H. Seddon
Hon. E. H. Harris	(Teller.)

Amendment thus passed.

Hon. E. H. HARRIS: I move an amendment—

That in paragraph (e), line 1, the words "with the authority of the controlling officer" be struck out.

Amendment put and passed.

Hon. E. H. HARRIS: I move an amendment—

That at the end of Subclause 2 the following words be added:—"and may, where a district inspector is not available, and with the authority of the district inspector, obtain written statements from witnesses, appear at inquiries respecting accidents in the timber industry, appear at inquests, call and examine witnesses and cross-examine witnesses."

The intent of the amendment is obvious and should appeal to hon. members.

The HONORARY MINISTER: Although a similar provision appears in the Mines Regulation Act, it is considered that inspectors should be subject to the restraining influence of those responsible for the administration of the Act. The amendment would empower inspectors to initiate and conduct prosecutions without reference to the head of the department or even to the Minister. That is not advisable.

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

Clause 9—agreed to.

Clause 10—Inspector to record result of inspection.

Hon. E. H. HARRIS: I move an amendment—

That in line 2 of Subclause 2, after "of the" the word "accredited" be inserted; after "representative of" in line 3 the words "any industrial union of" be inserted; and after "employed" in line 3 the words "in the timber industry" be inserted.

The amendment will bring the clause into line with a provision we included in another Bill recently.

Amendment put and passed.

Hon. J. NICHOLSON: The concluding part of Subclause 2 sets out that the record book shall be open to any other person authorised by the Minister. Unless that person is authorised in writing, any individual might

say he was so authorised. I move an amendment—

That in line 4 of Subclause 2, after "authorised," the words "in writing" be inserted.

Amendment put and passed.

The HONORARY MINISTER: I move an amendment—

That a new subclause, to stand as Subclause 3, be inserted as follows:—"The words 'accredited representative' in this and in other sections of the Act in which the words are used mean the president, vice-president or secretary of the industrial union or any member thereof acting with the authority of the secretary."

That will bring the Bill into conformity with another measure recently passed. In a way the amendment will qualify that just made to Clause 10.

Hon. E. H. Harris: The secretary is to be the boss rooster!

The HONORARY MINISTER: Those of us who have had a long experience with industrial organisations know that it is usual for the authority of a union to be signed by the secretary. The amendment will not be harmful.

The CHAIRMAN: The proposed new clause is purely one of interpretation, and I suggest to the Honorary Minister that he should move it on the interpretation clause, when the Bill is recommitted. The term "accredited representative" will appear in several parts of the Bill and not in Clause 10 only.

The HONORARY MINISTER: I will follow that suggestion. The amendment was framed by the Solicitor General who proposed that it should be included in this clause. I will not move the amendment now, but will do so on recommitment.

Clause, as previously amended, put and passed.

Clause 11—Upon worker making complaint, inspector to make inquiry:

Hon. J. NICHOLSON: I have given notice of my intention to move that the clause be deleted.

The CHAIRMAN: The hon. member will vote against the clause.

Hon. J. NICHOLSON: It is not necessary by Act of Parliament to give to any person working on a timber holding the power to make complaint to an inspector; nor is it necessary by the same means to give the inspector, in those circumstances, power to

make an inquiry. Moreover, why should there be a provision that the name of the informant shall not be divulged? There is in this clause nothing that is not provided for in Clause 19. I will oppose the clause.

The HONORARY MINISTER: I hope the Committee will pass the clause. Clause 19 has nothing whatever to do with this clause, but deals with the safety of appliances. This clause has been taken from Section 15 of the Mines Regulation Act. There is very good reason for the provision that the name of the informant shall not be divulged.

Hon. J. Nicholson: The inspector is not likely to divulge any name.

The HONORARY MINISTER: There are inspectors and inspectors. We have had instances of dismissal for want of such a provision, for there are bad employers as well as good employers. The clause is in every respect necessary.

Clause put and passed.

Clause 12—Duties and responsibilities of manager:

Hon. E. H. HARRIS: I move an amendment—

That after "manager" in line 1 of Subclause (3) "owner or agent" be inserted. This will make for uniformity.

Hon. J. NICHOLSON: It would be impracticable to insert the proposed words. In Subclause (1) the manager is made responsible for enforcing the observance of all the provisions of the Act, but Mr. Harris, by his amendment to Subclause (3) would make the owner or agent guilty of an offence for not enforcing those provisions.

Hon. E. H. HARRIS: I have omitted to move the amendment to Subclause (1) and so, as Mr. Nicholson points out, it would be of no use in Subclause (3). I will withdraw the amendment and, perhaps, take a later opportunity to move to insert the words in both Subclause (1) and Subclause (3).

Amendment, by leave, withdrawn.

Hon. J. NICHOLSON: The clause is a very onerous one, laying heavy responsibility on the manager. If any member of the Committee were to find himself under obligation to comply with the clause he would realise how very burdensome it is. Moreover, it is a usurpation of the powers and duties of the inspector himself. Who should

see to the observance of the Act? Surely the man who is paid to see that the provisions of the Act are carried out. If the manager is to be made responsible for the observance of the provisions of the Act, there will be no need whatever for inspectors, and we can strike out the provisions for the appointment of those officers. Paragraph (a) of Clause 8 provides that the duty of an inspector is to make examination and inquiry to ascertain whether the provisions of the Act are being observed. That is the duty of the inspector, not of the manager. Then under paragraph (e) of the same clause, inspectors are given power to initiate and conduct prosecutions against persons offending against the provisions of the Act. I will vote against this clause.

The HONORARY MINISTER: From Mr. Nicholson's remarks I can only conclude that he desires to throw the whole of the responsibility on the inspectors. If that were done, probably the business heads would do away with various managers and sub-managers and be content to have the inspectors bear the responsibility. This provision is adapted from the Mines Regulation Act, and if there are any flaws in that, they have not been discovered.

Hon. J. NICHOLSON: I care not whether it is in the Mines Regulation Act. If a clause is obviously wrong in itself we are not justified in perpetuating or repeating it. If the Honorary Minister were the manager of a mill, would he like to be made responsible for all the provisions of the measure? If a man removed a guard from a machine, the manager would be guilty of an offence. Yet the manager could not be everywhere at once.

The HONORARY MINISTER: Subclause 3 provides that if the manager takes reasonable precautions to enforce the provisions of the measure, he shall not be deemed guilty. No reasonable inspector or court would stand behind a man who deliberately removed the guard from machinery.

Hon. E. H. HARRIS: There is not as much danger as Mr. Nicholson would have us believe. If a man removed a guard from machinery, the manager should notify the authorities, who would have power to deal with the man. On the mines the men have been instructed not to carry dynamite and not to bite detonators with their teeth, but they do those things.

Hon. H. STEWART: The regulations governing mines are frequently broken by the

persons whom they are designed to protect. A man is not to tamp a hole except with a copper or wooden bar, and yet a steel scraper is frequently used. Appliances are provided to close the detonators on the fuses, and yet the men use their teeth. Familiarity breeds contempt. Frequently a manager is not in a position to safeguard himself without causing friction.

Hon. W. H. KITSON: The clause really provides a safeguard for the manager. If a man deliberately removed a safeguard from machinery, no blame would lie with the manager. At an earlier stage Mr. Nicholson wanted to remove from the agent of a company any responsibility. Now it seems that he also wants to remove any responsibility from the manager.

Hon. J. Nicholson: Not at all.

Hon. W. H. KITSON: This notwithstanding that Mr. Nicholson suggested the man controlling the timber mill should be responsible rather than the agent.

Hon. J. Nicholson: That is not so.

Hon. W. H. KITSON: I think that is a fair representation of what the hon. member argued earlier in the day. The clause should be carried in the interests of the manager as well as of the men and the owner.

Clause put and passed.

Clause 13—Notice of accident to be given:

Hon. J. NICHOLSON: I move an amendment—

That in Subclause 1, line 2, the words "and to the controlling officer" be struck out.

Amendment put and passed.

Hon. J. NICHOLSON: I move an amendment—

That in Subclause 1, lines 4 and 5, the words "incapacitates any person from work for more than 24 hours" be struck out with a view to inserting "causes serious bodily injury" in lieu.

The HONORARY MINISTER: All modern industrial legislation provides for notification of accidents. The requirement is invariably for notice of an accident incapacitating a workman for more than 24 hours. Notification is of great importance with a view to the keeping of records. Section 35 of the Factories and Shops Act similarly requires notification of accidents not caused by power-driven machinery. This amendment would enable the manager to escape responsibility—a thing which Mr. Nicholson says he does not want. The manager

need merely say, "I did not know the injury was serious." The term "serious bodily injury" would need to be defined.

Hon. J. Nicholson: It could be defined in accordance with the Inspection of Machinery Act.

The HONORARY MINISTER: It could be defined in many ways, but endless trouble would be caused. The amendment would enable the manager to shirk his responsibility, and I hope it will be rejected.

Hon. J. NICHOLSON: There is no question of shirking responsibility. What the clause suggests is unfair. Clause 15 requires that in case of an inquiry causing loss of work for more than 24 hours, the place where the accident occurred is not to be interfered with. That means stopping work.

Hon. A. Burvill: There is a saving clause.

Hon. J. NICHOLSON: But the proviso is about as bad as the clause itself. The manager must see that the place of the accident is not interfered with, and that means the stopping of the machinery. The proviso says that when necessary a person appointed by an industrial magistrate may give permission in writing for resumption of work, after full examination of the place. I do not know that an industrial magistrate would be found readily. Say a man cuts his finger and thus incapacitates himself for more than 24 hours—a simple matter—then the mill is to be hung up until the consent of the representative of an industrial magistrate has been obtained. That sort of thing will interfere with the operation and progress of our industries.

Hon. A. BURVILL: I do not agree with the amendment. The clause is about as fair as it can be made. There are frequently accidents which cause no loss of life, but against the recurrence of which precautions should be taken. Here is an instance: A mill started to cut longer timbers than usual, and the fitches came back past the engine. The man in charge of the engine told the manager two or three times that an accident would occur if precautions were not taken to prevent a fitch from falling on to the governor belt or the governor. When eventually a fitch did come back after that state of affairs had obtained for about a month, the man in charge of the engine managed to get out of the road in time. There was no loss of life, nor even any injury, though the machinery was damaged and took about 24 hours to repair. In another case a heavy fitch was on top of a skid and the pins were not strong enough. The men got out of the

way of the flitch in time, and no one was hurt. The flitch weighed three or four tons, and the damage done was considerable; consequently the position was remedied. Fatal accidents are sometimes narrowly averted. Such cases should certainly be reported.

Hon. H. STEWART: The latter part of the clause does not seem to vary appreciably from the section in the Factories Act, from which it has been taken. In connection with the mining industry there is no necessity to stop the works. Of course, if it is proposed to hold up works because an injury to a miner has to be reported, we shall be putting an unnecessary handicap on industry.

Hon. J. Nicholson: And probably stop the industry.

Hon. E. H. HARRIS: The clause is drafted in a way to which members may well take exception. Had we followed the Machinery Act or the Mines Regulation Act covering notification of accidents, we would have done far better. The clause provides that the district inspector and the controlling officer shall be notified, and thus two persons will be notified of an accident, and in our statistics there will be a record of two accidents, although only one may have happened. All that is required is that notice shall be given when a fatal accident occurs, or when a person is injured and has to cease work. In connection with the gold mining industry, it is the practice that if anyone is injured notice is immediately sent in. The Bill provides that in the event of a person being incapacitated for more than 24 hours, notice shall be given in writing. The management should not be required by two departments to put in the notice. The Minister should agree to the postponement of the clause with a view to having it re-drafted on lines similar to the section in the Mines Regulation Act.

Hon. W. H. KITSON: I fail to see anything objectionable in the clause. It does not say anything about holding up a mill.

Hon. J. Nicholson: Clause 15 does.

Hon. W. H. KITSON: We are not dealing with that.

Hon. J. Nicholson: But you must read the two together.

Hon. W. H. KITSON: I do not think anyone will object to the provision that notice shall be sent after a fatal accident has occurred, or after a serious accident has occurred.

Hon. J. Nicholson: No one has objected to that; you are agreeing with my amendment.

Hon. W. H. KITSON: The Workers' Compensation Act originally provided that in the event of injury payment should be made two weeks after the accident. Then the period was reduced to three days, and later it was again amended to provide that the worker should receive compensation from the time of the accident. We should be prepared to agree to the clause without any amendment. There is no necessity to alter the clause.

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

Ayes	..	..	..	..	13
Noes	..	..	..	..	6

Majority for 7

AYES.

Hon. J. Ewing	Hon. J. Nicholson
Hon. V. Hamersley	Hon. G. Potter
Hon. E. H. Harris	Hon. E. Rose
Hon. J. J. Holmes	Hon. H. A. Stephenson
Hon. Sir W. Lathlain	Hon. H. Stewart
Hon. J. M. Macfarlane	Hon. H. Seddon
Hon. W. J. Mann	(Teller.)

NOES.

Hon. J. R. Brown	Hon. J. W. Hickey
Hon. J. M. Drew	Hon. W. H. Kitson
Hon. E. H. Gray	Hon. A. Burvill
	(Teller.)

Amendment (that the words proposed to be struck out be struck out) thus passed.

The HONORARY MINISTER: I move—

That further consideration of the clause be postponed.

Motion put and passed.

Clause 14—Examination and inquiry as to cause of accident:

Hon. E. H. HARRIS: I move an amendment—

That in Subclause 1, lines 2 and 3, the words "the controlling officer" be struck out. I think this amendment will be regarded as consequential.

The Honorary Minister: I hardly think so.

The CHAIRMAN: Right through the Bill the words "controlling officer" have been struck out. In this case the controlling officer would have to perform a definite function. It is the desire of Mr. Harris to substitute for these words, the words "an industrial magistrate."

Amendment put and passed.

Hon. E. H. HARRIS: I move a further amendment—

That the words "industrial magistrate" be inserted.

Hon. H. Stewart: Can I move to strike out the word "industrial," and insert "police or resident"?

The CHAIRMAN: I suggest that Mr. Harris should first proceed with his amendment, when the Committee can decide whether to accept his or Mr. Stewart's

The HONORARY MINISTER: This amendment would tend to cause delay in the investigation of any serious accident. The controlling officer would be always accessible, but the industrial magistrate might not be available when required.

Hon. E. H. HARRIS: Having struck out these words it is necessary to empower someone to discharge this duty.

The HONORARY MINISTER: I am opposed to the amendment. It should not be necessary for an industrial magistrate to be called upon to visit the scene of an accident. In this instance I would prefer the Minister to make the appointment, rather than the magistrate.

Hon. E. H. Harris: It is obvious that someone must act.

The CHAIRMAN: I would point out to the Honorary Minister that all references to the controlling officer have been excised.

The HONORARY MINISTER: I was speaking of the individual who will be appointed under Clause 4, as amended by Mr. Harris.

Hon. E. H. HARRIS: I ask leave to withdraw my amendment in order to meet the wishes of the Honorary Minister.

Amendment, by leave, withdrawn.

Hon. E. H. HARRIS: I move an amendment—

That in lieu of the words struck out, "the Minister" be inserted.

Amendment put and passed.

Hon. E. H. HARRIS: I move an amendment—

That in lines 6 and 7 the words "officer in control and the" be struck out.

That will be in consonance with further amendments I have in mind.

Amendment put and passed.

Hon. H. STEWART: I move an amendment—

That in line 7 "industrial" be struck out, and "police or resident" inserted in lieu.

An industrial magistrate is appointed under the provisions of the Industrial Arbitration Act, and has restricted duties. An industrial magistrate must be a police or resident magistrate, and Section 101 governs the position, together with the four preceding sections dealing with enforcing awards, industrial agreements, the jurisdiction of the court, and property liable to execution. It would be better to provide for the reports being forwarded to police or resident magistrates rather than to the nearest industrial magistrate, with his restricted duties. Where industrial matters are concerned, the services of industrial magistrates could be called in. Section 104 of the Industrial Arbitration Act sets out that inspectors under the Mines Regulation Act, the Coal Mines Regulation Act, and the Factories Act shall be industrial inspectors and, I presume, the inspectors under the Timber Industry Regulation Bill will also be industrial inspectors.

The HONORARY MINISTER: Industrial magistrates were appointed under the provisions of the Industrial Arbitration Act in order to facilitate the work. It was assumed that industrial magistrates would specialise in their particular work, and therefore they should be best qualified to act in connection with the timber industry as well. The reference to industrial magistrates should be retained in the clause and so add materially to the safe working of the legislation.

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

Ayes	..	..	..	14
Noes	..	..	..	5

Majority for 9

AYES.

Hon. A. Burvill	Hon. W. J. Mann
Hon. J. Ewing	Hon. G. Potter
Hon. V. Hamersley	Hon. E. Rose
Hon. E. H. Harris	Hon. H. Seddon
Hon. G. A. Kempton	Hon. H. A. Stephenson
Hon. Sir W. Lathlain	Hon. H. Stewart
Hon. J. M. Macfarlane	Hon. J. Nicholson

(Teller.)

NOES.

Hon. J. M. Drew	Hon. W. H. Kitson
Hon. E. H. Gray	Hon. J. R. Brown
Hon. J. W. Hickey	(Teller.)

Amendment thus passed.

Hon. H. STEWART: I have a similar amendment to move.

The CHAIRMAN: It will not be necessary. Wherever the word "industrial" appears, the amendment will be consequential.

Hon. H. STEWART: At all events it seems to me that, in view of the amendment, Subclause 5 will no longer be necessary.

The HONORARY MINISTER: I will agree to postpone further consideration of the clause, with a view to consulting the Crown Solicitor.

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

Clause 15—Place of accident not to be interfered with:

Hon. J. NICHOLSON: I have suggested amendments to the clause, but in view of the fact that Clause 13, which I read in conjunction with this clause, has been postponed, perhaps the Honorary Minister, who I am sure wants to safeguard the industry, will agree to postpone this clause also.

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

Clause 16—Dangerous machinery to be guarded:

Hon. J. NICHOLSON: I move an amendment—

That in line one "or agent" be struck out. The person responsible for providing these things is, not the agent, but the owner. Why should the agent be responsible for providing guards to machinery? The responsibility is rightly on the owner.

Hon. A. Burvill: Suppose the owner has let his mill; what then?

Hon. J. NICHOLSON: Then he is not liable at all, for he is not operating the mill, and indeed has no right to enter the mill. Therefore he could not provide the guard nor do anything else. To seek to make the agent of a company liable for these things is unfair.

The HONORARY MINISTER: Here again we come to the question of responsibility. In the event of an owner being an absentee, he must have an agent or a representative. Somebody must be responsible for guarding dangerous machinery. This provision occurs also in the Victorian Factories and Shops Act, and has operated there for over 12 years. Also it is to be

found in similar legislation in other States. Moreover, it is in the Mines Regulation Act, and has worked satisfactorily. I trust the Committee will agree to the clause as printed, for the hon. member has not adduced any reasonable argument why it should be amended.

Hon. J. NICHOLSON: The Honorary Minister has told us this provision is in the Victorian statute, and operates in other States as well. Apart from all that, I put before him the plain facts: suppose he happened to be an agent for an owner, how would he like to be held personally responsible for these matters? Why should an agent be made personally liable for doing things are the duty of the owner? The owner is the man who is truly liable.

The HONORARY MINISTER: How would it be possible to reach the owner if he was an absentee? Someone must represent him and the agent should be liable.

Hon. J. NICHOLSON: The manager has been made liable for the due observance of the measure.

The Honorary Minister: What about a foreign company?

Hon. J. NICHOLSON: A foreign company cannot carry on business unless it has a registered office here. The timber industry is carried on principally by corporations incorporated locally or in England. The corporations incorporated in England are bound to have an office here where processes may be served.

Hon. H. STEWART: The marginal note indicates that the clause is taken from the Victorian Act, but it in no way resembles the Victorian provision, which relates to the occupier of a factory. That puts the Minister in a somewhat false position. Instead of quoting the Victorian Act, our own Inspection of Machinery Act and Mines Regulation Act might have been quoted. Perhaps if "manager" were inserted it would meet Mr. Nicholson's objection.

The HONORARY MINISTER: I have alluded to the section of the Mines Regulation Act, which has operated successfully. Why should special consideration be given to timber corporations that is not extended to mining companies?

Hon. J. NICHOLSON: There is a full remedy against the owner, who is the responsible party. The agent is not the responsible party.

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

Ayes	..	..	..	13
Noes	..	..	..	6
				—
Majority for	..	..	..	7
				—

AYES.

Hon. J. Ewing	Hon. J. Nicholson
Hon. V. Hamersley	Hon. G. Potter
Hon. E. H. Harris	Hon. E. Rose
Hon. G. A. Kempton	Hon. H. Seddon
Hon. Sir W. Lathlain	Hon. H. Stewart
Hon. J. M. Macfarlane	Hon. H. A. Stephenson
Hon. W. J. Mann	(Teller.)

NOES.

Hon. J. R. Brown	Hon. J. W. Hickey
Hon. J. M. Drew	Hon. W. H. Kitson
Hon. E. H. Gray	Hon. A. Burvill
	(Teller.)

Amendment thus passed.

On motion by Hon. J. Nicholson, clause further amended by inserting after "shall" in line 1 of Subclause (1) the words "so far as is reasonably practicable."

Hon. J. NICHOLSON: I move an amendment—

That in Subclause 1 after the words "so far as," line 8, there be inserted "reasonably."

Amendment put and passed.

Hon. J. NICHOLSON: I move an amendment—

That in Subclause 1, after the word "shall," line 10, there be inserted "unless same be removed or altered without his consent."

The HONORARY MINISTER: The amendment will once more enable the owner to dodge his responsibilities.

Hon. J. NICHOLSON: Here is an extremely difficult obligation, and the object of the amendment is to ensure that if any guard is removed without the manager's consent the employee removing it shall be responsible. If a guard is removed without the manager's consent, why should he be held responsible?

Hon. E. H. GRAY: The practical effect of the amendment would be that men who wanted reasonable safeguards would be got rid of, and that men willing to take risks would be employed in their stead.

Hon. E. H. HARRIS: Mr. Nicholson seems to be afraid that the men will remove guards which are installed for their protection. Clause 12 requires the manager to report to the department whenever safe-

guards are removed. If the manager wants to guard any position, he will fix the guard so that it cannot easily be removed. As the clause refers to machinery which is covered by the Inspection of Machinery Act, it would be better out of the Bill.

Hon. J. NICHOLSON: The second last line of the clause lays an obligation upon the manager to keep all guards constantly maintained. Therefore the amendment is necessary. If the clause is passed without it, an impossible obligation will be thrown on the manager.

The HONORARY MINISTER: Surely Mr. Nicholson will not press this amendment. The man who removed a guard would get the sack, and the manager not strong enough to prevent such a thing should be put on tramp.

Hon. E. H. HARRIS: Mr. Nicholson should refer to Section 17 of the Inspection of Machinery Act, which deals with guards and provides a penalty of £20 in case of removal of a guard. That statutory provision is quite satisfactory, and really this clause of the Bill should be deleted.

Hon. J. NICHOLSON: Section 17 of the Inspection of Machinery Act does not place the obligation upon the manager at all, but under this Bill all dangerous parts of machinery have to be constantly guarded and the manager is to keep all guards constantly maintained.

Hon. E. H. HARRIS: Read Section 18 of the Inspection of Machinery Act, which is better still.

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

Ayes	..	..	..	..	10
Noes	..	..	..	..	9
					—
Majority for	..	..	..	..	1
					—

AYES.

Hon. J. Ewing	Hon. W. J. Mann
Hon. V. Hamersley	Hon. E. Rose
Hon. G. A. Kempton	Hon. H. A. Stephenson
Hon. Sir W. Lathlain	Hon. H. Stewart
Hon. J. M. Macfarlane	Hon. J. Nicholson
	(Teller.)

NOES.

Hon. A. Burvill	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. G. Potter
Hon. E. H. Gray	Hon. H. Seddon
Hon. E. H. Harris	Hon. J. R. Brown
Hon. J. W. Hickey	(Teller.)

Amendment thus passed.

Progress reported.

BILL—SHEARERS' ACCOMMODATION ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to Nos. 4, 8, and 12 of the amendments made by the Council, had disagreed to Nos. 1, 2, 3, 5, 6, 9, and 10, and had further amended Nos. 7 and 11.

BILL—WEIGHTS AND MEASURES ACT AMENDMENT.

Assembly's Further Message.

Message from the Assembly received and read notifying that it had agreed to the Council's alternative amendment to amendment No. 1 made by the Council.

BILL—COAL MINES REGULATION ACT AMENDMENT.

Assembly's Further Message.

Message from the Assembly received and read notifying that it no longer insisted on its amendment to Amendment No. 3 made by the Council, and no longer disagreed to the Council's Amendment No. 4.

BILL—JETTIES.

Returned from the Assembly with an amendment.

BILLS (3)—FIRST READING.

- 1, Public Works Act Amendment.
- 2, Dentists Act Amendment.
- 3, Loan, £4,370,000.

Received from the Assembly.

House adjourned at 10.57 p.m.

Legislative Assembly,

Tuesday, 7th December, 1926.

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

QUESTION — RAILWAY REFRESHMENT ROOMS, NARROGIN AND WAGIN.

Mr. E. B. JOHNSTON asked the Minister for Railways:—1, What were the names of the tenderers and the prices submitted for the Railway refreshment rooms at Narrogin and Wagin? 2, The names of the successful tenderers? 3, Will the successful lessee conform to Clause 16 of the conditions under which these tenders were invited?

The MINISTER FOR RAILWAYS replied: 1, It is not usual to publish the names of tenderers, but I will be pleased to supply the names to the hon. member privately. 2, T. Gorman, who was the highest tenderer. 3, Yes.

QUESTION—ELECTRICITY SUPPLY. HILLS SERVICE.

Mr. SAMPSON asked the Minister for Railways:—1, When is the extension of electricity to Mundaring likely to be effected? 2, Has any decision been reached regarding the extension to Piesse's Brook, Bickley, Bedfordale, Eighth Road, Roleystone, East Maddington, and Maida Vale? 3, Will he give any information possible?

The MINISTER FOR RAILWAYS replied: 1, When it is decided to electrify Nos. 1 and 2 Pumping Stations. 2 and 3, The question of extensions to the various