

## Legislative Council,

Thursday, 11th October, 1928.

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

## QUESTION—MAIN ROADS BOARD.

Hon. J. EWING (for Hon. H. Stewart) asked the Chief Secretary: 1, (a) How many annual reports of the Main Roads Board have been made to the Minister, under Section 18 (b) of the Main Roads Act, 1925? (b) Will he lay on the Table of the House all the reports referred to? (c) What other reports by the Main Roads Board have been made to the Minister? 2, What reports have been published under Section 17 (3) of the Main Roads Act, 1925?

The CHIEF SECRETARY replied: 1, (a) No specific annual report has been submitted, but general information is incorporated in the report of the Department of Public Works and Labour for the year 1926-27; this is being amplified by a comprehensive report now in preparation dealing with the Board's operations from its inception to the 30th June last. (b) Already presented to Parliament. (c) Numerous reports have been made to the Minister from time to time in the course of the Board's proceedings. 2, No specific reports have been published.

## BILLS (2)—THIRD READING.

## 1, Forests Act Amendment.

Returned to the Assembly with an amendment.

## 2, Dried Fruits Act Amendment.

Passed.

## BILL—FERTILISERS.

## Recommittal.

On motion by the Chief Secretary, Bill recommitted for the purpose of further considering Clause 7. Hon. J. W. Kirwan in the Chair, the Chief Secretary in charge of the Bill.

## Clause 7—Particulars on application:

The CHIEF SECRETARY: There is no record of this clause having been submitted to the Committee when the Bill was in the Committee stage. The impression is that it was submitted, but there seems to be a doubt about it, and so, to be on the safe side, I move—

That Clause 7 be agreed to.

Question put and passed.

Bill reported without further amendment.

## Further Recommittal.

The CHIEF SECRETARY: I am afraid I shall have to move for a further recommittal. I move—

That the Bill be recommitted for the purpose of further considering the interpretation clause.

Question put and passed, Bill further recommitted.

Hon. J. W. Kirwan in the Chair, the Chief Secretary in charge of the Bill.

## Clause 2—Interpretation.

The CHIEF SECRETARY: I wish to strike out the definition of "financial year." It may be something approaching a consequential amendment, but I desire to make certain that it goes out. I move—

That the definition of "financial year" be struck out.

Hon. A. LOVEKIN: When last the Bill was before the Committee, I drew attention to the word "advertise" in Clause 9, and asked the Chief Secretary to look into that point as well. Can the Minister give us any information in that respect?

The CHIEF SECRETARY: I submitted the point to the Solicitor-General, who gives it as his opinion that the person who offends against Clause 9 by advertising an unregistered brand in connection with a fertiliser, is the advertiser, the person who advertises, not the newspaper that inserts the advertisement. The Solicitor-General adds that when an Act renders a news-

paper liable for certain classes of advertisements, the offence is expressed as the publication of the advertisement. Mr. Sayer says that in Clause 9 the word "advertise" is used in connection with the sale of fertilisers and applies to persons who advertise an unregistered brand in connection with the sale of the fertiliser. That is the opinion of the Solicitor-General.

Hon. A. LOVEKIN: But the word "advertise" is used in other statutes with quite a different meaning. If I had time I could turn up instances of that.

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

Bill again reported with a further amendment.

#### **BILL—ABATTOIRS ACT AMENDMENT.**

Report of Committee adopted.

#### **BILL—CITY OF PERTH SUPER-ANNUATION FUND.**

*Second Reading.*

**HON. J. T. FRANKLIN** (Metropolitan) [4.45] in moving the second reading said: It has for many years been the wish of members of the City Council to inaugurate a superannuation fund for some of its employees. As a result of the consideration given to the matter by various committees, a Bill was introduced in another place and is now before us. I think the measure will be in the best interests of a certain proportion of the council employees. Section 179 of the Municipalities Act gives certain powers to the city council with regard to the employees. If this Bill is passed, the fund will be administered by a board appointed from the council and the employees, both being represented upon it. The Bill will, in fact, be mutually advantageous to all concerned. Under Subclause 2 of Clause 2, regulations may be made to govern the amount of contributions that will be paid into the fund by the employees interested. The basis of payment will be fifty-fifty as between the council and the employees. That is a fair and just arrangement. Section 155 of the Municipalities Act gives the City Council power to grant certain retiring allowances to permanent officers. I do not think that is conducive to the best interests, either of the

employees or the ratepayers. On many occasions an employee, through old age or sickness, has had to retire from the service, and the council has granted him a month's salary for every year of his employment. That is fair and just. I do, however, strongly object to the council paying a gratuity of this kind to an employee who leaves the service after a few years in order to improve his position. A man may be working in the council for ten years or less, and receive an appointment elsewhere at a higher salary or carrying better conditions. We do not object to employees resigning, but we do not think it was intended by Parliament that Section 155 should apply to such a person. If we pass this Bill, that practice will be abolished. We have no power to form a superannuation fund and deduct the contributions from the wages of the employees. This Bill is intended to give that power. When it is passed, the council will be able to deduct the proportion required from the wages of the employees. Subclause 4 of Clause 2 gives the council authority to contribute its proportion to the fund from general revenue. At present it would not be legal to do that. It is not anticipated that this will cost the ratepayers any more than it has done in previous years under Section 155. It has been suggested that this Bill will mean an increase in the rates. For a number of years the average amount that has been paid out annually by way of gratuities has been in the region of £1,200. We do not anticipate that the proposed scheme will cost as much as that each year. The scheme will not only be a saving to the council, but it will mean that all permanent employees will derive a benefit from the money that is paid into the fund by the council. Instead of one or two persons receiving the full benefit, all permanent officials will get a retiring allowance to assist them in their old age. Under Subclause 5, should an employee leave the service before the age of retirement, the amount of money he has contributed will be refunded to him. That is a fair provision. But for this, in the event of a man retiring or leaving the service or being retrenched, he would be mulcted in the amount he had contributed towards the fund.

Hon. G. W. Miles: I suppose no interest is allowed.

Hon. J. T. FRANKLIN: No. It would hardly be worth talking about. Under Subclause 6 all present officers will be given the

option of joining or standing out of the scheme, which will not be of a compulsory nature. It will, however, be compulsory for new employees to join the fund, except in cases where they can satisfy the board that they are able to provide for themselves. It will be possible to exempt or partially exempt employees from contributing to the fund in certain cases.

Hon. A. Lovekin: This is not the Act. This only gives power to make regulations, which must come before the House.

Hon. J. T. FRANKLIN: Subclause 7 says the board will make the necessary regulations for the payment of pensions. Subclause 8 provides that the fund shall be administered by the Town Clerk and Treasurer as part of their respective duties. At a later date it may be necessary to employ assistance. The Bill says that the council may employ assistance to carry out this scheme. We anticipate that for a number of years the work can be carried on by the present staff, without additional cost to the council. Under Sub-clause 10, it is provided that should a husband desert his family the board may stop his pension and pay the money to his family. A man may be a deserter, or a drunkard. Instead of the fund being wasted by being paid to such a man, the board would have authority to stop payment, and hand the money to his wife and family. In that way the family would be properly provided for.

Hon. E. H. Harris: Does that mean legal desertion, or desertion in the opinion of the council?

Hon. J. T. FRANKLIN: I suppose it means legal desertion. A man may leave the country, and ask the board to send his money to a certain address. The board would have power to dispose of the money in the way indicated. Of course the circumstances would be fully inquired into before any such step was taken. The Bill also provides that the board may take over and pay the premiums on the life policy of employees. When matured such policies will be paid to the employees less the amount paid by the board, with interest at four per cent. added. In another place it has been argued that if a man's life is well insured, it is hardly necessary for him to join the superannuation fund, and that the payments would be out of all proportion to the salary he received. Subclause 10 makes it competent for the board or the council, if the necessity arises, to pay the

premiums upon the life policies. If the employee dies, or the policy matures, the amounts paid can be deducted and the balance made available to the employees. It would not be hard upon an employee to join the fund.

Hon. W. T. Glasheen: That may save him from defaulting.

Hon. J. T. FRANKLIN: It will be a safeguard, and will relieve the burden from employees who are heavily insured. Members will doubtless agree that this is a good policy. Before asking that the Bill be brought forward in another place, the council gave the matter very serious consideration, and put in a lot of time upon it. When Sir William Lathlain was Mayor, the matter was also mooted. This is an innovation, and took a lot of working up to bring it to fruition. We have had the best advice we could obtain. Mr. Bennett, in considering the Bill, agreed with the recommendation that this should be brought forward. In the case of the older officers who have been in the service for many years, it is proposed to make an allowance so that their contributions may be reduced as an offset against the loss of gratuity they might receive under Section 155. That is an equitable arrangement. Some officers have been in the employment of the council for 30 years. A concession should be made in their case, so that any loss they may incur upon retirement by reason of their not receiving a gratuity may be made up in the contributions they pay toward the fund.

Hon. E. H. Harris: The Bill would be retrospective in some respects.

Hon. J. T. FRANKLIN: Yes. A man may have been in the service for fifteen years, and be drawing near to the age of retirement. Instead of receiving a month's salary for every year of service, he will get an allowance in the matter of the contributions to be paid towards the superannuation fund. Though he may lose a little by joining the fund, he will be recompensed in the way I have shown.

Hon. H. J. Yelland: If he did not come under the superannuation fund, would he receive benefits under Section 155?

Hon. J. T. FRANKLIN: Yes. It is not compulsory to pay anyone a month's salary for every year of service. It is in the hands of the Mayor and councillors in open council to decide.

Hon. E. H. Harris: But the precedent has been established.

Hon. J. T. FRANKLIN: Every employee upon retirement has not received a month's salary for every year of service. A man may have been in the council's employment for several years, and may have been drawing a high salary. The council takes into consideration the very large sum which would have to be paid as a retiring allowance. If one man is entitled to receive a month's salary for every year of service, whether he be a popular officer or not, another man who retires should have similar justice meted out to him. We should not make fish of one and flesh of another. The Bill may be regarded as a commencement. There may be pitfalls, but we must make a commencement to discover them. Employees will have full representation on the board and they can rely on getting justice. The fees will be fixed by mutual agreement. I have much pleasure in moving—

That the Bill be now read a second time.

**HON. SIR WILLIAM LATHLAIN** (Metropolitan-Suburban) [5.2]: I intend to support the Bill. I know from past experience how essential it is that a measure of this description should be given to the City Council, because there are many difficulties confronting that body from time to time in regard to superannuation or allowances made to various officers. Mr. Franklin cited the case of an officer who left the council's service to take up a position in another State at an enhanced salary. As matters stand, the mayor and councillors are placed in a very invidious position, because although they have the power to say yea or nay to the granting of a month's salary for every year of service, this is sometimes abused. There have been instances when employees have received such an allowance or gratuity without having deserved it. On the other hand, there have been officers who have served the council and ratepayers faithfully and well, with considerably over 30 years of duty to their credit, and who have not received anything like the same consideration as has been extended to those whose record has been shorter and less worthy. Apart from this aspect of the matter, a great responsibility is cast on the mayor and councillors to fix the grants from time to time. If there were some scheme

under which the employees made contributions, everything would then be on a proper basis. Whilst I intend to support the second reading, when the Bill is in Committee I shall seek information regarding those who are still in the employ of the council and whose service is long and honourable. I have in mind one officer particularly, the honoured town clerk. There is no public officer throughout Australia who bears a higher reputation, not only for his sterling worth as a man, but for the conscientious discharge of his duties. This officer possesses exceptional ability, and I think he has occupied his present post for about 24 years. I would not like to see him placed in a position by which, under the scheme, he would be likely to suffer a loss. However, the details can be discussed when the Bill is in Committee. After all, the object of the Bill is solely to give certain power to the mayor and councillors, and I have no doubt that when the Bill is passed the subject will be given the close consideration it deserves. The council will be able to prepare a scheme which I have no doubt, will give satisfaction not only to the representatives of the people who constitute the council, but to the employees as well. It must not be forgotten that the City Council has become an influential body and at the present time it ranks as second only to the Government of the State in regard to the number of employees. I am sure it is the desire of everyone to give those employees upon their retirement something that is fair and reasonable, and the scheme as outlined by Mr. Franklin should meet with the earnest support of the House.

**HON. A. LOVEKIN** (Metropolitan) [5.7]: If this were a measure to establish a superannuation scheme, I take it, it would not receive the support of any member in this Chamber because the details are not sufficiently set out in the Bill before us. The object of the Bill is solely to enable the City Council to establish a scheme and to frame regulations to carry it out. Those regulations will have to come before this House and may at any time be disallowed, so that in no circumstances can there be any objection to the passing of the Bill. I understand that the scheme it is proposed to carry out will be on the lines of the Federal Superannuation Act of 1922. In that Act the whole scheme is set out, in-

cluding the contributions to be made under it. It would be well if members looked at that Act. Probably we shall have a similar scheme, or a modification of it, when the City Council frame the regulations. I do not think any hon. member would object to a public concern making provision for a superannuation scheme, conditionally on its being a sound scheme and one that did not operate extravagantly against the rate-payers. I think we should give the City Council the opportunity to formulate such a scheme, and then, when it is before us, we can discuss it. I support the second reading of the Bill.

**HON. G. FRASER** (West) [5.9]: Until Mr. Lovekin mentioned that the regulations to be framed under the Bill when it becomes law would come before us, and that we would have an opportunity to criticise them, I was rather dubious about supporting the second reading. Mr. Lovekin referred to the Federal scheme. I have had a lot to do in connection with that and therefore am fairly well acquainted with it. When the regulations to be framed by the City Council come before us, perhaps the knowledge I possess respecting the Federal scheme may be of some value in the discussion. There is one aspect that I hope will not be neglected by the City Council and it relates to single men. In the Federal scheme single men were overlooked, and I hope there will not be a similar omission when the regulations are framed by the City Council. In the Federal scheme provision is made for the wife and children but, by an oversight, there is no provision for the dependants of a single man. Some glaring cases have come under my notice. I know of one particularly of a single employee who was the support of his widowed mother and who had been contributing to the fund for four years. This man was the main support of his mother, and when he died she was not able to get a pension or assistance of any kind. She did not even succeed in getting a refund of the money that was paid into the scheme by her son. That is a bad feature of the Federal Act. There are other aspects that can be referred to, but I will not deal with them at this stage; we shall have an opportunity to speak on the subject again when the regulations come before us. I support the second reading of the Bill.

On motion by Hon. E. H. Harris, debate adjourned.

## BILL—GROUP SETTLEMENT ACT AMENDMENT.

Received from the Assembly and read a first time.

*House adjourned at 5.12 p.m.*

## Legislative Assembly,

*Thursday, 11th October, 1928.*

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

## QUESTIONS (3)—RAILWAYS.

### *Brookton-Armadale Project.*

Mr. SAMPSON asked the Premier: When is it proposed to introduce legislation to authorise the construction of a railway from Brookton to Armadale?

The PREMIER replied: No definite date can be given.

### *Rails and Fastenings, Prices.*

Mr. THOMSON asked the Minister for Works: 1, What price per ton was paid for (a) rails, (b) fastenings, for the Norseman-Salmon Gums railway? 2, What is the price per ton for (a) rails, (b) fastenings recently ordered?

The MINISTER FOR WORKS replied: 1. (a) £9 13s. 7d., (b) £13 4s. 8d., f.o.r. point of loading. These were 45lb. rails and fastenings obtained from the Railway Department. 2, (a) £10 18s. 8d., (b) £15, c.i.f. Fremantle. These are 60lb. rails and fastenings.