

Mr. TROY: I know that the growers will come here again asking for assistance and bonuses.

Mr. Latham: They have never done that in the past.

Mr. TROY: Anything they have done in the past is no criterion of what they will do in the future. A statement has been made that the Government should have made advances on the wheat at a time when, as a matter of fact, wheat was not worth 1s. a bushel.

Mr. A. Thomson: At the same time it helped the Government in their financing.

Mr. TROY: Without the assistance of the people of Australia and the security of the Commonwealth the farmers would not have been able to hold their wheat.

Mr. Latham: God help the state that did not do that.

Mr. TROY: On the other hand, the State and the Commonwealth helped the wheat growers and nursed the producers for the time being, securing the best markets and prices, which enabled them to carry on.

Mr. Latham: And W. M. Hughes allowed our wheat to go out at less than it cost to produce.

The DEPUTY SPEAKER: That is quite out of order.

Mr. TROY: I support the motion.

On motion by the Colonial Secretary debate adjourned.

#### BILL—ADOPTION OF CHILDREN ACT AMENDMENT.

Returned from the Council with amendments.

#### RESOLUTION—FEDERATION AND THE STATE.

Council's Select Committee.

Message received from the Council notifying that it had concurred in the resolution submitted by the Assembly and that it had appointed five members of the Council to act on behalf of that Chamber on the joint select committee, the members being the Hons. J. Ewing, J. W. Kirwan, A. H. Panton, A. Sanderson, and H. Stewart.

*House adjourned at 10.23 p.m.*

## Legislative Council,

*Thursday, 29th September, 1921.*

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

#### QUESTION—ENGINE-DRIVERS' CERTIFICATES.

Hon. E. H. HARRIS asked the Minister for Education: 1, What is the approximate number of first-class unrestricted engine-drivers' certificates in force, and issued under the following Acts:—(a) The Mines Regulation Act of 1895; (b) The Mines Regulation Act Amendment Act of 1899; (c) The Coal Mines Regulation Act of 1902; (d) The Inspection of Machinery Act of 1904? 2, What is the number of first-class restricted engine-drivers' certificates in force, and issued under the following Acts:—(a) The Mines Regulation Act of 1895; (b) The Mines Regulation Act Amendment Act of 1899; (c) The Coal Mines Regulation Act of 1902; (d) The Inspection of Machinery Act of 1904?

The MINISTER FOR EDUCATION replied: 1, (a) 1408; (b) 653; (c) 3; (d) 128. 2, (a) Nil; (b) Nil; (c) Nil; (d) 71. Re Clause (a), paragraphs 1 and 2. All certificates issued under the Mines Regulation Act of 1895 were known as "Certificates of Competency," and were not graded into classes. These certificates were recognised under the 1904 Act as first class certificates except those which were endorsed "Not to drive a winding engine except as an assistant," and these have been recognised under the 1904 Act as equivalent to second class.

#### QUESTIONS (2)—IRWIN COAL FIELD.

*Professor David's Inspection.*

Hon. J. W. HICKEY asked the Minister for Education: In view of the fact that Professor Sir Edgeworth David has made an inspection of the Irwin coal district, will the Government ask him if he would submit a report of his inspection, having in mind the great importance of the inspection from a State standpoint?

The MINISTER FOR EDUCATION replied: The Government have already explained that Professor David is visiting this

State on a special mission, and is not in any way controlled by the State Government. For general information it may be stated that he obtained leave from his Senate to visit this State and do certain specified work, and I am authorised to say that neither the terms of his leave nor the time at his disposal would permit of his undertaking the work of making special reports of any particular district.

#### *Provision for Boring.*

Hon. J. W. HICKEY asked the Minister for Education: 1, Is it the intention of the Government to continue boring for coal at Irwin? 2, If so, what provision, if any, is being made to provide a water supply for that purpose?

The MINISTER FOR EDUCATION replied: 1, Yes; subject to satisfactory arrangements being made with the person directly interested, although it is as well to understand that the Government have already done all and more than they arranged to do and have demonstrated the existence of coal seams. 2, This is contingent upon the arrangements referred to in No. 1 being satisfactorily completed.

#### QUESTION—OLD WOMEN'S HOME.

Hon. J. DUFFELL asked the Minister for Education: 1, How many women have been appointed during the last four years as visitors to the Old Women's Home, and similar institutions, and what are their names and the dates of their respective appointments? 2, Have any of them resigned during that period, or failed to be re-appointed by the Government on the conclusion of their term of office, and if so, for what reason? 3, Is any pecuniary allowance attached to the office, and if so, what is the amount?

The MINISTER FOR EDUCATION replied: 1, Women's Home (six), Mesdames Dodd, Somerville, and Horsburgh, 12th October, 1918; Mesdames Rapley, Horsburgh, and Clark, 1st September, 1921. Old Men's Home (one), Mrs. Casson, September, 1919. 2, Mrs. Rutter resigned in 1917 owing to ill-health. Mesdames Dodd and Somerville were not re-appointed this year. When re-appointing the Committee recently the Government accepted nominations submitted by the various women's organisations. 3, No.

#### LEAVE OF ABSENCE.

On motion by Hon. J. W. Hickey, leave of absence for six consecutive sittings granted to Hon. J. Mills (Central) on the ground of urgent private business.

#### BILL—ELECTORAL ACT AMENDMENT.

Read a third time and passed.

#### BILL—BUILDING SOCIETIES ACT AMENDMENT.

Report of Committee adopted.

#### BILL—INSPECTION OF MACHINERY.

Second Reading.

Debate resumed from 21st September.

Hon. R. J. LYNN (West) [4.36]: As stated by the Leader of the House, the Bill is almost a machinery measure, re-enacting existing Statutes. I believe it is required to bring into uniformity with the laws of the other States certain provisions, and so permit of reciprocity. Also it will assist in general administration respecting isolated areas. Thus, there may be a mine isolated in a particular district, and under the Act it will be necessary for one of the inspectors to visit the locality. The Bill will empower the Minister to appoint the inspector an inspector under the Mines Act, so that he may perform the dual inspection and so minimise the cost. I agree with the Minister that the Bill is essentially one for Committee. I propose to have a number of amendments framed and placed on the Notice Paper so that hon. members may be able to see what I intend to move in Committee. Those amendments are both varied and numerous, but none of them is likely to affect to any extent the main principles of the Bill. However, in smaller details those amendments will render clear what is actually intended by certain clauses. For instance, Clause 2 refers merely to "any boiler or vessel." I propose to amend that to read "any closed boiler." This will mean that such contrivances as bath heaters, or heating apparatus in offices, carrying no risk of explosion will be exempt from the provision.

Hon. J. A. Greig: The definition provides for that.

Hon. R. J. LYNN: We do not think so. We have had conference sitting all the week, and we cannot find any better amendment than the one I propose to move. Paragraph (b) of the same clause deals with vessels used as receivers for compressed air or gas. It is proposed to make it read "having a capacity of not less than five cubic feet." As it stands, the clause would include a primus stove and any apparatus in connection with a garage where the atmospheric pressure exceeds 30lbs. to the square inch. The inspector sees no objection to our amendment. Subclause 4 of Clause 15 provides that no person under 16 years of age shall be allowed to be in charge of any passenger lift. That may be read to mean that any boy of under 16 momentarily working a lift is allowed to be in charge. I propose to amend "allowed to be in charge" to read "to be employed." This will make it clear that the boy is not employed in that capacity, even though he may happen to be in charge of the

lift when the inspector comes along. Subclause 11 of Clause 22 is not considered necessary, and so I propose to delete it. This will involve one or two consequential amendments. Clause 36 deals with fees for inspection. Under the existing Act, the fees are comprised in the schedule. Those interested thought the fees should be scheduled in the Bill, but it was pointed out to the conference that it is extremely difficult to arrange a schedule of fees in view of the varied work to be performed. On some mines it may be necessary for a man to be employed on the one work for many days. Consequently, it would be unfair to schedule that fee and make it the same as the fee for another job which lasted only for half an hour. In view of this it is deemed better that the fees should be fixed by regulation. Clause 53 proposes that every person acting as a driver in charge of any steam engine or an engine driven by compressed air or of any crane or hoist shall hold the required certificate. I propose to delete the words "or of any crane or hoist." If hon. members agree to that amendment it will mean the making of various consequential amendments.

Hon. J. Duffell: Are you going to have a select committee on the Bill?

Hon. R. J. LYNN: I am not really in love with the Bill at all. The conference of various Chambers interested, however, agreed on these particular matters, and all I am doing is to voice the views of the parties concerned which represent what was felt to be a reasonable compromise.

Hon. J. Duffell: Did the Chamber of Manufacturers agree?

Hon. R. J. LYNN: Yes. In Subclause 2 it is proposed that every person employed or acting as a boiler attendant in charge of a boiler or boilers generating its or their own steam shall hold a boiler attendant's certificate. That is an innovation, and something not to be found in any other Act. It is rather bitterly opposed by the respective chambers. As a compromise it is suggested that the following words should be added, "if required by the Chief Inspector or his representative and subject to Section 56, any person employed or acting as a boiler attendant in charge of a boiler or boilers generating its or their own steam shall hold a boiler attendant's certificate." That is considered to be a reasonable compromise. In many instances where an engineer is employed on a job in a small station there is a fireman also employed, and it is contended that in the case where there is a certificated man in close touch with the boilers that are generating steam, it is unreasonable to ask that another certificated man should also be put on the job. It is proposed to leave it to the discretion of the chief inspector, in the case of two or three or a range of boilers being used, to say whether any danger attaches to the fact of the certificated man being elsewhere than in close proximity to them. My amendment will place power in the

hands of the chief inspector to say whether or not in his opinion a boiler certificated man should be in charge of the one, two or three or complete range of boilers. That will depend on whether the certificated man is in a position to look after the boilers without the help of another certificated man. It was considered that that was not necessary at all, but instances have been given of cases where a range of boilers may be some distance from the main power house and that because certain danger would be involved owing to the boilers being so far apart a certificated man of some kind should be placed in charge. For my part I think there is a good deal of moonshine about the whole thing.

Hon. Sir Edward Wittenoom: The Government would get a fee from him.

Hon. R. J. LYNN: In paragraph (f) there is another innovation—providing that a certificated man shall be in charge of internal combustion engines. It has been strongly argued that there is no necessity for this, and that such a provision does not exist to-day and should not be included in this Bill.

Hon. A. H. Panton: That paragraph does not apply.

Hon. R. J. LYNN: As a compromise the respective Chambers suggest as an amendment "to any engine or engines having a combined area of cylinders not exceeding 200 square inches."

Hon. A. H. Panton: Does this not mean that the clause shall not apply to this particular paragraph?

Hon. R. J. LYNN: The clause says that it shall not apply to cylinders not exceeding 114 square inches, but that it shall apply to anything in excess of that. It is true that there are many plants operating where this would cause a grave hardship. It is pointed out that in one or two instances there are very large plants installed where it may be necessary not from the point of view of safety, but because of the large plant involved, to have a certificated man engaged on the plant. It is contended that even assuming a certificated man was in charge of an internal combustion plant the certificate would be of no value and would not constitute a safeguard against any accidents, because an accident would happen with the best certificated man if it was going to happen. Large electric light plants were instanced. It was decided that a reasonable compromise would be to delete the provision for "114 square inches" and insert in lieu thereof "200 square inches." That would cover a certain number of plants to-day where it is not considered necessary to have a certificated man in charge. Clause 55 says the Board may at any time within one year from the commencement of the Act grant, without examination, an internal combustion engine-driver's certificate of service or a boiler attendant's certificate. I propose to place an amendment on the Notice Paper to delete the words "or a crane and hoist-driver's certificate of service." It is not considered necessary to have

a certificated man in charge of a crane or a hoist.

Hon. A. H. Panton: It all depends on what work is going on under him.

Hon. C. F. Baxter: What about the hoist on a mine?

Hon. R. J. LYNN: Paragraph (c) would be deleted if this last amendment were agreed to. There are other consequential amendments depending upon those suggested by me, if they are carried. I agree with the Leader of the House that this is essentially a Committee Bill. I do not know if any injustice would be done if the Bill were shelved. Perhaps that would be the best thing that could happen to it. There is little or no provision in it that will benefit anyone, to any great extent, except that it has been stated that the State Government are anxious for reciprocity and uniformity with the other States.

Hon. J. Duffell: There are more important things than that calling for uniformity with the other States.

Hon. R. J. LYNN: There is also provision for the appointment of a machinery inspector under the Mines Regulation Act in order to economise in the inspection of mines in isolated areas. This Bill does not provide that the machinery inspector shall only inspect in such isolated areas. There is nothing to prevent him from going into any of the mines in Kalgoorlie, though he may possess no technical knowledge, and inspecting them and issuing a certificate. I am willing to believe that no Minister would do such a thing. I agree that the intention of the clause is to minimise expense in that direction. In cases where it is necessary to go hundreds of miles into the back country and to inspect, perhaps, some open cut or mine and where the work involved is not of a highly technical nature, an ordinary machinery inspector could probably perform satisfactorily the work required. The Minister and the Mines Department think it is not necessary to send an inspector of mines at great cost to the country to issue a certificate in a case of that sort. Under this Bill, however, the inspector could inspect anywhere he liked in the State.

Hon. A. Lovekin: Whether he knew nothing about his work or not.

Hon. R. J. LYNN: Quite so. When the Bill reaches the Committee stage and the clauses are dealt with seriatim, it will be open to members to decide whether the amendments suggested by me will meet with their approval. If so, I shall be pleased to see the Bill amended along the lines I have indicated and passed into law.

Hon. H. STEWART (South-East) [4.55]: I view the Bill with considerable misgiving. I have had to work under machinery inspectors, and will always support the Government in any measure that will provide for security for human life and the avoidance of accidents. This measure will have a far reaching effect. Unless we see to it very

carefully in committee—if it reaches that stage—we shall be giving powers which will permit of the creation of a big department, and this Bill can be turned into a revenue Bill for the purpose of collecting registration fees and fees from licenses on a wholesale scale from people engaged in our primary industries. Under this Bill every rock drill, or piece of machinery in a mine may be required to be registered. The Minister cannot deny that. Only in certain clauses of the Bill is the Minister given power to exempt certain machinery. At all events, the Bill would tend to limit production within the State, and would confer no benefit upon anyone in the way of preventing accident or safeguarding human life. Before we provide for a new series of certificates we should know whether the other States are following suit with the object of bringing about a uniform system throughout the Commonwealth. Possibly the Bill is the result of the conference of machinery inspectors that took place recently. We should know what the position is. What I am chiefly concerned about is the power that this measure gives to the Chief Inspector in relation to all machinery, whether driven by steam or otherwise, greater than one horse power.

Hon. A. H. Panton: That does not give power over the agriculturist.

Hon. H. STEWART: That power exists to-day. If I reviewed the history of the position it would be seen that under the system of regulations, the Chief Inspector of Machinery has that power regarding what I might term small and insignificant machinery, so far as the protection of life and limb against accident is concerned. That power extends in various directions with regard to different primary industries. The existing Act was passed in 1904. Under Clause 14 the various types of machinery deemed to be machinery for the purposes of the Act, are dealt with and are fully described in the schedule. The intention of the Act when passed by Parliament—and I think it is the intention of Parliament to-day—was that all machinery from which there was any reasonable possibility of accident, should be subject to inspection. It was not the intention of Parliament then, nor do I think it will be the intention of Parliament to-day, to stipulate that all machinery which is worked by motive power other than steam of less than one-horse-power, should be exempt. Provision is made in the Bill that if machinery is not in use for more than six months in the year, the necessity for an inspection, shall exist only once in two years.

Hon. A. H. Panton: You do not want a certificate to drive an engine on the farm?

Hon. H. STEWART: There is no intention in my mind, nor do I think it is the intention of any member representing the agricultural or other industries, that any boiler, other than those specifically exempted, shall be excluded. Everyone knows

that boilers are dangerous unless they are carefully looked after. The provisions I refer to under the Bill impose a restriction upon industry and consequently upon the development of the State, for they apply not only to the agricultural industry but to every other industry, which may be adversely affected, because of the stringency of the measure and its drag-net provisions.

Hon. A. H. Panton: Steam boilers are exempt under the Act.

Hon. H. STEWART: Under Clause 53 I think the owner of the farm, if he uses a boiler on his premises for bona-fide purposes of the farm, does not require to have a certificate. I am not concerned with that aspect however. If he required to have a certificate, probably I would not oppose it. There is also a provision to cover chaff cutting machinery. Hon. members know that it frequently occurs that a man travels round the country with a portable boiler and engine and he engages in chaff cutting for the farmers. In some cases, the plant is capable of cutting up to 30 or 40 tons per day. Such a machine naturally would come under the Act. In all probability men about the farm may have no knowledge whatever of machinery and it is perfectly right that machinery should be driven by a competent certificated driver so that it may be run without being a source of danger to the men working there. In 1907 an Order in Council, dated 9th May, was published in the "Government Gazette," and that Order in Council contained provisions much along the lines of the Bill now before members. Under that Order in Council an amendment of the existing arrangements was announced so that all machinery used in or upon mines and which came under the Mines Regulation Act or the Coal Mines Regulation Act and so on, should be covered by the Act. That meant that every fan used in Collie mines, for instance, could be registered and a fee could be charged for such registration. I do not know whether it is the intention of the Government to make the Bill a revenue producing one, but it is quite possible that the measure could be made one for the purposes of revenue and that will have an influence on primary production.

Hon. E. H. Harris: They could only do that by regulation.

Hon. H. STEWART: That power should not be placed in the hands of the Government.

Hon. J. Duffell: Move for a select committee.

Hon. H. STEWART: In regard to other engines, provision is made whereby plant, the motor power of which is under one horse-power, shall be exempt from inspection under the Inspection of Machinery Act. The exceptions to that are specified and apply to machinery, not engines, driven by one horse-power engines.

Hon. R. J. Lynn: Except for domestic purposes.

Hon. H. STEWART: Yes.

Hon. J. J. Holmes: Why the exception?

Hon. H. STEWART: It is peculiar how the exceptions have been granted. Regarding certificates for engine-drivers, exemptions are granted in the case of engines or internal combustion engines owned by bona fide agriculturists and used on the farm, and to boilers which are under three horse-power. Is there any greater risk in allowing people to operate boilers of less than three horse-power on a farm, than is incurred in allowing a man with a small engine to run a four or six set shearing machine, or to operate a milking machine, which a man establishes to economise in his production and to facilitate his business?

Hon. R. J. Lynn: It is proposed to increase the provision from three horse-power to six horse-power.

Hon. H. STEWART: I am not concerned with boilers, but I draw attention to this fact to show that if we allow boilers to be driven without a certificate, what excuse is there for asking that those who drive such small machinery as I have referred to, shall be registered? It is further provided that a man must notify the inspector every time he purchases a machine. It reminds me of the old Drovers Act, under the provisions of which we had to send in returns to the department which enabled them to build up tables and statistics without any material benefit to anyone. The same idea seems to permeate the Bill under discussion. I hope the House will agree to a clause exempting from the operation of the Bill machinery driven by motive power other than steam of less than six or eight horse-power. That would cover all the primary industries and particularly agricultural industry. I believe that some such amendment is necessary. I do not want the agricultural industry or any other primary industry to be restricted in an unwarranted fashion. I want it to apply to any machinery that can be exempted without danger to anyone working in the vicinity of the machine, and I want that provision to apply to all industries. If we can arrive at an amendment that will achieve that object and thus remove restrictions upon production, I will have gained what is my wider objective. When the Minister in charge of the Bill introduced the measure, I understand he indicated the machinery that should be inspected and set out the type of machinery to be covered. He pointed out that in Clause 14 the Government might, by an Order in Council, declare that any kind of machinery should cease to be machinery, subject to the measure. The Minister may have had it in mind to exempt the machinery to which I have referred. On the other hand, it may be compulsorily registered and fees at present unspecified may be collected in respect to it. I do not know whether this is a bait, but it would be far better to insert an exemption in the Bill instead of leaving it to the discretion of the Minister or the department which will have the administration of the

measure, because such a department could be built up to considerable dimensions until it became a burden to the producers. There seems to be an appreciable feeling against some portions of the Bill and, if there was a motion to refer it to a select committee, I would be inclined to support it.

Hon. A. H. PANTON (West) [5.16]: I do not propose to deal exhaustively with the Bill, but there are a few matters to which I wish to direct attention. There is likely to be a clash between this measure and other Acts under which we are working at the present time. Regarding the questions put by Mr. Lynn, I would refer him to Mr. Harris for any information regarding engine-drivers' certificates. The Bill provides that no person under 16 years of age shall operate a lift, and Mr. Lynn suggests adding the words "employed upon a lift." The shop assistants' agreement, which has been made a common rule and operates in the metropolitan area, provides that no person under 18 shall operate a lift.

Hon. H. Stewart: Does that bind Parliament?

Hon. A. H. PANTON: That is what I am trying to ascertain. The caretakers and cleaners' award issued this week contains a similar clause. I do not know whether that binds Parliament, but it will lead to complications if we retain this clause in the Bill. In the Factories and Shops Act we have provided that an award of the Arbitration Court shall override the Act. The awards to which I have referred impose an age limit of 18, whereas this Bill, if passed in its present form, will permit a person under 18 to operate a lift.

Hon. R. J. Lynn: Does that refer to an automatic lift?

Hon. A. H. PANTON: Any sort of lift. The cleaners and caretakers' award, the minutes of which have been discussed, will probably be issued to-morrow. Under this Bill an employer would be able to employ a lad or a girl over 16 but under 18 to operate the lift, but by doing so would be committing a breach of the shop assistants' and cleaners and caretakers' awards. If an employer were taken to the Arbitration Court for a breach of this kind, he would probably be fined, but the court would have to impose a penalty of £20 before he would have the right of appeal to a higher court. These two organisations are controlling the whole of the metropolitan area.

Hon. H. Stewart: Controlling the State, are they not?

Hon. A. H. PANTON: Their award operates for a radius of 15 miles from the Perth post office, that is they take in Midland Junction and South Fremantle. Outside the metropolitan area there are few, if any, lifts of consequence working. Therefore the application of this provision will be practically confined to the metropolitan area, which is governed by the two awards I have mentioned. This matter has been thrashed out before a

tribunal. The employers mutually agreed with the delegates from the Shop Assistants' Association that the age limit should be 18. Consequently, this House should be influenced by that fact.

Hon. C. F. Baxter: These awards might be varied at any time.

Hon. A. H. PANTON: Yes; the age might be raised to 19. I do not think it is likely to be lowered. Employers like Foy and Gibson and Boan's Ltd. have agreed to the age limit being 18, and we should give due consideration to such agreement. Even though the awards may be varied at some future date, they will remain in operation for 12 months at any rate.

Hon. H. Stewart: This is safer than if we made it 20.

Hon. A. H. PANTON: If we stipulated the age of 20 in this measure, employers could obey the award and the measure also. If we provide an age limit of 16 and employers avail themselves of it, they will be committing a breach of the awards.

Hon. H. Stewart: They will be able to do so if the Bill is passed.

Hon. A. H. PANTON: If the hon. member is so dense that he cannot see the point, I cannot make it any clearer.

Hon. Sir Edward Wittenoom: I think he is making out a very strong case.

Hon. A. H. PANTON: Provision is also made in this Bill that no female shall repair a lift or any part of a lift. It would be wise to define what is meant by "repair a lift." I know of several females who are operating passenger lifts. The caretaker and lift attendant at Weld Chambers has held that position for the last 15 or 16 years and probably knows as much about the lift as anyone. Some trifling repair, which she could effect in 10 minutes, might be needed, but she would be committing a breach of the law by doing it because she is not permitted to repair a lift. If it was a question of difficult repairs, she would not be asked and would not attempt to do them. An employer should not be penalised because a female attendant might endeavour to effect some trifling repairs to a lift.

Hon. E. H. Harris: Do you think any girl of that age has any knowledge of electricity?

Hon. A. H. PANTON: I am talking of a woman who has a son nearly as old as the hon. member. There is another matter on which I would like to glean some information for the benefit of the firemen in the metropolitan area. The fire brigade use a motor turbine and two steam fire engines, and one man has a permit to drive any of the engines. The firemen want to know whether, in the event of a fire taking place and the man with a permit being sick, they would be committing a breach of this measure if they took out the engine. This point should be inquired into. There is another point about which they are anxious. There are many factories in the metropolitan area with fairly heavy machinery and big boilers. The fire-

men have no knowledge of what machinery these factories contain, where it is situated, or whether the boiler is likely to have a full head of steam. They have to go to the fires and chance whether a boiler blows up or whether the machinery is on the first floor and is likely to come through on them. They contend that provision should be made in some Act of Parliament—whether in this Bill or in the Factories Act, I do not know—for the owners or responsible parties to furnish the fire brigades with particulars of the boilers and machinery contained in their factories. Firemen who risk their lives practically every day are entitled to have the fullest information for their own protection.

Hon. R. G. Ardagh: Could not the inspector of machinery supply that information?

Hon. A. H. PANTON: I do not care who supplies it so long as it is made available to them. In connection with almost every fire they are dealing with machinery, and it is only fair that they should be protected so far as we can protect them. They say that if the information was supplied, the district could be cut into blocks and one man could be made responsible for each block. This Bill provides that certain uncertificated men might handle machinery. It is provided that the Holman hoist, or any similar small winding engine, used in a mine for temporary winding purposes and for hauling material only, shall be exempt. Again there is a clash with other legislation, because the Mines Regulation Act provides that the inspector of mines need not require the driver of a Holman hoist to submit to the same examination as a first class engine-driver. The Holman hoist driver has merely to show that he possesses sufficient knowledge to handle the hoist, and he is given a permit. In a mine very often a winze is sunk to 100ft., or maybe 150ft. It might measure only 5ft. by 2ft. 6in. or 5ft. by 3ft. Two men might be working at the bottom of that winze boring with a machine and an uncertificated man might be driving the Holman hoist or other small engine. Surely the lives of those men in the winze are of importance. We should not permit any Tom, Jack or Harry to handle an engine, whether large or small, for hauling dirt weighing probably several hundredweight over men who have no possible chance of escape in the event of accident through the lack of knowledge on the part of the engine-driver. I am dealing with these matters in more detail, perhaps, than should be done on the second reading; but as I have to leave for Brisbane on Saturday night and desire to state my views to the House, possibly you, Mr. President, will allow me a little latitude. The Bill provides that where there is a nest of boilers the man in charge must have a certificate. On the goldfields there are nests of boilers up to eight in number.

Hon. E. H. Harris: In that case there is a leading fireman.

Hon. A. H. PANTON: If the hon. member interjecting, who is a goldfields member, does not know the facts, let me say that on some mines with nests of eight boilers there are three men, one for each shift, and that it is impossible to ascertain in such a case who is the leading fireman. Some of the mines have Lancashire and Cornish boilers mixed, and one man in charge on each shift, without any leading fireman.

Hon. E. H. Harris: One man in charge of eight boilers?

Hon. A. H. PANTON: Yes.

Hon. E. H. Harris: But that man has assistants.

Hon. A. H. PANTON: I say he has no assistants. A few weeks ago I endeavoured to establish in the Arbitration Court that the man in charge was a leading fireman because he was working by himself. However, both in the arbitration case at Kalgoorlie, and in an enforcement case here in Perth, I failed to establish that contention. I do not say, of course, that the whole of the eight boilers in the nest will be working together. If there is no leading fireman, the man in charge of the boilers should have a certificate, because he is responsible for those boilers, which may blow up, to the destruction of everyone employed on the mine. Now with regard to the agriculturist, it seems to me that every Bill which has come before this House in the last two or three sessions has for some reason or other provided exemption for the agriculturist. Do the farmers' representatives think it a fair thing that when a chaff-cutting contractor goes on a farm with a big machine to cut chaff, a machine employing 10 or 12 men, the driver of the engine should not have a certificate? Sub-clause 3 of Clause 53 says—

This section shall not apply (a) to any steam engine, or any internal combustion engine, or any boiler owned or hired by any bona fide agriculturist, and used exclusively on any farm for agricultural or dairy purposes and not worked for more than six months in any year. . . .

I care not whether the engine is worked for only six weeks, or for only six days; the driver should have a certificate. I understand that tractor engines are used for the purpose of chaffcutting. I personally know of chaffcutting contractors who employ from 12 to 14 men.

Hon. H. Stewart: But this engine is to be kept on the one farm.

Hon. A. H. PANTON: The clause does not say so.

Hon. H. Stewart: That is the interpretation.

Hon. A. H. PANTON: The clause merely provides that the engine shall not be worked for more than six months in any year. My interpretation is that the clause

exempts machinery used exclusively for chaffcutting purposes.

Hon. H. Stewart: Exclusively on any farm.

Hon. A. H. PANTON: The chaff-cutting contractor may be on half a dozen farms in the course of one year. If the Minister in charge of the Bill considers that my view is wrong, I must be satisfied. However, I put forward my view, because I have known mistakes to be made in Bills passed here, simply for the want of anyone to draw attention to doubtful points; and then in the next ensuing session we have had amending measures. I appeal to hon. members to give the Arbitration Court of this State at least an opportunity of functioning, and to refrain from providing a legislative clash which will probably give rise to much litigation before it is decided whether this measure for the inspection and regulation of boilers and machinery applies in a particular case, or whether the Arbitration Act applies in that case. Further, I hope the minimum age will be raised to 18 years.

Hon. J. E. DODD (South) [5.36]: This Bill being largely technical, I shall, when the measure is in Committee, be guided to a large extent by the remarks of my friends who are certificated engine-drivers. One clause to which I desire to draw attention at this stage is that which exempts any boiler or machinery used by the Commissioner of Railways from the operation of the measure. Why is that provision made? Why should the Commissioner of Railways be exempted? We might go further, and exempt all the State trading concerns. Although I am one of those who favour State trading concerns, I certainly hold that they should trade under fair conditions. In spite of the exemption of the Commissioner of Railways to the extent I have indicated, I find that the board to be created under this measure is to grant certificates to locomotive and traction engine-drivers. Why is this? That being so, why should not the whole measure apply to the Government railways and tramways?

Hon. J. J. Holmes: They have their own inspectors, I think.

Hon. J. E. DODD: There might be arguments in favour of the exemption of the locomotives used on our railway system. I could understand that. But there are many descriptions of machinery used by the Commissioner of Railways, in addition to the boilers on the locomotives. I should be interested to hear what the Minister has to say in favour of the exemption. In my opinion, all conditions regarding safety of machinery should apply to the Government in the same way as to private individuals. In regard to the exemption of the Holman hoist, I shall also listen attentatively to what may be said. I remember a discussion some few years ago in the course of which the engine-drivers showed themselves to be very much at variance with respect to the Holman hoist. It is a small

hoist used underground, and driven by compressed air. Personally I can see very little difference between the case of the Holman hoist and that of the ordinary rock drill machine. If the Holman hoist requires a certificate, then the rock drill machine should require a certificate; and so the miner will eventually be driven out altogether. If evidence is produced of the approval of the miners with regard to what the Bill proposes in the matter of the Holman hoist, I am prepared to agree to that provision of the measure; but not otherwise. The miners are subject to the danger, and therefore they are the men best qualified to express an opinion on the matter. In other respects I shall be guided by what my friends have to say on the Bill. But I shall certainly listen with the greatest interest to what the Minister will have to say regarding the exemption of the Commissioner of Railways.

Hon. E. H. HARRIS (North-East) [5.40]: I have listened with much interest to the remarks of Mr. Lynn and Mr. Stewart; but I think those hon. members are somewhat exaggerating the position when they state, in such language as they have employed, their fears that the Bill will inflict some particular injustice on one or more sections of the community. The measure is introduced, I understand, largely as a result of a conference held between the machinery inspectors of the various States in 1919, the chief objects of which conference were to arrive at some degree of uniformity, at all events, regarding tests of machinery and boilers, and the various certificates granted to engine-drivers, and to establish a system of reciprocity.

Hon. J. J. Holmes: Another object was to establish a big department.

Hon. E. H. HARRIS: There may be a desire to build up a department. I am not prepared to argue that aspect. The point is one to be replied to by the Minister in charge of the Bill. My particular concern is to state that uniformity is highly desirable from the certificated engine-drivers' point of view. The very latest report of the machinery inspector for the goldfields district declares that there are hardly sufficient engine-drivers available. If reciprocity is established between the various States, especially with regard to the different grades of certificates, the effect will be to enable engine-drivers to pass from State to State, wherever their services may be most in demand. With respect to the point raised by Mr. Dodd regarding the exemption of the Railway Department from the operation of the measure, I would draw attention to the fact that the Government have various sawmills: the State Sawmills, and the sawmill operated by the Railway Department. I utterly fail to see why the sawmill which is controlled by the Commissioner of Railways should be exempt from this measure, while the State Sawmills will come under it. The Bill is framed in the light of experience gained since the passing of the original Act, in 1904. In some instances it has been found that



machinery inspectors were not vested with the powers they needed: I refer especially to machinery inspectors functioning in mining districts. There have been cases where the mining inspector had the necessary powers as to safeguarding of machinery and so forth, while such powers had not been conferred on the machinery inspector, who imperatively needed them. Accordingly, Clause 6, Sub-clause 5, vests in the machinery inspector all the powers of the inspector of mines. Another important provision is Clause 16, which requires notice to be given within one month to the district machinery inspector of all machinery erected or kept or intended to be used, in his district. Under the principal Act the period for giving notice is three months. It would be better if the persons in charge of the erection of machinery were to notify the department when it was being erected, and with the experience gained by the inspectors they could then point out, during the course of the erection of the plant, where the possible dangers were. As it is now, machinery is erected, set in motion, and three months later the department are notified that it is working. In my opinion the most dangerous period is immediately after the first run of the machinery, when the various man-traps to be found are detected. If the inspection were carried out at this stage, it would tend to prevent accidents which happen in various districts. There are provisions in the Bill regarding boilers, and they are extensive. They set out to safeguard that important piece of machinery, the boiler, and also provide that there shall be in charge a certificated attendant. That is highly desirable. In the past we have had certificated control of engine-drivers, those who are operating machinery, but where there are large plants, no provision has been made for the person in charge of the boilers to be certificated or qualified. On many of the bigger plants in the gold-mining areas a certificated engineman is usually employed, and he is deemed to be the man in charge, and the others take instructions from him. It would have a good effect if the examination for a boiler attendant's certificate were made not difficult to obtain. When we have regard to the fact that there are 2,894 boilers registered in the State, members will see the importance of granting attendants' certificates.

Hon. R. J. LYNN: How many accidents have taken place?

Hon. E. H. HARRIS: I have not gone through the records, but I know that numerous accidents have taken place. One happened on the goldfields within the last three months. This occurred on the Australia mine. A search through the records will disclose the fact that many accidents have occurred. It is also required in the Bill that drivers of internal combustion engines shall be registered. I believe there are 250 of these in the State. Numerous accidents happen with internal combustion engines, and I see no reason why such an engine of a reasonable size

should not come under certificated control as well as those worked by steam.

Hon. C. F. BAXTER: What would you call a reasonable size?

Hon. E. H. HARRIS: Five or six horsepower. The Machinery Act of 1904 proved defective, in that it made no provision for ventilation of engine rooms. There is such a provision in the Mines Regulation Act, but not in the Inspection of Machinery Act, and when Clause 19 of the Bill now before us is being considered in Committee, I intend to move an amendment to provide for the adequate ventilation of engine rooms. I particularly refer to the winding engine room where the man in charge is continually handling men, and as many as 24 on a trip. This man occupies an elevated position on a platform, and it so happens that doors and windows are invariably below him. These are built, as in an ordinary structure, about three or four feet from the ground, and if the man in charge is some 10 or 12 feet above the ground, he is in a badly ventilated atmosphere. Whenever this defect has been pointed out to the inspectors, they have drawn attention to the fact that under the Machinery Act they had no power to do anything. The Leader of the House, when introducing the Bill, referred to Clause 62 which safeguards the existing rights of certificated engine-drivers. It was that that prompted me to ask the questions which appeared on the Notice Paper to-day with reference to first class restricted and unrestricted engine-drivers' certificates in force. The Minister told us that there were 2,263 certificates in force under the four Acts mentioned in the question. I wish to point out that the Bill does not, as stated by the Leader of the House, safeguard the rights of those engine-drivers. Under the Mines Regulation Act, certificates were granted these men and those certificates empowered them to drive any kind of engine, with the exception of a locomotive or a traction engine. A separate certificate was issued for locomotives and tractors. The Bill seeks to deprive these men of the rights that they had under the old Act to drive engines of the internal combustion type, a right which they had under the old Act. I contend that every engineman who had a certificate granted him to drive anything but a locomotive or a traction engine should not have his rights taken from him by the Bill we are considering. When the Committee stage is reached I intend to endeavour to have that rectified. There is another clause to which I wish to draw the attention of hon members, and it is Clause 73. Members will note that it provides that any engineer, engine-driver, or other person who renders inoperative any safety device attached to or used for governing speed on any engine, or any safety device, and so forth, shall be guilty of an offence. Then it goes further and says that any person being the holder of an engine-driver's certificate who shall be guilty of such an offence shall be liable to have his certificate suspended or

cancelled. In my opinion that is an anomaly. We have a certificated engine-driver in control of certain machinery, and, he may be instructed to do something foolish by the engineer who is not a certificated person, or even by the manager or the owner, neither of whom is certificated. If any of the three named remove any of the safety appliances he is liable to be fined up to £50, and the driver who takes his instructions from one or more of those three, may also be fined £50 and may also have his certificate cancelled, which may mean the taking away of his livelihood. I have a vivid recollection of an accident which happened at the Great Boulder mine many years ago. The engine-driver was asked by the foreman of the sawmill to take a belt off the safety device which was on the engine, and to oblige the foreman he did so, not once but on several occasions. On one day he had occasion to go away for a few moments. There was a good head of steam on and the load was light. The engine bolted and the result was a fatal accident. The outcome of the inquest was that the driver was brought before the court and he was told by the board how foolishly he had acted. He explained that he had done this thing because he was instructed so to do by someone else who had no certificate. The driver was dealt with by the board of examiners and was made to forfeit his certificate. That man should not have been penalised twice, whilst the owner or the person giving the instructions was penalised only once. That too might be rectified when the Bill is in committee. Speaking generally, I support the second reading of the Bill and trust that when it is in committee several of the amendments which I have suggested will be made and that we may also meet some of the objections raised by Mr. Lynn.

Hon. J. A. GREIG (South-East) [5.57]: It was my intention to oppose the second reading of the Bill, but after noting the interest hon. members have taken in it, and the number of amendments that have been suggested, I think we might yet be able to make out of it an Act which will probably be of some use to Western Australia, and not an Act which will further tend to strangle primary industries. This kind of legislation in the past has had a great deal to do with the closing down of our mines. Harassing legislation of this kind has a good deal to do with making people dissatisfied. These are the little pin pricks which cause annoyance, the matter of paying 5s. to register an engine—

Hon. H. Stewart: Or a pulley.

Hon. J. A. GREIG: It seems to me that too much power is to be given to the Minister. I have said in this House before that my opinion is that Governments which govern best are the Governments which govern least.

Hon. Sir Edward Wittenoom: Hear, hear; quite right.

Hon. J. A. GREIG: There are many clauses in the Bill which are not necessary. In my opinion it is not necessary to inspect all the machinery in the State. That is practically what the Bill contemplates, although there are a few exemptions. Take farming machinery and tiny oil engines in small factories. Will the inspector take the engine to pieces to see that the internal bearings are in good order? I presume the intention of the Bill is, or should be, to make it safe for employees working near the machinery. The safety of the person ought to be the only object of the Bill. But I am afraid there is something more behind the measure. I know there have been accidents occasioned by chaff cutters, but if we were to make it an offence for anybody to work a chaff cutter without safety appliances, the difficulty would be overcome—and a chaff cutter is about the only machine on a farm which has been responsible for accidents. The framers of the Bill might logically have gone on and included perambulators.

Hon. J. Cornell: And scooters.

Hon. J. A. GREIG: In Clause 14 it is provided that no person under 16 years of age shall be allowed to be in charge of any passenger lift. Clause 17 provides that each lift shall be fitted with locks and safety appliances. In view of this, I presume a child 10 years of age could work a lift with perfect safety, because all lifts will be automatic.

Hon. F. A. Baglin: A lot of them are not automatic.

Hon. J. A. GREIG: But I assume that under the Bill the inspector will insist upon all lifts being converted into automatic machines. It is provided also that no person under the age of 14 shall assist in the working of any machinery. I do not know just what is intended by that, but it seems to me that a boy on a haystack, throwing down sheaves to a chaff cutter, may be said to be assisting to work that machine.

Hon. T. Moore: A boy under 14 is too young for the work. Do you want to start them at 10?

Hon. J. A. GREIG: I started earlier than 10. Clause 16 provides that at the discretion of the inspector agricultural machinery may be inspected only once in two years. It is further provided that all machinery driven otherwise than by a steam engine shall be divided into groups, each group to consist of such machinery as is driven by one motor. If a man has four or five such motors on his farm, he will have to pay the fee for each group inspected. It certainly seems that there is something more behind the Bill than the protection of human life.

Hon. A. H. Panton: I think they are driving at the primary producer all right.

Hon. J. A. GREIG: Clause 36 provides that fees shall be paid. I should like to know why a certificate should be issued free for machinery, other than winding engines, driven directly by steam, and a charge be made for

the inspection of motor machinery. There must be some reason for it. Clause 42 provides that in respect of machinery used for purely agricultural purposes the certificate may remain in force for two years at the discretion of the inspector; and it is provided also that on payment of the prescribed fee the duration of the certificate may be further extended on a declaration that no material alteration has been made to the machinery. This idea of compelling a farmer to take out a certificate for all his machinery is not for the safe working of the machinery, but rather to raise revenue by means of taxing machinery. I may be wrong, but the framers of the Bill admit that it is not necessary to inspect agricultural machinery at all, for they provide that there may be only one inspection, with no subsequent examination so long as the cocky pays up his 5s. each year. I fancy I can see the finger prints of professional politicians impressed very firmly on this measure. It has been framed in the Labour school. Clause 45 provides that when a person sells a boiler or engine he must notify the inspector and give the name and occupation of the person to whom the sale was made. This clause certainly will tend to build up a large correspondence staff, will almost necessitate the creation of another Government department. To-day the cost of inspecting machinery—a mere bagatelle to what it will be under the Bill—shows a big loss. The Minister in another place in introducing the Bill stated distinctly—

The PRESIDENT: The hon. member must not allude to debates of the current session in another place. I will ask hon. members when on the second reading to confine themselves as much as possible to the general principles of the measure.

Hon. J. A. GREIG: I am sorry if I have transgressed. I am referring, not to "Hansard," but to what I have read in the daily Press. The Minister said he intended to make the Act pay for itself.

The PRESIDENT: The hon. member has already admitted that the Minister said these things when introducing the Bill.

Hon. J. A. GREIG: I am sorry. I did not hear the Minister, and so I have to go by what appeared in the newspaper, which may or may not be correct. However, I shall have something further to say in Committee.

On motion by Hon. R. G. Ardagh, debate adjourned.

#### ADJOURNMENT—ROYAL SHOW.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [6.10]: I move—

That the House at its rising adjourn till Tuesday, the 11th October.

Question put and passed.

*House adjourned at 6.10 p.m.*

## Legislative Assembly,

Thursday, 29th September, 1921.

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

#### QUESTION—HOTEL METROPOLE, SEWERAGE.

Mrs. COWAN asked the Minister for Works: 1, Why is the Hotel Metropole permitted to remain unsewered when owners of other premises are compelled to connect their premises with the sewerage system? 2, Will he, in the interests of public health, issue instructions that the necessary connections be made? 3, If not, why not?

The MINISTER FOR WORKS replied: 1, The Hotel Metropole was connected with the sewerage scheme of the metropolitan area on 20th May, 1913, and certified by Mr. Lawson, as engineer, on the 23rd May, 1913. 2 and 3, Answered by No. 1.

#### QUESTION—KING EDWARD HOSPITAL, EMPLOYEE.

Mrs. COWAN asked the Colonial Secretary: 1, Has he seen the paragraph in the "Australian" newspaper of the 23rd September stating that a male adult (an ex-Imperial soldier) is employed at the King Edward Memorial Hospital doing casual work at 7s. per week? 2, Is the statement correct?

The PREMIER (for the Colonial Secretary) replied: 1, No. 2, Yes. This man agreed to accept one shilling per diem at the King Edward Memorial Hospital as an alternative to re-entering the Old Men's Home, where he had previously been an inmate. He is physically unable to do much work.

#### BILL—CRIMINAL CODE AMENDMENT.

Report of Committee adopted.