

1932, when the world was in the throes of a financial crisis and when even £1,000 meant a tremendous lot to the Government. Unfortunately, the Government that introduced the measure did not enjoy the benefit. No funds were distributed prior to the members of that Government being told by the people to take a back seat. The existence of the Lotteries (Control) Act, however, has had the effect of assisting many charitable institutions, and those of us who supported the original Bill have been well repaid for the buffeting we endured at the time.

On motion by Hon. J. Cornell, debate adjourned.

House adjourned at 9.55 p.m.

Legislative Assembly.

Wednesday, 19th November, 1941.

	PAGE
Questions : State hotel, Gwalia	2016
Gas producers	2016
Mosquito pest	2016
Increase of Rent (War Restrictions) Act	2017
Licensing Act, Mr. Ross's license	2017
Price fixing, as to stricter supervision	2017
Bills : Traffic Act Amendment (No. 2), 1R.	2017
Licensing (Provisional Certificate), 1R.	2017
Builders' Registration Act Amendment, 1R.	2017
Broome Tramway Extension, 3R.	2017
Plant Diseases (Registration Fees), 2R., Com. report	2017
Factories and Shops Act Amendment, Com.	2023
Industrial Arbitration Act Amendment, returned	2043

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

QUESTION—STATE HOTEL, GWALIA.

Hon. C. G. LATHAM asked the Minister for the North-West: 1, Is the State hotel at Gwalia closed? If so, what has caused the closing of this hotel? 2, When is it likely to be re-opened?

The MINISTER FOR THE NORTH-WEST replied: 1, No. 2, Answered by No. 1.

QUESTION—GAS PRODUCERS.

Mr. WATTS asked the Minister for Industrial Development: 1, Does he know whether it is a fact that there is a shortage of material for the production of gas-producer units, which shortage is alleged to be due to shipping difficulties? 2, Is it a fact that "Nasco" gas-producers—a product of General Motors—have recently been shipped from the Eastern States to Western Australia and are now available for sale in this State? 3, Will he make representations to the proper authority for priority to be given to material for the manufacture of gas-producers locally so as to assist those engaged in a local industry? 4, If any representations have already been made on this subject will he give information as to the results achieved thereby?

The MINISTER FOR INDUSTRIAL DEVELOPMENT replied: 1, There is no shortage of material at present. 2, It is understood a small number of "Nasco" gas-producers has been shipped from South Australia to Western Australia. 3, Representations have already been made. 4, The results achieved have been satisfactory.

QUESTION—MOSQUITO PEST.

Mr. NORTH asked the Minister representing the Minister for Education: 1, Is he aware that during a comparatively recent schools' broadcast, the audience was informed that in Western Australia there are many mosquito-eating bats, and also that in a large city in the United States, mosquitoes had been completely eradicated by erecting large towers which housed the bats during the day time? 2, Aside from whether such information has engendered in our children a contempt for the inadequate attempts at present made to deal with the mosquito pest, will he turn over the contents of the said broadcast to the Health Department, and the local health authorities? 3, What is the name of the American city which has actually cleared up the mosquito nuisance?

The MINISTER FOR THE NORTH-WEST replied: 1, No. 2, Inquiries have been made, and when the information is to hand, yes. 3, Will be supplied when information is to hand.

QUESTION—INCREASE OF RENT (WAR RESTRICTIONS) ACT.

Mr. CROSS asked the Minister for Labour: 1, Is he aware that attempts are being made by certain house and land agents to evade the provisions of the Increase of Rent (War Restrictions) Act, 1939? 2, If so, will he take prompt action to protect tenants at present paying rent?

The MINISTER FOR LABOUR replied: 1, It is understood that such attempts are being made by certain agents. 2, Tenants should protect themselves by refusing to pay any increase in rent demanded of them and by paying regularly the ordinary rent. The amending legislation now before Parliament aims to create the right to prosecute those who overcharge tenants.

QUESTION—LICENSING ACT.

Mr. Ross's License.

Hon. W. D. JOHNSON asked the Minister for Justice: 1, Whether the wine and spirit merchant's license issued to Mr. Ross, at the corner of Charles and Claverton streets, North Perth, is still in existence? 2, If not, why was it cancelled before the date of expiry?

The MINISTER FOR JUSTICE replied: 1, The records of the Licensing Court show that an application for transfer of this license was refused on the 19th September, 1941, on the ground that the license had become void. 2, See answer above.

QUESTION—PRICE FIXING.

As to Stricter Supervision.

Mr. MARSHALL (without notice) asked the Minister for Industrial Development: Will he give the House an assurance that a much stricter supervision in regard to the prices of locally-produced and locally-grown commodities will be exercised than has been the custom in the past?

The MINISTER FOR INDUSTRIAL DEVELOPMENT replied: If the hon. member will supply me with instances where he considers sufficiently strict action has not been taken in the past, an attempt will be made to ensure that stricter supervision is exercised in the future.

BILLS (3)—FIRST READING.

1, Traffic Act Amendment (No. 2).

Introduced by the Minister for Works.

2, Licensing (Provisional Certificate).

Introduced by the Minister for Justice.

3, Builders' Registration Act Amendment.

Introduced by Mr. Needham.

BILL—BROOME TRAMWAY EXTENSION.

Read a third time and transmitted to the Council.

BILL—PLANT DISEASES (REGIS- TRATION FEES).

Second Reading.

Debate resumed from the 11th November.

MR. THORN (Toodyay) [4.37]: I rise to support the Bill and would like to say at the outset that I do not agree with the principle of growers taxing themselves. I think it is wrong, but in this instance the growers have definitely agreed to the procedure. An opportunity has been afforded to me to meet quite a large number of fruitgrowers both individually and collectively, and I attended a meeting only recently at which the growers carried a resolution agreeing to the amendments contained in this measure. I have perused the Bill and consider it to be a really honest attempt on the part of the Minister for Agriculture to correct several anomalies that occurred in the amending Bill that we passed in this Chamber in 1939. That measure was rushed through the House without due consideration and contained several anomalies which this Bill seeks to remove.

I pay a tribute to Mr. H. R. Powell, the Superintendent of Horticulture. He has been in a position to deal with the complaints of growers, and there is no doubt that he has played a prominent part in advising the Minister upon the various problems associated with the industry and in assisting to draft the Bill. In the opinion of the growers the provisions of the measure are most acceptable. They will provide relief from the present taxation which is to be reduced from 2s. 6d. an acre to 1s. 6d. The relief indicated is decidedly appreciable. The growers

complain that the existing legislation in fixing the maximum charges penalised the smaller growers while the larger growers were assisted. The provision was that the maximum rate of £2 10s. should apply to areas comprising 20 acres or more. The holder of 20 acres had to pay the full 2s. 6d., but on larger areas the impost was automatically reduced.

Experience showed that on a property of 100 acres the charge for inspections worked out at 6d. an acre, whereas the holder of a small property had to pay the full rate at 2s. 6d. an acre. The Bill makes provision for the application of the tax on a much fairer basis. Another clause in the Bill sets out the maximum fee to be paid by the growers of wine grapes. Those who go in for wine grapes usually have large areas under vines and the tax has pressed heavily upon them. In my view, they really make a contribution in the form of tax because under the Act there is no provision requiring them to spray their fruit at all. Wine grapes are not included under the provision requiring spraying to be carried out to counteract the ravages of the fruit fly.

Mr. Fox: Are not grapes infested with fruit fly?

Mr. McLarty: Very seldom!

Mr. THORN: Such occurrences are most infrequent, although they have been known. Already we have so much trouble with countries overseas from the standpoint of marketing our grapes that I did not desire to mention that remote possibility. Another point regarding spraying is that the Health Act prescribes that grapes used in the manufacture of foodstuffs must not be sprayed. In those circumstances, if legislation dealing with vineyards and orchards required spraying to be carried out, the Health Act would not permit that course to be followed where grapes were to be used for the manufacture of wine. The Bill fixes the maximum charge at £2 10s., but that will be the minimum because the areas occupied by wine grape growers will necessitate the payment of that amount and in the circumstances I regard such payments as contributions on their part to the departmental fund.

The Bill contains another desirable provision relating to nurseries, orchards and vineyards. Under the existing legislation the tax per acre has to be paid as soon as the vines or fruit trees are planted. The Bill provides that the charge shall not be payable until

the vines or fruit trees reach the bearing stage, and four years has been designated as the period requisite for that purpose. The clause will do away with objections that have been raised to the existing Act. Then again the Act at present stipulates that 400 vines or 100 fruit trees shall constitute an acre for the purposes of the legislation. The Bill, on the other hand, sets out that where the property can be dealt with on the measurement basis it will be assessed on the broad acre, while if the holding comprises broken country traversed by brooks or creeks making it difficult to measure up, the old basis will apply. That will be satisfactory to the growers.

Generally speaking, all those with whom I discussed this legislation have indicated their approval of the Bill, which will correct many anomalies and at the same time provide sufficient funds to maintain the present system of inspections. The Minister for Agriculture has assured me that if the money raised should be slightly less than the amount required, he will see to it that the inspections are not curtailed. One feature of the Bill is that it will engender good feeling amongst the growers. That is most essential if a law of this description is to be carried out in its entirety. Without good feeling and co-operation on the part of the growers, an army of inspectors would be necessary to police the legislation. As it is, with goodwill and co-operation the instructions of the inspectors will be carried out without difficulty, and much good will result to the industry. I have much pleasure in supporting the second reading.

MR. SAMPSON (Swan) [4.49]: I would be recreant to my duty as a representative of the growers if I failed to voice my objection to the perpetuation of the imposition of the tax covered by the Bill. In my opinion, it is unjustified. I realise, of course, that the tax is to be reduced in amount, but the imposition of the tax is wrong in principle. I defy anyone to dispute that. It is a pity the Minister for Agriculture is not present, although that fact will not affect what I have to say. Throughout the fruit growing districts an influence has been set up to encourage the growers to believe there is an obligation on their part to pay a special tax for the control of the fruit fly. Everything that grows is subject to disease. If we were to impose a tax in connection

with every insect pest which is an enemy to mankind there would literally be thousands of taxes.

Mr. Thorn: This is a very objectionable one.

Mr. SAMPSON: A very objectionable one indeed!

Mr. Thorn: The pest is objectionable.

Mr. SAMPSON: We must not forget that the fruitgrowers pay their taxes, and are most exemplary in doing so. If the provisions of the Plant Diseases Act were carried into effect, and its requirements fulfilled, there would be no cause for complaint. The growers say, "We want this pest to be fought in Perth; we want to keep it outside the fruit growing areas." Every plant, tree, vegetable, and most varieties of stock, are liable to disease. Cattle from the North-West suffer from disease. Are those concerned in the care of such beasts faced with a special tax?

Mr. J. Hegney: Human beings are also subject to disease.

Mr. SAMPSON: Yes. We have the difficulty created by diphtheria. We know that diphtheria immunisation has been adopted, but is there a special tax on the whole community for that reason?

Mr. SPEAKER: That subject cannot be discussed in connection with this Bill.

Mr. SAMPSON: I want to point out that in connection with human beings, with the pastoral industry, fruit production, wheat production and with everything—

Mr. Warner: And with pigs.

Mr. SAMPSON: There is no special tax. Pigs are subject to swine fever. Are those concerned in the raising of pigs taxed or levied upon in this way? Take the lucerne flea, the Rutherglen bug, the codlin moth, the cattle tick!

Mr. J. Hegney: And the green fly.

Mr. SAMPSON: And many hundreds of other pests! Is a tax imposed upon those who are affected by such pests? Why should we pick out the hard-striving industry of fruit production and say that the growers shall be the exception and shall pay a tax? An atmosphere has been developed and a number of fruitgrowers have gathered the conviction that there is an obligation upon them to pay this special tax.

Mr. Thorn: They have asked for it.

Mr. SAMPSON: Yes, they have gone so far as to ask for it. I am sorry the Premier is not here. These growers, as is the case

with other citizens of the State, are under his control. The Deputy Premier is, however, present; he is the next in order. I cannot but believe that every member who has grasped the position would agree that fruitgrowers should not be called upon to pay this special tax. The member for South Fremantle (Mr. Fox) knows that the Apple of Sodom grows in his electorate. All over the State roses grow. The seed pod, or haw, of the roses provides a host for the fly, and the Apple of Sodom, I believe, is also a host for the same pest. Is it proposed to carry this idea to its logical conclusion and make everyone who grows roses pay a tax? Would the Minister for Mines be prepared to pay a special tax because he grows roses and because on the roses are the pods which form a host for fruit fly?

The Minister for Mines: I cut out the haw and throw it away before it develops.

Mr. SAMPSON: The Minister must do what is set out in the Plant Diseases Act in order that the fruit fly may be controlled.

The Minister for Mines: I pay this tax.

Mr. SAMPSON: Not because the Minister is growing roses but because he is growing fruit.

The Minister for Mines: I am growing only one lemon tree.

Mr. SAMPSON: Are the people generally to be taxed if they have roses growing in their gardens, but no fruit trees or grape vines? Are we to sit back smugly and say, "These growers have been led to believe that they should pay the tax, and that in the payment of it they shall assist the Treasurer, in that the money they provide he will not be called upon to supply." They do protect the funds controlled by the Treasurer, and Consolidated Revenue is protected by them, following the belief that what they have been induced to adopt is the right thing to do.

Mr. J. Hegney: Are you going to vote for the Bill or are you opposing it?

Mr. SAMPSON: I certainly oppose it. I hope the hon. member, who represents fruitgrowers, will do the same, and take a stand for righteousness for once in a way.

Mr. Marshall: Shame on the Government which brought down the Bill.

Mr. SAMPSON: Are the owners of all these properties to be compelled to pay the tax? They must do so if we are to be consistent and logical. How can the Minister for Agriculture hope to be successful

with a Bill that is based on unfairness and inconsistency? I am sorry he is not present.

The Minister for Mines: He cannot be here and in Canberra too.

Mr. SAMPSON: It is to be regretted that the Minister for Works has to take charge of the Bill. I hope every member will stand up for what is right.

Hon. W. D. Johnson: What is wrong with the Bill?

Mr. SAMPSON: Why did not the hon. member, when he was Minister for Agriculture, get to work and exercise the powers contained in the Plant Diseases Act?

Hon. W. D. Johnson: We are dealing with this Bill.

Mr. SAMPSON: Yes, because in those far gone days—

Mr. SPEAKER: Order! The hon. member must speak to the Bill.

Mr. SAMPSON: I could almost go so far as to say that the fruit fly was encouraged. If it were not encouraged in those days, it was not discouraged to any reasonable extent.

The Minister for Mines: Who bought over the first pair of fruit fly?

Mr. Warner: Noah!

Mr. SAMPSON: The member for Guildford-Midland (Hon. W. D. Johnson) knows something of the matter, because he did take some steps.

Mr. SPEAKER: Order! The hon. member must speak to the Bill.

Mr. SAMPSON: I was giving a little ancient history to show what happened in past years.

The Minister for Works: Do you remember when you asked us to introduce a similar Bill?

Mr. SAMPSON: I think the Minister has a very vivid imagination.

The Minister for Works: No. The request was made on behalf of the fruit-growers. You are out of step with them. You always were!

Mr. SPEAKER: Order! The hon. member will get back to the Bill.

Mr. SAMPSON: What should be done? Registering one fruit tree or one vine has no effect whatever on the fruit fly.

Mr. Thorn: It helps to provide funds.

Mr. SAMPSON: Certainly. I tell the Treasurer it is unfair and improper that fruitgrowers should assist him by making this contribution to Consolidated Revenue. This is an outstanding example, a most ex-

ceptional case, because the fruitgrowers themselves are finding the money to pay the salaries of inspectors.

The Premier: To protect their own properties.

Mr. SAMPSON: Certainly. If the Premier thinks for a moment, he will recollect that there are on his own property at Mt. Lawley plants which are possibly hosts for the fruit fly.

The Premier: Yes, but I put stuff around them in order to kill the flies.

Mr. SAMPSON: I hope the Premier does so regularly.

The Premier: I do.

The Minister for Mines: Have you heard of the Vermin Act?

Mr. SAMPSON: If another pest appeared—

The Minister for Mines: One has appeared already.

Mr. SAMPSON: We have had one with us for a fairly long time. He has been able to impress upon others his value and may be able to do so a little longer. If another pest appears, what are we to do? Do not forget there are dozens of insect pests which attack fruit trees.

Mr. Cross: You ought to put up notices!

Mr. SPEAKER: Order!

Mr. SAMPSON: Notices are put up that growers must register their orchards. But that does not do much good unless properties are inspected to ensure that the requirements of the Plant Diseases Act are carried out. Does the pathetic faith of the member for Canning (Mr. Cross) go so far as to believe that the fruit fly will read the notices and drift out of the district? This tax is unjustifiable. Even if it were not illogical, unreasonable, improper and unfair—and it is all that—the Government does not need the money. Why should the Government tax a section of the people who, equally with other agriculturists, certainly have no funds to spare? Today we have no unemployed or sustenance workers.

Mr. SPEAKER: Order! I hope the hon. member will not deal with sustenance workers.

Mr. SAMPSON: If the Government were so hard pressed because of the incidence of unemployment—

Mr. SPEAKER: Order! The Bill has nothing to do with unemployment.

Mr. SAMPSON: You are perfectly right, Sir. In my opinion, the Government should not persist in imposing this tax, as things

financial are so easy today. Those on the land have to face many problems. We hear it stated continually in the House that our primary producers are being forced off their holdings. The amount involved in the Bill is not a big item, but the lack of principle merits consideration. Each year we have brought before Parliament the Estimates. Amounts are provided for the Department of Agriculture, as well as for other departments, and Parliament is asked to approve of the Votes. The Treasurer has previously considered the amounts. Does anyone believe that if the Treasurer were asked to provide funds to make possible the employment of additional fruit inspectors he would not do so? I do not think for a moment that he would refuse. Year after year since the fruit fly has made its entry into this State there has not been a refusal on the part of Parliament to provide funds necessary to cope with the evil.

Mr. J. Hegney: What was done in Florida?

Mr. SAMPSON: That is a very pertinent question. The fruitgrowers there are now making a living. Florida at one time was infested with fruit fly, but the Federal Government of the United States spent over two million dollars in exterminating the pest. The fly was not only controlled; it was exterminated. The remarkable thing is that our growers met in conference and requested to be taxed. A few years ago the member for Toodyay (Mr. Thorn) and I called a meeting of the fruitgrowers in Perth to discuss the fruit fly problem. There was a large attendance of growers from the districts concerned, and a resolution was carried that a fruit fly advisory board be established. That was done. It cost the Government nothing, but was the board given any power? No! It was permitted to advise, but it had no executive power whatever. Surely it was reasonable that these growers—

Mr. SPEAKER: Order! There is nothing in the Bill about a fruit fly advisory board.

Mr. SAMPSON: If that board had been given the opportunity, this Bill would not now be before us, because the fly would have been exterminated. Even today that board has no executive power.

The Minister for Mines: It has recommendatory powers.

Mr. SAMPSON: Yes, it is allowed to make recommendations, but what is the use of that?

Mr. Cross: You have that power.

Mr. J. Hegney: What is being done at Baker's Hill?

Mr. SAMPSON: I told the member for Middle Swan (Mr. J. Hegney) that it cost the United States Government two million dollars to rid Florida of the fruit fly. That is a mistake. I should have said £2,000,000. I am not suggesting that it is necessary to spend as much here. I do suggest, however, that had the Fruit Fly Advisory Board been given the opportunity it would have done most valuable work, and we would not today be facing the shocking spectacle of a section of the people being called upon to pay this most unusual and exceptional tax.

Mr. J. Hegney. The hon. member is on a crusade now.

Mr. SAMPSON: I do not think the member for Middle Swan believes in this Bill, either.

Mr. SPEAKER: Never mind the member for Middle Swan. Address the Chair. I ask the member for Middle Swan to keep order.

Mr. SAMPSON: I cannot help hearing him, Sir. The action of the fruitgrowers in asking that they be taxed was an innovation. I do not know whether you, Mr. Speaker, have yet come across people who are anxious to have a special tax imposed upon them. All the time the commercial growers were doing their best to exterminate the fly. They were complying with the provisions of the Plant Diseases Act. In Perth fruit-shops, so I am told by one of the shopkeepers, it is customary, when fruit contaminated with fly is discovered, to throw it into an open box.

The Minister for Mines: It is very often sold to customers.

Mr. SAMPSON: Yes.

The Minister for Mines: I take mine.

Mr. SAMPSON: I do not know what the Minister does with it when he gets it home. He might make a full confession.

The Minister for Mines: I generally inoculate it!

Mr. SAMPSON: As I say, the bad fruit is thrown into a box which subsequently is simply emptied on to a rubbish heap. No regulation has yet been promulgated making it obligatory upon these shopkeepers to have the fruit destroyed at the incinerator.

Mr. Warner: Perhaps this Bill could be amended to make provision for that.

Mr. SAMPSON: That is a good suggestion.

Mr. Watts: But not a practicable one.

Mr. SAMPSON: I am not sure, but it should be done. The department should not permit fruitgrowers to allow the fly to multiply as it is doing at present. This tax no doubt in many cases will mean the deprivation of something which the family of the fruitgrower needs. Not all the fruitgrowers are well off today. I am amazed that the Premier should allow a Bill such as this to be introduced. Even the relief which he may feel because a number of people will pay this most unusual tax is no justification for the measure. As I said, there are innumerable pests. There are weevils, wild cats and foxes; and at Geraldton the tomato-growers are suffering from the depredations of caterpillars. Surely, the Premier would not agree to the imposition of a tax on the tomato-growers at Geraldton to provide funds to control the caterpillars.

Mr. SPEAKER: Neither the Premier nor caterpillars are mentioned in the Bill, nor do I think tomatoes are mentioned in it, either.

Mr. SAMPSON: I am sure you will not, Mr. Speaker, deprive me of the opportunity of drawing an analogy.

Mr. SPEAKER: I will certainly deprive the hon. member if it does not come under the Bill. I ask him to deal with the Bill.

Mr. SAMPSON: The Premier has not dealt with tomatoes up to the present, and I am prognosticating he does not intend to. Why should we specialise in the gardens in the south? There are diseases which attack bananas—squinter—bunchy top, and other diseases.

Mr. Cross: They are not in this Bill.

Mr. SAMPSON: Is a tax likely to be imposed in relation to them? That is the question the member for Canning (Mr. Cross) should consider. I do not think so. Every person is subject to enemy germs; T.B., cancer, pleurisy, pneumonia. There are a thousand evils, but no special tax is imposed on the people to prevent the spread of those diseases. The orchardist is singled out. In some cases he may appreciate it, but in the majority of instances he is not pleased.

New South Wales dealt with this matter and imposed a tax of 1s. per acre. That might be considered to have been a wrong thing to do, but the Government handed this money to the Fruitgrowers' Federation of New South Wales in order that the fruit-

growers themselves should get the advantage of the money. That is important. None of the money paid into the Department of Agriculture in this State is paid to the Fruit Fly Advisory Board, to the Fruitgrowers' Association, or to any organisation established to help the growers. The mass of work done by this organisation in New South Wales is contained in the journal which I have here, and I hesitate to read it all. I will read a few of the things the Fruitgrowers' Federation has done. The fruitgrowers in that State organised and have assisted in the election of a director of horticulture. Their federation has established a marketing bureau, has dealt with the registration and licensing of agents, compulsory fidelity bonds, and the inclusion of "merchants" under the Farm Produce Agents' Act.

Mr. SPEAKER: Order! I must ask members to keep order.

Mr. SAMPSON: It has advocated the establishment of the citrus research station at Gosford, and assisted in the Mandarin Relief Grant, 1934, whereby £17,030 was distributed to mandarin growers of that State in view of the loss of the New Zealand market. There was a citrus export guarantee and an orange publicity campaign.

Mr. Cross: What has that to do with fruitgrowing?

Mr. SPEAKER: I must ask the member for Canning to keep order.

Mr. SAMPSON: That is a difficult job. It issued a year book, and assisted to form and now conducts—

Mr. SPEAKER: I have given the hon. member a lot of latitude. Unless he sticks to the Bill, I must ask him to resume his seat.

Mr. SAMPSON: I shall certainly not dispute the correctness of what you, Mr. Speaker, say, but this has a definite connection and association with the Bill. It shows what was done in New South Wales where a tax was imposed. The tax was handed back to the Fruitgrowers' Federation which did all these things I mentioned. There is a tremendous amount more that I could read, but I do not want to tire members. Perhaps we could take it as read and members will have an opportunity later, if they so desire, to read this paper. It is the 1941, July issue of "Fruit Culture and Small Farming." A tremendous amount of work has been done. Had we been given

the same opportunity through the Fruit Fly Advisory Board, we might have got somewhere.

I acknowledge that the Minister realised the grave danger which faced fruitgrowers because of the occurrence of the fly in grapes and other fruits which are exported. We all remember that the Minister visited Colombo and, I think, the Far East in order to speak smooth and soothing words to certain fruit merchants there, who had received Western Australian fruit contaminated by the fly. I believe he was successful, and I compliment him. We should endeavour to prevent the occurrence of the fly in future. The way to do it is for the department to take the matter in hand, and not throw the responsibility on to the growers who are already called upon to do what the Plant Diseases Act sets out. The Minister returned imbued with a desire to do something. To impose a tax is not a sovereign remedy for flies. We have ample legislation, and if it were carried out there would be very little about which to complain.

Mr. Cross: Who will pay to get rid of the fly? Should it not be the fruitgrower?

Mr. SAMPSON: Everyone pays taxation. I would like to explain to the member for Canning—

Mr. SPEAKER: Never mind explaining to the hon. member; address the Chair!

Mr. SAMPSON: It may be futile, but I would like him to get a faint glimmering of an idea as to what happens.

Mr. SPEAKER: Order!

Mr. SAMPSON: A tax will not control the fly. If the city and suburban growers carry out the provisions of the Plant Diseases Act, then something effective will be done. The commercial growers do that, but unfortunately in scores of backyard orchards and abandoned orchards the fruit fly is allowed to develop and spread. Those fruit flies are blown over the river where they lodge for a while and are then blown further; and so it goes on. As I said earlier, funds are buoyant and the Government could well undertake this duty.

Some time ago the Hon. G. B. Wood asked a question in another place regarding the amount collected in orchard registration fees for the years ended the 30th June, 1939, 1940 and 1941. He asked how many extra orchard inspectors had been appointed and what was the amount of salaries involved in conse-

quence of the extra revenue derived from the increase in orchard registration. The reply received was that for the year 1938-39 £2,259 was received; 1939-40 £2,900 and for 1940-41, £4,600 was received, and that three expert orchard inspectors had been appointed.

Mr. SPEAKER: Order! The hon. member knows he is not allowed to allude to any debate in another place.

Mr. SAMPSON: This is a question. Am I not allowed to quote from that? However, three inspectors were appointed and plenty of money is still left. The Government is not using that money, but is holding it in reserve. It is good to exercise thrift, but it is not fair to the growers.

Mr. Withers: It is nice to have a surplus.

Mr. SAMPSON: I quite agree, and I can understand the feeling of the Premier that it is nice to acquire a surplus by collecting a special tax. We have heard a good deal in this Chamber about the new order after the war.

Mr. SPEAKER: We do not want to hear anything about it on this Bill.

Mr. SAMPSON: We are told there should be equal treatment to the citizens of the State. That is the point. If we get back to right principles, this matter will be treated fairly. This tax is a sectional imposition. Is there any justification for that? Is there anyone who can get up and say it is justified?

Mr. Marshall: Yes, I will!

Mr. SAMPSON: We heard someone say that good feeling and co-operation encourage the payment of this money. I do not know that we should take advantage of good feeling and co-operation to impose a tax which is not justified.

Mr. Cross: Are you going to support the Bill?

Mr. SAMPSON: I have pointed out that the Apple of Sodom and the rose haws are hosts for the fly, and that the imposition of a tax such as this constitutes an innovation and an imposition which does not apply in any other case. I want to see the fruit fly controlled, and if the commercial growers were given a fair opportunity it would be controlled. They are not given a fair chance when in the city and suburbs the fruit fly is allowed to multiply.

Mr. Cross: There are plenty in the Swan electorate—millions!

Mr. SAMPSON: The member for Canning is well acquainted with every district but his own. I will not dispute one word of what he says. To dignify his remark by that much notice would be to offer him an unwarranted compliment. I hope this matter will receive the serious consideration of all members of the House and that the fruit-growers, in common with other citizens of the State, will receive fair treatment.

MR. HILL (Albany) [5.28]: I am a commercial fruitgrower and president of the Albany Fruitgrowers' Association and an executive of the Western Australian Fruitgrowers' Association. I have the privilege of representing in this House, a very important fruitgrowing section of Western Australia. In all these capacities I support, wholeheartedly, the second reading of this Bill. I appeal to all members to do the same. To put the matter briefly, although we are free from fruit fly at the southern end of the State, we are seriously threatened today by the existence of fruit fly in the Swan electorate. I believe, like Mr. Roosevelt, in the lease-lend policy, and as a fruitgrower I would much sooner pay 1s. 6d. an acre now and fight the fruit fly in the Swan electorate than have to pay several pounds an acre and fight it on the banks of the Kalgan.

During the 30 odd years I have been fruitgrowing the fruit fly has been a serious menace to the industry. It not only affects the fruit itself, but increases the labour in the orchard because a very careful examination must be made of every apple, pear, or other fruit packed. I remember speaking to an inspector several years ago. He had been travelling in a train from Perth and there were a couple of ladies in the compartment eating fruit. One of them exclaimed, "Oh, it has maggots in it. Let us throw it out of the window." The inspector interposed, "No, let me have it and I will put it in the engine fire."

Mr. Raphael: Did that fruit come from the Swan district?

Mr. HILL: I would not say. In an attempt to localise the fruit fly pest a line was drawn, some years ago, roughly through Narrogin, and no fruit grown in the metropolitan area was permitted to be sent south of the line. Today it is absolutely impossible to carry out that regulation. A person may be going for a holiday to Albany.

En route he passes through the Swan electorate where fruit may be bought at the roadside. Four hours later he would be passing through the orchard district of Mt. Barker and might there discover maggots in the fruit and throw it out. That afternoon or the next day he might be picnicking on the banks of the Kalgan River, the centre of a very nice fruitgrowing district. This is sufficient to show how the pest may be spread.

There was apple scab in the Kalgan district and the fruitgrowers of Western Australia have stood behind us to fight that disease, and the fruitgrowers of my electorate are standing behind growers in the metropolitan area to help them fight the fruit fly. Some years ago the industry asked for the appointment of additional inspectors, but the Government, rightly or wrongly, adopted this attitude, "If you want additional inspectors, you must finance the cost yourselves." Several Acts have been passed from time to time with a view to combating the fruit fly. A couple of years ago legislation was passed to impose an orchard registration fee of 2s. 6d. an acre with a maximum of £2 10s. That measure was objected to in some quarters largely because of the maximum of £2 10s. for an orchard of 20 acres or over. A fruit-grower who had 100 acres would pay only as much as one who had 20 acres. That was one of the main reasons why some growers objected to the registration fee.

At the conference of Western Australian fruitgrowers held in Perth, close consultation was maintained with the Fruit Fly Advisory Board and the Horticultural Branch, and it was agreed to ask for a registration fee of 2s. per acre without stipulating any maximum. Friendly discussion has taken place between the various interests and today that fee is being reduced to 1s. 6d. per acre. I thank the Minister for Agriculture for what he has done. He advised Mr. Loaring, chairman of the Fruit Fly Advisory Board, that if the 1s. 6d. per acre was not sufficient to provide the requisite number of inspectors, his department would assist. There is the closest possible co-operation between the fruitgrowers, the Western Australian Fruitgrowers' Association, the Fruit Fly Advisory Board and the Department of Agriculture. As a fruitgrower, I appeal to members for their co-operation to help stamp out a pest which threatens to

become a menace to the whole of the industry in Western Australia.

MR. J. H. SMITH (Nelson) [5.34]: I support the Bill. Fruitgrowers in my electorate are asking for legislation and are very pleased that the Government has brought down this amending Bill. I cannot understand the reasoning of the member for Swan (Mr. Sampson). I do not know why he should have adopted such an attitude. The only reason I can think of is that he is entirely out of step with those in the fruit-growing industry in this State. As the member for Albany (Mr. Hill) said, we have been prepared to tax ourselves to eradicate a pest which is menacing the industry. This is the one industry in the State that believes in helping itself in every way. All we ask is that Parliament should authorise the imposition of this tax for the preservation of the industry. That will provide a protection and an insurance for fruitgrowers. The State has been cursed with the fruit fly that exists particularly in the Swan district, which is known as the filthiest part of Western Australia. There is no doubt about that.

Mr. Sampson: I am afraid the hon. member does not know his subject.

MR. J. H. SMITH: All members representing fruitgrowing districts will agree with my statement. I should like to see the department go very much further than is proposed. It should prohibit the sending of any fruit out of infested orchards in the Swan district. The member for Swan has told us in his diatribe how the Minister went to the Near East to persuade the people there regarding our fruit. There is absolute proof that the fruit sent there came from the Swan area. Yet we have such statements from the member for the district, who to my mind represents neither the good grower nor the commercial grower, but only a lot of growers who will do nothing to help themselves or the State to free the industry of pests. I hope the House will not be influenced one iota by his remarks. I do not know whether he set out to oppose the Bill on account of the tax to be imposed, but I know he is woefully out of step with people in the industry. I hope the Bill will receive unanimous support; no member who has the interests of the industry at heart should oppose it.

MR. McLARTY (Murray-Wellington) [5.37]: I support the Bill chiefly on the

ground that it has been asked for by the fruitgrowers' associations and because it will give the Department of Agriculture more revenue with which to police the fruit fly regulations and help to bring about the eradication of the pest. Unquestionably there are certain people who gather up infested fruit from the ground only because they fear a visit from an inspector. It is remarkable how selfish some people are. The backyard orchard, in many instances, is an absolute curse to the industry. A man might grow a peach or apricot tree in his backyard and, though it becomes infested with fruit fly, he does not worry about it. He does not even pick up the fallen fruit, but leaves it to rot on the ground.

One such tree is sufficient to infect a whole district or a whole province. Only because of the fear of a visit by an inspector and the possibility of prosecution do some people gather up the fallen fruit and try to destroy the fruit fly. At present extreme difficulty is being experienced in getting our export fruit away. In normal times we export a large quantity of our oranges and apples, but as we are not able to export them at present, there will be great waste. Fruit fly does tackle Valencia oranges, particularly when the weather warms up a little.

Mr. Patrick: And mandarins.

MR. McLARTY: I disagree with the member for Greenough; I have had experience of both varieties and have not been worried by fruit fly in mandarins.

MR. J. HEGNEY: And the pest tackles navel oranges.

MR. McLARTY: But they are usually disposed of early in the season, and there is nothing like the loss that is sustained with Valencias.

HON. C. G. LATHAM: The skins of oranges are too thick for penetration by the fruit fly.

MR. McLARTY: Practical experience has convinced me that any oranges left hanging late in the season are liable to become infested with fruit fly. This measure is to operate for a period of five years. If we are able to police the industry efficiently, I believe there is a chance of greatly minimising the losses from fruit fly by the time that period expires. I do not think that one orchardist in 20 will object to this tax. There may be something in the remark of the member for Swan about sectional taxation, but that applies in many directions. Where

an industry is being threatened, as the fruit industry undoubtedly is, I consider there is justification for imposing a special tax. I support the Bill.

MR. FOX (South Fremantle) [5.42]: I was greatly surprised at the remarks of the member for Swan who allegedly represents a fruitgrowing district. I think he ought to be eulogising the Government for the work it is doing to eradicate the fruit fly, instead of putting up obstacles to prevent the continuance of that work.

Mr. Watts: And the Government ought to pay for it, too.

Mr. FOX: I do not agree with the hon. member, seeing that this measure was introduced in the first place at the urgent request of fruitgrowers in my district and in other districts. This legislation has resulted in great good to the industry. Nobody likes to find fruit he has bought infested with fruit fly. There is only one worse thing to find in fruit than the fruit fly maggot and that is half a fruit fly maggot. The member for Swan said that fruit fly occurred in the Apples of Sodom in the South Fremantle district. A couple of years ago I brought up samples of Apples of Sodom and gave them to the Minister. They were supposed to be infested with fruit fly, but on examination they were found to be free of the pest. I am very dubious whether the fruit fly propagates in the Apple of Sodom.

I believe the backyard orchard is a great source of infection, particularly when owners of such orchards, which usually consist of a couple of trees, do not give them proper attention. I have only a few vines and one fig tree, but if they were not looked after properly I would be quite satisfied to have an inspector order me to chop them out. Although the inspectors are doing good work to combat the fruit fly I should like power to be given to order the chopping out of neglected trees. I know that was done in Tasmania in order to cope with a disease that appeared in apples. The member for Swan also said that the fruit fly had been eradicated in Florida. I deny that. Recently I read a book describing the havoc that the fruit fly causes in America. American orchards are ten or twenty times bigger than ours are. Fruit fly is highly prevalent in America. Only by intense attention and constant spraying will the fruit fly be got rid of. The fruitgrowing industry is a large and growing

industry in Western Australia. In that connection let me say how pleased I was to learn from the member for Albany (Mr. Hill) that the fruit fly has not yet reached his district. Unless strict attention is given to the destruction of the pest in the metropolitan area, it will soon spread over the whole of Western Australia. I have much pleasure in supporting the Bill.

MR. CROSS (Canning) [5.46]: In the Swan electorate there are to be seen from the Albany-road, between Perth and Armadale, proceeding along the valley, numerous small orchards with old trees. These orchards in some cases belong to old people who are not in fruitgrowing commercially at all. They get more fruit than they can use themselves. Probably it would be in the interests of the State to root out the old trees in those orchards. They are the breeding ground of fruit fly, and in order to save the owners of those orchards a few paltry shillings the member for Swan would risk the existence of the industry. In any case, the position is that in the Swan electorate there are a few orchards that should receive attention—non-commercial orchards. Therefore I was astonished at the failure of the member for Swan to support a measure which is in the interests of the industry. There are a few orchards in my electorate. Last summer I saw there an orchard with half-a-dozen fig trees on which there was enough fruit fly to infest the whole State. It would have been a good thing if the inspector had ordered those trees to be chopped down. The fruit was not good to eat, being full of fly. In the interests of commercial growers, people only partly in the business should be compelled to get rid of their trees if they do not look after them. I support the Bill.

MR. RAPHAEL (Victoria Park) [5.48]: While desiring partly to support the Bill, I must express the view that it represents only a kind of toying with the fruit fly problem. The backyard orchards are not to be interfered with, as the Minister assured us when introducing the Bill. Despite the filthy condition of the whole of the orchards in the district of the member for Swan, the matter is only being played with; and I would say that it was only being played with if every orchard in the district of the member for Swan and some other districts were

cleaned up. The greatest breeding ground of the fruit fly is in shops and in the backyards of shops. I have seen millions of the pest in the backyards of some shopkeepers. When the matter was first raised here, I gave that information and said there should be some regulation to prevent the breeding of fruit fly in those places.

Mr. Sampson: All caused by the bad fruit thrown out.

Mr. RAPHAEL: The Perth City Council has only a small number of inspectors. I believe there is only one for the whole of the Victoria Park area. He gets round about every six months, I think. There are continual complaints about the rubbish and other services; but in the backyards of some shopkeepers during summer there are absolutely millions of fruit flies. Fruit is thrown out and left to rot in backyards for weeks at a time. The position will become worse because the restriction on petrol has prevented some pig keepers from making the same number of calls for bad fruit from shops.

Mr. SPEAKER: Order! There is nothing in the Bill about shops or backyards. The Bill deals only with orchards and registration of orchards.

Mr. RAPHAEL: I am dealing with fruit fly.

Mr. SPEAKER: The hon. member is not entitled to discuss shops and backyards.

Mr. RAPHAEL: Without in any way disagreeing to your ruling, Sir, I take it that the Bill is for the specific purpose of curtailing the breeding grounds of fruit fly.

Mr. SPEAKER: The Bill is for the registration of orchards, and has nothing at all to do with shops.

Mr. RAPHAEL: I take it the object of the Bill is to curtail the breeding grounds of fruit fly. Otherwise the question of registration of orchards would not come up. The chief areas in which the pest breeds are those on which rotten fruit is deposited.

Mr. SPEAKER: I have told the hon. member that he is not in order in talking about shops.

Mr. RAPHAEL: I was talking about rotten fruit, Mr. Speaker. Orchards have been mentioned as breeding grounds for flies. I wish to go one step further and to deal with the Apple and Pear Board from the aspect of fruit that remains for months in sheds on the orchards. I had the privilege

of being shown tons of apples that were lying rotting in orchards, because the Apple and Pear Board would not allow consumers to purchase them at reasonable prices. Orphanages and other institutions were not allowed to obtain them.

Fruit was allowed to rot in various stores, which became great breeding grounds for the fly. When orchards through not being able to sell are obliged to hold their fruit for months, it rots. What is the use of registering orchards for the purpose of seeing that the bait is placed under the trees while fruit is rotting in the sheds? The Bill has my support, but I do not think it goes far enough. Further, I consider that the people of this State, and of other States of the Commonwealth, are not getting a fair deal as regards the quantity of fruit they are allowed to obtain with their very limited purchasing power.

HON. C. G. LATHAM (York) [5.54]: I have listened attentively to the debate. The Bill is really a measure to reduce the tax placed on fruitgrowers for the purpose of eradicating fruit fly. There is a certain amount of commonsense in the statements made by the member for Swan (Mr. Sampson), although probably he went a long way around to tell the story. Sectional taxation is wrong. The fruitgrowers did not bring the fruit fly to this State. Therefore the eradication of the pest should be a national task and not one for the industry alone. The fruitgrower thinks that by a community attempt the pest may be controlled. If we are going to impose sectional taxes for everything, we shall presently have a tax to eradicate blowflies. I am not sure that it is wise for people to run to the Government and ask it to impose taxation. Probably the request was the result of despair. However, the growers appear to believe that a community effort would be much more effective than an individual effort. Accordingly I shall not oppose the Bill, since at the moment I do not know any other way of helping them.

With fruit fly it is as with rabbits: One man destroys them, and the man on the next property does nothing to destroy them. I want the House to realise that we shall not eradicate the fly. I am not prepared to admit that it will ever be extirpated. The quondong in the bush is alive with them. Again, at Geraldton there is

the African box thorn, which provides an excellent breeding ground for the fly. When at Geraldton recently I noticed that the bush was spreading. It can spread along the coast. Luckily for us, we have no sparrows here. If we had, probably the whole coast would be covered with African box thorn, which is a wonderful host for the fruit fly. The Apple of Sodom is probably the worst harbourage for the insects. The greatest trouble is the fruit growing in the bush in native condition.

Mr. SPEAKER: There is nothing in the Bill about fruit growing in the bush. The hon. member complained about another member approaching the Bill in a round-about fashion.

Hon. C. G. LATHAM: I am talking about the imposition of taxation.

Mr. SPEAKER: The hon. member was talking about fruit fly in the wild bush, and there is nothing in the Bill about the wild bush. I must ask the hon. member to keep to the Bill and not go by a roundabout way.

Hon. C. G. LATHAM: Is not the tax for the purpose of eradicating the fruit fly?

Mr. SPEAKER: The Bill is for the purpose of imposing a tax, as the hon. member explained when he rose.

Hon. C. G. LATHAM: You will permit me, Mr. Speaker, to say what the Bill is for. It is not easy to do that. The fruit fly is to be found in almost every street of the city. Are we going to extend the tax to all those places? If we are, then let us do it at once. There is the reason why I say it is not wise to have sectional taxation. The proposed tax is sectional taxation. At the same time it is far better for us to have a tax imposed if it is going to control the fly and prevent it from spreading through the South-West, where there is now very little of the pest. It does affect all fruit, and particularly in the warmer climates. I do not know whether I am in order in discussing fruit fly at all, following your ruling, Mr. Speaker, but I want to make it clear that so far as I can see the districts most subject to the pest are those with warmer climates. I would not be surprised to find that at some time the tomatoes at Geraldton will be affected, if they are not already attacked.

Mr. SPEAKER: Tomatoes do not come under the heading of "orchards."

Hon. C. G. LATHAM: Tomatoes may harbour the fly.

Mr. SPEAKER: I cannot help that. I must ask the hon. member to confine his remarks to the Bill.

Hon. C. G. LATHAM: I will obey your ruling, Sir.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—FACTORIES AND SHOPS ACT AMENDMENT.

In Committee.

Mr. Marshall in the Chair; the Minister for Labour in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 4 of the principal Act:

Mr. McDONALD: At present, Section 4 enumerates, in the definition of "factory," eight kinds of industry. It is now proposed to include the ninth industry of paint manufacture. This will involve a consequential amendment in the definition of "factory," because the home factory is exempt by the definition in the case of those eight classes of manufactures. In increasing the eight classes to nine, we need to alter the figure "8" to "9" in the definition of "factory" in order that in the case of home manufactures the whole nine may be exempt from the terms of the Act. I move an amendment—

That the following subparagraph be added to paragraph (a):—" (iii) by deleting the figure '8' in paragraph (f) of the definition of 'factory' and substituting the figure '9.' "

The MINISTER FOR LABOUR: This amendment is necessary, and I propose to support it.

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

Clause 3—agreed to.

Clause 4—Amendment of Section 28:

Mr. McDONALD: This is the most important section of the Bill, from my point of view, because it proposes to reduce the permissible statutory hours of work in factories from 48 to 44. This is the alteration in our factories legislation that appears to me to be unseasonable, because it happens to be suggested in a time of war, in what Mr. Beasley of the Federal Government described the

other day as "Australia's critical hour." If we amend this legislation in this way, we say that it is the policy of Parliament that in this time of war hours should be reduced, and, as I previously said, the alteration would not in the circumstances be in the best interests of our war effort.

I feel so strongly about this matter that I want to say a few extra words about it. The Minister, in replying to the second reading debate, said that there were 1,400 people in the metropolitan area who were not covered by awards and who needed protection. They have that protection, because we are not abolishing the Factories and Shops Act. They have protection so far as the 48-hour week is concerned. It is material at this critical stage in our affairs, that we should do nothing to lead to misapprehension on the part of people of this State. We should not lead them to think that easier times have come and hours may be reduced when as a matter of fact the opposite is the case. I appreciate that when the war is over the inevitable and proper trend will be towards shorter hours.

No doubt the time will come when less than 44 hours per week will be the rule, when 40 hours, and even less, will be worked. The Minister said that it was reactionary to oppose this amendment to the Act. If that is so, then I am speaking in company with a good many other reactionaries. I propose to quote statements that have been made by leaders in different parts about the hours that should be worked. On the very day the Minister last spoke—the 14th November—Mr. James Griffiths, a Labour member of the House of Commons, said—

The workers have not complained of over-work, but want to do more work.

Mr. Churchill, also speaking last week in the House of Commons, said—

We are going to make a job of this war, and those working on the job have got to have their strength fully maintained, because although much has been asked of them already, we are going to ask more as the struggle deepens.

Mr. Forde, the Minister for the Army, speaking last week, appealed to the people not to let down the enthusiastic men of the A.I.F., and said that they are being let down—

... unless their fellow-countrymen are driving the war effort ~~hard~~ until their very sinews crack.

Speaking a few days ago, Mr. Curtin, the Prime Minister, said—

People at home . . . were asked to work harder and even longer.

Those are some other reactionaries who have been speaking about conditions today. I do not think there is any country in the world which is bringing down legislation to shorten the permissible hours of work in factories. There may be isolated instances where, to meet particular requirements, some variation of hours may be made, but I do not know of any other country, nor can I imagine there would be any that would introduce a measure to shorten generally the hours of work in factories in this time of war, and tell its people that this is an opportune time for a reduction of the standard hours when they are engaged in a struggle for their very existence. I ask the Minister to consider the views of other leaders of different countries and to avoid conveying to our people what, to my mind, will be a very tragic misconception of the real position they have to face today.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. McDONALD: We have to view this proposal as a national matter. The Government is using every endeavour to forward the war effort, and we must consider whether in legislating for reduced working hours at this particular time we shall not run the risk of hindering rather than assisting that effort. Whatever may be the merits of this proposal in normal times, at this hour of unprecedented crisis we are compelled to regard this and so many other matters from a different standpoint. I feel that if the Legislature proceeds to reduce the standard weekly hours of work in factories, it will say in effect that the time has come for easy working hours. If that is the position, we can hardly reconcile such an attitude with the appeal of the Minister for the Army (Mr. Forde) that all people must work until their sinews crack, nor yet with the appeal of the Prime Minister of Australia (Mr. Curtin) who said that at this time of crisis the people had to work harder and longer. If we desire, as I am sure the Government does, to back up the appeals from the leaders of the nation we may create a false impression by agreeing to a proposal to reduce the weekly hours of work.

Mr. W. HEGNEY: The member for West Perth has introduced no fresh or sounder arguments against the proposed reduction in weekly working hours than he propounded during his second reading speech when the crux of his argument was that the time was inopportune for the introduction of any reform in connection with the working week. That argument has always been advanced in the past, and I am convinced that arguments similar to those advanced by the National Government after the 1914-18 war, when decreased wages and increased hours were urged as necessary, will again be heard when the present hostilities have ceased. The member for West Perth said that the leaders of the nation had made an appeal to the workers to give of their utmost in connection with the war effort. The workers are doing so and all the Bill seeks to achieve is to place men who have to work 48 hours a week on a basis similar to that enjoyed by workers in the Eastern States to whom the appeals were directed. I am safe in saying that 98 per cent. of the men engaged in war industries operate on the 44-hour week basis, in addition to which that working week is also enjoyed by practically every worker in factories that are governed by Arbitration Court awards.

With improved machinery and other aids to increased production, this question must be looked at from a broader angle. Leaders of all political parties have made statements regarding the new social order that is to dawn, and have said that never again must workers be subject to unemployment or harsh conditions. The opposition shown to the proposal in the Bill must be regarded by the workers as an indication that in the future they will have to fight as strenuously as in former years for any reform they may desire. The Bill seeks to apply a principle that has been laid down by the Arbitration Court for years past, so that it possesses no revolutionary characteristics. At present women and lads under 16 years of age are not allowed to work more than 44 hours a week and the Bill merely seeks to apply that principle to all workers. I support the clause.

The MINISTER FOR LABOUR: I do not know just what impression the speech of the member for West Perth left with members. To me it was that endorsement of the proposed amendment would prevent

any worker in any factory from working more than 44 hours in one week.

Mr. McDonald: I did not suggest that.

The MINISTER FOR LABOUR: Unless that is so, the reasoning of the hon. member loses most of its strength. It was suggested that the Prime Minister of Australia and the Minister for the Army, as well as the Prime Minister of Great Britain would be opposed to the amendment under discussion, but does any hon. member seriously think that the Prime Minister of Australia or the Minister for the Army would oppose it? Can any member name one war industry in which the maximum working hours per week are more than 44? The principal Act at present provides that female workers and boys under 16 years of age shall not work in a factory for more than 44 hours in any one week except under the overtime provisions. The Act allows males over 16 years of age to work a maximum of 48 hours a week; but male employees may be worked 60 hours a week provided they are paid the overtime rates prescribed in the Act for all work done in excess of 48 hours in any one week.

If the amendment be agreed to, the maximum working week in a factory will be 44 hours. That will not mean that no male worker over 16 years of age can not be worked for 60 hours a week provided he is paid the prescribed overtime rates. Therefore the acceptance of the amendment would not interfere in any shape or form with the volume of the work to be done in any factory, but will merely lay down that the maximum working hours per week at ordinary rates of pay shall be 44 and any work done in excess of that period shall be paid for at overtime rates, which are $1\frac{1}{4}$ times the ordinary rate for the first two hours and $1\frac{1}{2}$ times the ordinary rate thereafter. Workers are not legally entitled to receive more than the basic wage for work they do in factories. That means that for 44 hours in every week, if the amendment is accepted, the workers will be entitled to receive only the basic wage for the work done during those hours. For the first two hours of overtime they will be entitled to receive $1\frac{1}{4}$ times the ordinary basic wage; and for all hours worked after that by way of overtime they will be entitled to receive $1\frac{1}{2}$ times the basic wage.

Is that granting to these workers something to which they are not entitled? Is that ask-

ing Parliament to do something unreasonable? Is that likely to interfere in the slightest degree with our war effort? I do not know of one factory in the State, the workers of which are covered by the Factories and Shops Act in respect of wages and working conditions, that is doing anything in the way of production of war materials. I doubt if one exists. All our factories and workshops that are engaged in the production of war materials or are likely to be so engaged come under their own awards or industrial agreements. I have a list of all the factories in the metropolitan area that come under the Factories and Shops Act in respect of the wages and conditions to be granted to employees working in them. I have carefully looked through it and cannot find one that is producing anything that could be remotely regarded as associated with war material. The case put forward by the member for West Perth is not appropriate to the amendment we are discussing or to any part of the Bill.

All that the amendment seeks to do is to see that the maximum number of hours to be worked in any week by male workers employed in a factory covered by the Factories and Shops Act in relation to wages and working conditions shall be 44. The hours worked in excess of 44 per week by the male employees shall come under the overtime provisions of the Act and be paid for at the overtime rates set out in that legislation. All the men engaged in our factories and workshops in which war materials are being produced are enjoying the 44-hour week, and have been doing so for years. They also enjoy a much higher rate of pay than do the workers in factories covered only by the provisions of the Factories and Shops Act.

Mr. Abbott: Many workers are working a 48-hour week.

The MINISTER FOR LABOUR: Ministers of the Crown and members of Parliament, for instance.

Mr. Abbott: Why do not you bring down a Bill to provide that all workers shall work 48 hours a week?

The MINISTER FOR LABOUR: We are not in favour of that.

Mr. Abbott: Why pick on this particular section?

The MINISTER FOR LABOUR: I am not surprised to hear that the hon. member is in favour of such a proposal; it is in

line with most of his ideas about the hours that workers should be compelled to work and the wages they should receive.

Mr. Abbott: You know what my ideas are? Everyone should be on an equal basis.

The MINISTER FOR LABOUR: We know the difficulties of bringing that about. Here is an opportunity for the hon. member to say what he is prepared to do about these particular workers.

Mr. Abbott: It ought to be a matter for the Arbitration Court, and the least number of hours possible should be worked.

The MINISTER FOR LABOUR: Let the hon. member say yes or no to this amendment. It is no use his trying to dodge the issue. We are aiming to do something to bring these workers into line, to some small extent, with workers employed in factories and workshops that are covered by their own awards or industrial agreements. We are following to some extent the lead set by the Arbitration Court, and are not, as has been suggested, giving a lead to the court. This amendment will not place these workers on a basis comparable with those in other factories that come under the jurisdiction of the court. It will give them a maximum working week of 44 hours, but no margin for skill and not the overtime rates that court awards and industrial agreements may give the workers in other occupations. The amendment will not interfere in any way with the war effort, but it will give the workers concerned a uniform maximum working week such as is provided for in awards and industrial agreements.

Factories and workshops covered by the Factories and Shops Act are entitled to be brought reasonably into line with other factories and workshops that are covered by court awards or industrial agreements. If we were to provide for something in advance of the uniform standard set by the court, there would probably be strength in the case advanced by the member for West Perth. If we were to provide for a maximum working week of 40 hours for the employees concerned I could understand the opposition to the proposal. If we were to provide that more than the basic wage should be paid to the male workers concerned I could better comprehend the opposition to the clause. The amendment would not prevent an employer from work-

ing his employees up to 52 hours a week. There is every justification for supporting it.

Hon. C. G. LATHAM: The member for West Perth has made an important point, namely, that the 48-hour week has been going on for a long time.

The Minister for Labour: It was general in industry at one time.

Hon. C. G. LATHAM: I know that the court has reduced the hours of labour in many industries. Is this an opportune time to make the proposed change? What is the reason for it? Today nearly all our engineering works employees are working overtime, and the extra cost of that has to be met, and is being met by the Commonwealth Government.

The Minister for Labour: That is not so in the case of the factories with which we are now dealing.

Hon. C. G. LATHAM: The engineering works employ their men 44 hours a week according to the Federal Arbitration Court awards. The position today is a desperate one. Our men oversea are working far more than 44 hours a week. We who are left behind in peaceful surroundings ought to work as hard as we can. We should if possible release some of our men to assist those who have already gone to fight for us. Those who are in the front line have a far more strenuous job to do than we have.

The Minister for Labour: There are 1,400 factory employees in the metropolitan area who come under the Factories and Shops Act.

Mr. McDonald: How many people would be affected by this Bill?

The Minister for Labour: All the women, and boys under 16 have a maximum working week of 44 hours already.

Mr. McDonald: How many men will come down in working hours as a result of this Bill?

The Minister for Labour: Not many.

Hon. C. G. LATHAM: Probably 1,000 or so. They may not be engaged in work that would warrant their employment after the ordinary hours. The policy of Labour throughout Australia is for 40 hours per week, though that may be suspended during the war period.

Mr. J. Hegney: That applies also to America.

Hon. C. G. LATHAM: What concerns me is that, while so many of our own people

are out of employment, we are purchasing goods imported from the Eastern States that ought to be manufactured here. That aspect must receive consideration. Recently many of our tradesmen migrated to the Eastern States; probably they will not return, but will marry and settle there. Our workers should get the best conditions possible, but the sacrifice at the moment should be spread as evenly as possible. Long hours of work, within reason, do not affect anyone, either mentally or physically. At present wages are higher, but their purchasing power is less. I suggest to members that they visit the picture "Love on the Dole," as that will bring home to them what poverty really means.

The Minister for Justice: Did you see those conditions yourself?

Hon. C. G. LATHAM: I know what they are. I suffered in my younger days.

The CHAIRMAN: The hon. member had better get back to the amendment.

Hon. C. G. LATHAM: Yes, shorter hours and more pay! I hope this proposed legislation is not brought forward because an election is pending. I am sorry it has been introduced; it should be brought forward after peace has been declared. As General Blamey said, we are living in a fool's paradise, in a world of make-believe. It is not my desire that these workers should be placed at a disadvantage compared with other workers, but the question is whether the time is opportune or not.

Mr. NEEDHAM: The speeches made by the members for West Perth and North Perth leave an impression on my mind that they, perhaps unwittingly and unintentionally, are reflecting upon the workers of this State.

Mr. McDonald: No!

Mr. NEEDHAM: The member for West Perth has repeated what he said at the second reading stage, that the time is not opportune. I remind the Committee that the 44-hour working week is now practically the maximum working week throughout the Commonwealth. During the past two years, our workers have done a wonderful job.

Hon. C. G. Latham: Have we done the best we can?

Mr. NEEDHAM: Our workers have done a wonderful job, especially in view of the fact that for the past two years they have been engaged in the manufacture of munitions, work which they had never seen previously. Yet the speeches of the Leader of

the Opposition and the Leader of the National Party would suggest to outsiders that our workers are not doing their best.

Mr. McDonald: No, they would not suggest that.

Mr. NEEDHAM: The Leader of the Opposition referred to the hours that the men overseas are working. He said they were perhaps working more than 48 hours per week.

Hon. C. G. Latham: Without relief!

Mr. NEEDHAM: But there is no analogy between the man overseas and the men making the equipment for him. Workers in munition factories for the past two years have been working 50 to 60 hours per week regularly.

Hon. C. G. Latham: I have worked longer than that on a farm, clearing, navvying and lumping wheat, and I am none the worse for it.

Mr. NEEDHAM: I know the hon. member has been a hard-working man, but I would rather work 50 hours a week on a farm than 40 hours in a factory making munitions.

Hon. C. G. Latham: I know nothing about that.

Mr. NEEDHAM: No one can convince me that a man will, in a 48-hour week, turn out better work than he can turn out in a 44-hour week. The hon. member knows that.

Hon. C. G. Latham: I can do more work in 48 hours than in 44.

Mr. NEEDHAM: I venture to say the hon. member cannot. That has been proved beyond a shadow of doubt. The members to whom I have referred also said that they wanted the workers to have the best conditions, but they added the usual words, "Now is not the time." These responsible public leaders should coin a new phrase. The one they use has been in existence for well over 50 years. Surely we should move with the times.

Mr. FOX: I am not surprised at the arguments put forward by members opposite, as those arguments have been used ever since trade unions were formed.

Mr. McDonald: I am not as old as that.

Mr. FOX: The same argument was adduced by those who preceded the hon. member. At one time Australia prided itself on being further in advance in this class of legislation than was any other country in the world, but we are falling behind now. When the bricklayers shortly after the

Eureka Stockade in Ballarat demanded a 44-hour working week, it was conceded to them. Some of those men would turn in their graves if they could hear the debate taking place here tonight. And the Eureka Stockade took place about 87 years ago! Before the war, the tendency all over the world was to shorten the working week. Had the war not broken out, the chances are that we would now be considering a 38 or a 40-hour working week in Australia. In some industries England has had a 30-hour week and in others a 33 or 34-hour working week.

Mr. Thorn: Why?

Mr. FOX: Because of the introduction of machinery. How are we to establish a new order unless we have shorter working hours? We are trying to give to the weakest section of unionists in Western Australia the opportunity to work 44 hours per week, and that not under conditions as good as those provided by Arbitration Court awards. They are to be paid time and a quarter after the first two hours and time and a half thereafter. Many awards provide that workers shall be paid double rates if they work through the meal hour. We are not giving a great deal to the workers who will be affected by this legislation. I know what would happen in the case of a strong union.

Hon. C. G. Latham: It would go to the Arbitration Court.

Mr. FOX: This does not prevent such long hours as the employers desire being worked. They can work 10 or 11 hours a day. We ask that anything beyond 44 hours should be regarded as overtime.

Hon. C. G. LATHAM: The Minister presented his case very well, but a reply is demanded to the remarks of the member for Perth and the member for South Fremantle. Do they want us to vie with each other on the question of hours of labour? The Labour members in this Chamber have objected to Parliament fixing the hours of labour because, they said, it was dangerous.

Mr. J. Hegney: Who said that?

Hon. C. G. LATHAM: Labour members, and it is a grave danger and one we do not want developed.

The Minister for Labour: This is the only way to fix hours for these workers.

Hon. C. G. LATHAM: They can join a union and go to the Arbitration Court.

The Minister for Labour: No.

Hon. C. G. LATHAM: They can form a union. Only recently the Australian Work-

ers' Union was registered at the Arbitration Court after having tried year after year.

Mr. Fox: You opposed it.

Hon. C. G. LATHAM: I had nothing to do with it. Luckily for me, I was a worker and a trade unionist. I have never objected to trade unionism; I am a unionist today.

The CHAIRMAN: Order! There is far too much noise.

Hon. C. G. LATHAM: It is a very grave danger which we should avert if possible.

Mr. Fox: A danger of what?

Hon. C. G. LATHAM: Of our all going out on the hustings and advocating a 40-hour week!

The CHAIRMAN: I want the Leader of the Opposition to keep to the question, which has nothing to do with elections and going out on the hustings. The question before the Chair is Clause 4.

Hon. C. G. LATHAM: It deals with hours of labour.

The CHAIRMAN: Order! I am not going to keep on calling for order.

Hon. C. G. LATHAM: I hope we will not deal with this question from that angle. With most workers it is not a question of 44 hours or 48 hours. They like piece-work and, as the Minister said, they get paid for it. What is there ahead of them on an hourly wage? They are workers all their lives. Most Australians are ambitious enough to want to improve their lot.

Mr. Fox: They are workers all their lives, whatever comes or goes.

Hon. C. G. LATHAM: No. We are anxious to see that a worker has an opportunity to improve his lot.

Mr. Fox: He will never improve it out of wages.

Hon. C. G. LATHAM: What have we done with many of our workers in the last five to seven years? What have been the hours of part-time labour?

Mr. Fox: Forty-four.

The CHAIRMAN: This discussion is wide of the subject. The clause deals only with certain factory workers. I have allowed a lot of latitude. I ask members not to abuse the generosity I have displayed. There is far too much wandering from the subject-matter of Clause 4, to which members will confine their remarks.

Hon. C. G. LATHAM: I appreciate your generosity, Sir. I am sorry the argument took the turn it did, because the Minister's case was very well put up. He introduced

no side-issues, and neither would I, had it not been for some other members.

The MINISTER FOR MINES: The Leader of the Opposition will admit that even since he has been in the Chamber this Act has been amended from time to time. The original Act provided for 56 hours. That was reduced to 52 hours in 1921. The hon. member's party, which was then on this side of the House, introduced legislation providing for 48 hours for men. It was amended in the Legislative Council, of which I was then a member, to provide for 44 hours in the case of women and boys. This Act, like other similar Acts, has followed the general trend over the years, and that is what is happening now. The Minister has introduced this Bill further to reduce hours in the case of the remaining workers under the Factories and Shops Act. The Leader of the Opposition said they could join a union, but these people are principally girls, women and lads under 16 years of age, of which there are about 300. They are spread over numerous factories in ones, twos, threes and fours, and have not much opportunity to join an organisation. The Arbitration Act provides for "industry," and these people are spread over various factories.

Hon. C. G. Latham: They could come under the Australian Workers' Union.

The MINISTER FOR MINES: No. Its registration is limited. It did not get a general registration under which it could embrace everybody. I hope the clause is agreed to.

Mr. HUGHES: I move an amendment—

That in line 3 of paragraph (a), the word "four" be struck out.

It will not make much difference to the war effort, in connection with which I do not think there is any shortage of labour. A firm recently advertised for men to engage in labouring work, and it received 60 applications for 12 jobs. That indicates that there is no shortage of labour in Australia at present. If it were necessary to absorb into war industries a number of people who are not at present employed, that could be done if they were given a short course of training. I disagree with members who reject the proposition because the time is not ripe. The time is always ripe to improve conditions and, curiously enough, war periods produce a tremendous scientific advancement. The world will

be a much more scientific place after the war than before it. We get periods of intense progress in mechanical knowledge and the application of mechanics during a war.

Hon. C. G. Latham: So many people are engaged in it.

Mr. HUGHES: Yes. I would like somebody to explain why it is that we can only get progress during wartime. Why cannot we have it in peacetime? The conclusion I arrive at is that the only thing which will motivate humans is fear. We are urged forward by the power of fear during war, and as soon as it is removed, we stagnate. I am happy to have the opportunity to lead the vanguard in the matter of reduced hours in this State. People who stick to the archaic idea of 48 hours are troglodytes and reactionaries. The 44-hour week was not established in Western Australia through the efforts of members sitting on the other side of the House, but because of the iron-workers' strike in 1922 in which only one or two of those members took part. Apparently the Minister is satisfied this amendment will not prejudice the war effort.

The Minister for Labour: It will prejudice the Bill.

Mr. HUGHES: Is the Minister bound so hard and fast to the principle of long hours that he will withdraw the Bill if we make this 40 hours instead of 44?

The Minister for Mines: I do not like it expressed that way.

Mr. HUGHES: What principally urged me to move this amendment was the speech of the Minister for Mines, who said that this Chamber had previously brought forward a Bill providing for 48 hours. That was sent to another place, of which he was then a member, which reduced the 48 to 44 in the case of women and boys. What ground is there to say that place will not act the same way now that the Minister is not there? Surely his influence will remain.

The MINISTER FOR LABOUR: I would like to accept the reason given by the member for East Perth for moving this amendment. I am inclined to think he brought it forward because of an altogether different reason which I need not mention. The 44-hour week is the general standard established by the Court of Arbitration, and the Bill follows that standard. We are entitled to go that far. I am anxious to have

the Bill passed so that the workers concerned shall be given the 44-hour week. If we reduce the maximum to 40 hours, I can see the Bill going out at the first reading in another place and these workers being compelled to continue the 48-hour week. We should be as practical as possible in the matter by endeavouring to secure results, and not take a step that will bring to us the mortification of seeing the Bill thrown out by another place without consideration.

Mr. Berry: If you ask for 40, you might get 44.

The MINISTER FOR LABOUR: If the hon. member studied another place, he would probably alter his views. I do not want to goad another place into throwing out the Bill without consideration, thus leaving these workers on the 48-hour week at the ordinary rate of pay.

Mr. HUGHES: To say that we should abrogate our functions as a legislative Chamber and model our actions to fit in with what another place might do is a curious argument. When we sent up the Money Lenders Bill providing for 20 per cent. interest, another place made it 15 per cent. If we provide for a 40-hour week, I cannot imagine another place refusing to consider the Bill. I would solve the differences between the two Chambers by amending the Constitution along the lines of the Bill I introduced, but this Chamber would not accept it.

The CHAIRMAN: The hon. member cannot pursue that subject on this amendment.

Mr. HUGHES: To say that if we proposed a 40-hour week another place would refuse to consider the Bill is hardly fair to that Chamber. There is no guarantee that another place will pass the Bill with provision for a 44-hour week. If we ask for a 40-hour week it might agree to 44 hours and would have the satisfaction of having made some amendment. We shall never get a 40-hour week if we do not ask for it.

Mr. Styants: Why not make it 35?

Mr. HUGHES: Let the hon. member move an amendment to that effect.

Mr. Styants: I do not want to see the Bill lost.

Mr. HUGHES: Many people work only five days a week. If we are going to take a step forward, we should give a lead by

reducing the provision for the working week to one of 40 hours.

The Premier: Will you guarantee to get all the members on your side of the Chamber to vote for the amendment?

Mr. HUGHES: I cannot do so. I have found some of them very unreliable. I am against giving guarantees of any sort because they generally recoil on the giver. Members on this side are sincerely in favour of reducing the hours of labour and improving the conditions of the workers. When I first entered Parliament, I thought all the radicals sat on one side and all the conservatives on the other, but I was disillusioned. I found—

The CHAIRMAN: The hon. member cannot proceed on those lines. The amendment has nothing to do with parties or politicians.

Mr. HUGHES: Let us put the acid on members and see whether they will vote for the 40-hour week.

Mr. BERRY: I agree with the member for East Perth.

Hon. C. G. Latham: One convert, anyhow!

Mr. BERRY: I am not a convert; I have had this in mind for years.

Hon. C. G. Latham: Then the hon. member has one supporter.

Mr. BERRY: If people worked eight hours a day on five days a week, I think everyone would benefit. What could be better for the health of the community than for everyone to cease work on Friday night? The time is coming when the working week will be less than 40 hours. I do not think the proposal would interfere with the war effort.

Mrs. CARDELL-OLIVER: I support the amendment. If people work five days a week honestly and well, it is quite enough. They could then have recreation on Saturday and perhaps would attend church on Sunday. The trouble is they are utilising Sunday as a day of recreation instead of observing it as a holy day.

Hon. C. G. Latham: A lot of people do not work on Saturday now and do not go to church on Sunday.

Mrs. CARDELL-OLIVER: Well, they should go to church. Hours will be reduced whether we like it or not. I hope to see a working week of less than 40 hours.

Mr. J. HEGNEY: The best thing we can do is to get the 44-hour week, after which

the Government could introduce a Bill to provide for a 40-hour week throughout the State. Then we could test the question whether the member for Subiaco, who is a member of a party pledged to oppose a reduction of hours, is genuine. Her statement was hypocritical.

Mrs. Cardell-Oliver: I object to that statement.

The CHAIRMAN: Order! The hon. member must not cast reflections.

Mr. J. HEGNEY: I withdraw the statement. Her party has repeatedly opposed a reduction of hours during the last 25 years. Industrial action has reduced the hours. I believe in a 40-hour week, and regard it as long overdue in Australia; but there is not a chance of accomplishing it by this Bill. It would have no chance in another place. Our course is clear. We are trying to legislate for people who have worked longer hours under the Factories and Shops Act. The Labour Party's aim is to achieve a 40-hour week for all the workers in the Commonwealth.

Mr. THORN: We should steer a middle course and accept the 44-hour week. The member for Middle Swan did not work 44 hours a week when he was in the Midland Junction Workshops, for he used to go to sleep on his boiler.

The CHAIRMAN: Order! I am tired of calling for order. This debate is becoming highly disorderly. Reflections and innuendoes are altogether outside decorum. I ask members to confine themselves to the subject before the Chair. I shall take action in the case of any member who continues to evade my instructions. I give that as a final warning.

Mr. THORN: The Minister has made an honest attempt to improve the conditions of workers in shops and factories. I agree with him that amendments are being moved which will bring about opposition to the measure when it reaches another place. If we are desirous to improve the conditions of the workers let us accept the clause as it now stands.

The MINISTER FOR LABOUR: The member for Subiaco has compromised her leader. Workers who go to the Arbitration Court for awards or to have industrial agreements made put forward some efforts themselves. They organised themselves into trade unions, and put in certain moneys for the purpose of having a case presented to the

court. The best they have been able to obtain as a maximum working week is 44 hours. The Bill proposes to do as much for certain unorganised workers. I hope we will do the practical thing for those workers and pass the clause as it stands.

Mr. McDONALD: I shall not vote for the amendment of the member for East Perth. My action is based upon the position in which this country now stands. To carry the amendment is to convey to the people the wrong impression that easier times can now be expected. To reduce the hours at all may convey that impression. I must oppose a reduction to 40 hours still more strongly than I oppose the reduction to 44.

Mr. HUGHES: I do not believe a reduction of hours from 48 to 44 or from 44 to 40 will in any shape or form interfere with Australia's war efforts. I do not think any of these factories is engaged either directly or indirectly in the manufacture of any commodity used in war. If the Minister can assure me that there is one of these factories engaged in the war effort, I shall withdraw my amendment. Many factories are engaged in the production of luxuries.

Hon. N. Keenan: What are luxuries?

Mr. HUGHES: Things which the hon. member enjoys and I do not. The member for West Perth has the perspective in reverse order. The psychological effect of giving the people a 40-hour week in war time would be quite different from that feared by him. It would encourage the people. The effect would not be in any way detrimental. Is it suggested that if we gave a small number of factory workers in Western Australia the 40-hour week, somebody in an ammunition factory would decide to do less work? It would not make any difference at all. Therefore I think the opposition of the member for West Perth to my amendment on psychological grounds is ill-founded.

I was surprised at the speech of the member for Middle Swan. I can remember when we were fighting in the 1922 strike for a 44-hour week for iron trade workers, a fight in which he took a prominent part. He spoke then in just the reverse strain from that in which he addressed the Committee tonight. What he suggested tonight was suggested by others then. Do not try to get a 44-hour week for a section of the workers; wait until a 44-hour week can be secured for the whole of the workers! The answer the hon. member made on that occa-

sion was that the sensible thing to do was to advance the line and when a spearhead of advance had been accomplished to bring other sections up to it. The result was that a 44-hour week was established for the iron trade workers and bit by bit the Arbitration Court fell into line. It never led the way with reduced hours in this State.

Mr. J. Hegney. There is a difference between the workers we are dealing with tonight and the iron workers. The iron workers had a powerful organisation. This is a weak section.

Mr. HUGHES: That difference supports my argument. In 1922 the iron trade union was a powerful organisation and was able to say to the court, "We are going to have 44 hours whether you like it or not." The union established a 44-hour week by virtue of its strength, but even then it did not accomplish that alone but required the support of other trade unionists. The Minister thinks that we should not ask for a 40-hour week because the Arbitration Court has awarded only a 44-hour week. I am not sure but I think if the Arbitration Court awards and agreements were searched there would be found some instances in which a 40-hour week had been granted. If we are going to take the responsibility of fixing hours why should we be bound by the court which has only fallen into line after powerful unions have established their rights by striking?

The Premier: They did not do that either; the Government gave a 44-hour week.

Mr. HUGHES: There was no 44-hour week until 1922, when the iron trade union established it by virtue of strikes. The Government established a 44-hour week in 1924 or 1925 for Government employees. Then the Arbitration Court came into line. Now is the time to give the court a further lead. The time has arrived when, in view of the state of scientific knowledge, a five-day week of eight hours is sufficient for anybody to work. There are very few people in the world today, except in Oriental countries, who do not agree with that. If cows have to be milked seven days a week, they are in no different a position from the trams which have to be run seven days a week.

Mr. McLarty: There is a great difference.

Mr. HUGHES: No, there is not! The tramway men work only 44 hours a week

and it is only a matter of organising the dairying industry to provide that even if cows have to be milked seven days a week, those who milk them shall work only 40 hours. That will come, too! I would like to see at least a 60-hour week for lawyers.

The Premier: Some only work two or three hours a week; they are waiting for clients.

Mr. HUGHES: Well, they have nothing to complain about! I hope the amendment will be agreed to.

The MINISTER FOR WORKS: It is well for us to discover who has been responsible for a reduction of working hours in this country. The member for East Perth referred to a strike in 1922 and led the Committee to believe that it was successful. His memory is bad. That strike failed.

Mr. Hughes: It did not!

The MINISTER FOR WORKS: The iron trade workers went back to work on the 48-hour basis and it was afterwards that the Labour Government, by administrative act, gave a 44-hour week, and it was the only Government in Australia to do so.

Mr. Hughes: To Government employees.

The MINISTER FOR WORKS: Who has been responsible all through for the reduction of hours? Certainly not the party to which the member for Subiaco belongs and the party that the member for East Perth now supports! I have an idea that the National Government used all its power to drive those men back to work after six months under their old conditions and was assisted by the Employers' Federation which has been associated with the National Party all through. They fought the men tooth and nail. We are not going to be bluffed on this occasion by someone who is posing as a "better than thou." Furthermore, the Arbitration Court, which deals with logic and evidence, is not going to be influenced by kite-flying that takes place here. Moreover, when the 40-hour week is established it will not be established by the Legislative Council, which had its opportunity long ago.

An ex-Minister for Labour in this Chamber, the late Mr. McCallum, introduced a Bill to provide for a 44-hour week. It passed through this Chamber but did not become law any more than a measure for a 40-hour week would become law if it were introduced at this stage. The manner in which a 40-hour week will be established will be by

the force of the unions, by their organisation; and this Government has helped more than any other Government in that direction. By administrative act the Labour Government of this State granted a 44-hour week and since then has agreed to a 44-hour week of five days. I think the main reason for that was that it should be the forerunner of a 40-hour week. If a five-day working week is established, it is comparatively simple to provide that only eight hours shall be worked on each of those days, thus establishing a 40-hour week.

The strong unions have been responsible for reducing hours in the past. It took a long while even to establish a 48-hour week and longer to bring about a 44-hour week, which still operates only in part. If I remember aright, the Railway Union, which was working under a 44-hour week when a Labour Government was in office, was later compelled by another Government to accept an agreement under which the men parted with a certain amount of their wages in order to retain that 44-hour week. When I deal with the history of these matters I know what I am talking about, because when the struggle took place I was general secretary at the Trades Hall and the member for East Perth—though he forgets—was engaged for six months in assisting the strike as also was the member for Middle Swan.

Mr. Hughes: Why say "he forgets"?

The MINISTER FOR WORKS: We told the workers to return to work, and if they voted for the Labour Government they would get reduced hours by administrative act. It came about that way. When the water supply workers on the goldfields line went on strike for a 44-hour week, we told them to go back to work, when matters became dangerous and it looked as though the gold mines were to be hung up. Courage is needed to tell men to do that. A trade union leader has to stick up for his men, but sometimes he has to stand up to them, and we did so on that occasion. The late Mr. Munsie and I had to tell the men to go back to work. We pointed out that the great goldmining industry, with the large populations dependent upon it, would be ruined. The men got what they required subsequently—because a Labour Government was in power. They got it in spite of the National Party and the Employers' Federation. Let us understand the position. I am not afraid to vote against the amendment, because it is too

ridiculous for words. We are not too easily bluffed. I know who has been responsible not only in Western Australia but throughout Australia for the effort to secure a reduction of working hours. That objective has never been accomplished in the way now suggested.

If members assert that the Legislative Council, constituted as it is today, is more likely to grant a 40-hour week than is the Arbitration Court with the backing of the trade unions, it is too absurd to contemplate. I am satisfied the reduced working week will be achieved in due course. I set aside the suggestion that the Arbitration Court will be influenced by two or three individuals who are notably and professionally opposed to Labour. That sort of kite-flying will not be of avail. If members try to put the Government in the wrong they will fail miserably. We can stand up against outside misrepresentation, but we shall stick to our guns. When the Government presents a Bill that is a party measure, such as the one under discussion, it sticks to it. There is every prospect of the Legislative Council agreeing to it, for I fail to see how that House could refuse to do so because Labour organisations and union representatives in Parliament have succeeded in practically securing a uniform 44-hour week throughout industry. If we are to achieve our objective we will do so in due course, and it will not be by the vote of the Legislative Council but in spite of the vote and constitution of that House.

Hon. N. KEENAN: We have listened to a superb eulogy of himself, and the party with which he is associated by the Minister for Works.

The Minister for Works: Just plain facts!

Hon. N. KEENAN: It was superb, but I suggest it was a most unfounded eulogy in which every remark was reiterated and ended with the same assertion—"We done it." The same type of matter was used by the member for Middle Swan, who entirely forgot that the Minister for Mines reminded the Committee that the Act was amended in 1922 when the hours of labour were reduced from 52 to 48. By what means?

Mr. Withers: Not by the Government but by the court!

Hon. N. KEENAN: No, by a Bill introduced here. The intelligence of the member for Bunbury may be strange, but surely he can grasp that fact! The member for

Middle Swan forgot that, or, if he did not, he deliberately ignored the fact. I candidly admit that every member of the Opposition desires to serve the best interests of the workers. The Government members have no right to assume that they are the only people possessed of that desire. I am reminded of the classic American song in which the words occur "You Cannot Be Like Us." There are hundreds of people in the world who are just as good-intentioned as is any member sitting on the Treasury bench, and just as much desirous of serving the best interests of the workers.

Mr. J. Hegney: The organisations behind Ministers do not hold that opinion.

Mr. Fox: This should be a paradise.

Hon. N. KEENAN: That may be an astounding fact to gentlemen of the type of the member for Middle Swan whose memory is so defective.

Mr. J. Hegney: My memory is all right, mister!

Hon. N. KEENAN: The point the member for West Perth made was not as to whether it was desirable to make the hours of labour as short as possible and conditions as favourable as possible, but whether any such attempt would be misunderstood at present. I wonder whether the member for Middle Swan recognises that in Russia the working week has been increased to seven days since the German invasion. That is naturally quite proper because the Russians are fighting for their lives. The same lesson may unfortunately have to be learnt by Australians. The point made by the member for West Perth was that this is no time to enable those who are always looking for the opportunity to misconstrue our actions, to make use of the statement that Australia is slackening in her war effort. He made no reference to the advisability or otherwise of improving conditions and wages but questioned whether at the present moment of crisis such a course would not be misunderstood. I am afraid we do not quite recognise what may happen should a certain Asiatic power enter the war. Some disaster is likely to occur, for war is full of disasters. In such an event we may have to learn to face the problem from a different angle. That is the only point raised by the member for West Perth.

Mr. TRIAT: I think the amendment requires that a member who represents the workers should voice his opinion. No one

in this Chamber would welcome the inauguration of a 40-hour week more than I would, but I think that on this occasion it would be merely chasing the shadow and losing the substance if we asked for a 40-hour week. The courts have realised it is possible for men to work 44 hours a week and give full satisfaction to their employers. The Arbitration Court has applied that principle to miners working underground from the Kimberleys to Eucla. Overtime provisions have been prescribed for any work done in excess of those hours. I am afraid that there is every likelihood that if the amendment were agreed to the object of the Bill would be defeated. I have listened to members opposite and I am of opinion that not one is opposed to a 44-hour week. The member for West Perth pointed out the possible danger of the inference to be drawn at the present stage, but I did not hear him say he was not in favour of a 44-hour week.

[Mr. Withers took the Chair.]

Mr. North: Quite right!

Mr. TRIAT: I heard the Leader of the Opposition say that he was in favour of a 44-hour week and the same applies to the member for Toodyay. Later on, if members desire the introduction of a still shorter working week, they can depend upon my assistance. In the meantime I hope the Bill will be agreed to in its present form.

Amendment put and negatived.

Clause put and passed.

Clauses 5, 6—agreed to.

Clause 7—New sections:

Hon. N. KEENAN: Subsection 1 of proposed new Section 30B sets out—

In any factory where workers are employed on shift work the occupier shall, in addition to payment of wages, overtime, and any other allowances prescribed by this Act, pay such worker the sum of 12s. per week.

I indicated during my second reading speech, and I repeat now, that it seems to me absurd for the same provision to be made for every class of worker. Possibly the junior is getting only 18s. a week, while the person in charge is receiving a considerable sum. Therefore I ask the Committee to agree to a proportionate percentage, representing a sum of money to compensate the worker for the inconvenience following upon the working of two shifts. I move an amendment—

That in lines 4 and 5 of subsection 1 of proposed new section 30B the words "the sum of twelve shillings per week" be struck out.

The MINISTER FOR LABOUR: I oppose the amendment. Has the member for Nedlands given it serious consideration? Under it the head of the factory shall be paid a much higher allowance for inconvenience, whereas the measure of inconvenience will be equal in the case of all workers. The net effect of the amendment would be that a shift worker receiving £5 a week by way of wages would receive an additional £1 per week by way of shift work allowance. Another worker, on £2 a week, would receive only 8s. per week by way of shift work allowance, whilst a woman under 21 years of age would receive only 4s. That would impose a great disadvantage on lower-paid workers. It may be argued that some girl workers will, under this provision, receive almost as much by way of shift work allowance as by way of wages; but their living and social arrangements would be interfered with seriously. All workers generally will suffer approximately the same amount of inconvenience, and consequently a flat rate shift work allowance per week is much fairer than the proposal of the member for Nedlands.

Hon. N. KEENAN: Obviously the lower-paid grades will be young people; and to young people the difference between one shift and another will probably be a matter of small inconvenience. In the case of foremen and forewomen of advanced age, however, the inconvenience will be much greater.

Amendment put and negatived.

Hon. N. KEENAN: I move an amendment—

That in line 4 of Subsection 2 of proposed new Section 30B the word "financial" be struck out.

The proposal of the subsection is to cast on employers the duty of collecting union fees. I presume those fees are collected by officers appointed for the purpose, who take care that they are collected. There is no reason for casting that duty on the employer. The employer could only ask the employee to produce his union card. The duty should not be cast on the employer of ascertaining whether a proposed worker is a financial member of his union or otherwise.

The MINISTER FOR LABOUR: If we use the expression "financial member of a union" the employer will know where he is. If we use the expression "member of a union" the employer might find himself continually in difficulties.

Hon. N. Keenan: Why?

The MINISTER FOR LABOUR: Because it would be very difficult for him to know who would be regarded as a financial member of a union. The employee would demonstrate that he was a financial member of a union by the production of his union card or by reference to his union.

Hon. N. Keenan: Does the term "financial member" ever occur in an award?

The MINISTER FOR LABOUR: I am not concerned with that; it does not appear to me to affect the present issue. If the member for Nedlands wants to assist the employer he will withdraw his amendment and use the more definite and more easily checked term "financial member."

Mr. Hughes: Do you seriously think that another place will pass that?

The MINISTER FOR LABOUR: I do not know what another place will do in this matter. When the worker knows that he can only obtain employment in shift-work factories if he is a financial member of the union he will take steps to see that he is financial and will solve the problem for the employer. I plead with the member for Nedlands to withdraw his amendment.

Mr. McDONALD: This amendment is not very vital to the Bill; nor is it extremely vital to the employers. It is moved so as not to place on the employers a function which should be that of the union. I hope the Minister will make inquiries about it. Under the clause the employer must at all times give preference to financial members of a union. The employer will have to know whether his employees have paid their dues from time to time. I do not know that all unions have their fees falling due at the same time. If not, a lot of work would be thrown on the employer which could more easily be done by the unions.

Mr. W. HEGNEY: I oppose the amendment. The clause has been introduced with the idea of taking into account the condition which may arise when shift work will be worked in factories in the metropolitan area. I understand that in the slaughtering award of the butchering industry the Arbitration Court granted preference to the financial

members of the butchering trade union. Westralian Farmers Ltd. have an agreement with the A.W.U. which provides for preference being given to financial members of that union. The Bill provides that where a person did not previously belong to a union he is entitled to seven days' grace. After such a worker has been engaged for a period of seven days the onus is thrown on the worker and the employer to see that he becomes a financial member of the union. One of the greatest factors creating dissension and disaffection amongst workers is that a number side-step their union fees. I hope the amendment will be defeated.

Hon. N. KEENAN: I am prepared to accept the invitation of the Minister not to proceed with this amendment, if he will answer this question and give me an assurance: Assuming the employer, in the first instance, takes the necessary steps—whatever they may be—to assure himself that a worker is a financial member of a union—I presume a union concerned in that particular trade—is he afterwards obliged during the course of the employment of that worker to keep himself, from time to time, so assured? If so, how does the Minister suggest it can be done?

The MINISTER FOR LABOUR: No, that is not his responsibility. It will be the union's responsibility afterwards.

Hon. N. KEENAN: In view of the present assurances of the Minister, I will ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Clause put and passed.

Clause 8—Amendment of Section 31 of the principal Act:

Mr. McDONALD: Apprehension has been expressed that this clause might involve a difficulty in the staggering of hours, and meal-times, which is a feature of continuous process manufacture. Has the Minister satisfied himself that no difficulty or disturbance of effort will be occasioned by the clause as it now stands in the Bill?

The MINISTER FOR LABOUR: After listening to the speech delivered by the member for West Perth on the second reading debate, I arranged with officers of the Factories and Shops Department to have inquiries made to ascertain whether the difficulties envisaged would occur if this clause became law. I have since been assured that the possible difficulties in question are not likely to arise.

Clause put and passed.

Clause 9—agreed to.

Clause 10—Amendment of Section 39 of the principal Act:

Mr. McDONALD: This clause deals with the question of the compulsory taking of holidays on the date they actually fall due. I have been informed that in regard to the electricity supply in some country towns it has been customary for one employee to remain on duty even on a holiday, and to take his holiday at some such date so as to allow for continuity of the service. Has the Minister satisfied himself there will be no difficulty in that direction?

The MINISTER FOR LABOUR: The matter has been investigated. I am advised that the enginedrivers' award covers practically all the electric lighting stations in the country. Whether the awards do not cover the plants they are small and are run by owners, as they operate only from sunset to sunrise. I am assured there will be no difficulty on this score.

Clause put and passed.

Clauses 11 to 15—agreed to.

Clause 16—Amendment of Section 124:

Mr. McDONALD: I do not want to traverse the ground previously covered, but the proposed new subsection in my opinion will override Arbitration Court awards. It provides that no female assistant and no boy shall be employed in any shop between the hours of midnight and 6 a.m. In this connection I have not necessarily in mind Bernie's Caravan, to which I had occasion to refer last session. I believe that it should be left to the Arbitration Court, after inquiry, to decide whether any place of entertainment could properly serve the public by employing women after midnight, and should not be made the subject of a rigid Act of Parliament.

The MINISTER FOR LABOUR: This is the only clause that attempts to override the jurisdiction of the Arbitration Court. It could be argued that the provision does not, in fact, override that jurisdiction. The award for these workers does not prescribe the hours during which they may work: it provides that the maximum working week shall consist of a certain number of hours, and overtime shall be paid for at penalty rates. The clause is an attempt at social reform rather than industrial reform. If the court was asked to include this provision in an award, its

members would probably say that they dealt only with industrial matters and that the prohibition of the employment of females and boys between midnight and 6 a.m. was an item of social reform that should be decided by Parliament. The court would be thoroughly justified in adopting that attitude for it is a question that Parliament ought to decide. I hope every member is of opinion that it is undesirable for such workers to be employed during those hours.

Hon. N. Keenan: Do you contend that the Arbitration Court could not do that?

The MINISTER FOR LABOUR: I do not know whether the court could do it; I am satisfied that the court, if asked, would say it was a question of social reform that Parliament should decide. The members of the court would be entitled to throw the responsibility on Parliament. I doubt whether any member believes that females and boys under 16 should be employed in all-night cafes and restaurants. If the proprietors of Bernie's Caravan and other all-night places wish to trade during the early hours of the morning, let them employ males over 16 years of age. I confidently appeal to every member of the Committee to support this clause, so that we may unanimously declare against the employment of women and of boys under 16 years of age in all-night cafes and the like. It would be in their best interests. This question is a social and not an industrial one. It is our responsibility to decide the question.

The CHAIRMAN: I point out that there is no amendment before the Chair.

Mr. SAMPSON: I was surprised to learn that the Minister was in doubt as to the fate of the clause. No member of the Committee will oppose it.

Mr. McDONALD: I am in entire agreement with the non-employment of women and of boys under 16 beyond midnight. I am not able quite so easily to accept the line of demarcation between industrial and social matters. The Arbitration Court is authorised to deal with conditions of employment, and I venture to think that such a matter as the hours during which women and young people can be employed may be said quite justly to be within the province of the Arbitration Court. I should think it would be a wrong move on the part of the Arbitration Court to declare that matters of social

welfare arising out of employment are not within its province.

Clause put and passed.

Clauses 17 to 22, Title—agreed to.

Bill reported with an amendment and the report adopted.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Returned from the Council with amendments.

House adjourned at 10.16 p.m.

Legislative Council.

Thursday, 20th November, 1941.

	PAGE
Bills: Potato Growers Licensing, 3R.	2043
Land Drainage Act Amendment, report	2043
Main Roads Act (Funds Appropriation) (No. 2), 2R.	2043
Lotteries (Control) Act Amendment, 2R., Com. report	2044
Plant Diseases (Registration Fees), 1R.	2054
Factories and Shops Act Amendment, 1R.	2054
Broome Tramway Extension, 2R., Com. report	2054

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

BILL—POTATO GROWERS LICENSING.

Read a third time and returned to the Assembly with amendments.

BILL—LAND DRAINAGE ACT AMENDMENT.

Report of Committee adopted.

BILL—MAIN ROADS ACT (FUNDS APPROPRIATION) (No. 2).

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.36] in moving the second reading said: This Bill deals with a familiar

subject, namely, the payment into Consolidated Revenue of a portion of the motor license fee collections in order to assist in meeting the servicing of charges on loan funds expended on road construction. The proposal is that in respect of the revenue received from motor license fees in the metropolitan area in relation to licenses operating within the year ending the 30th June, 1942, the 22½ per cent. now payable to the Commissioner of Main Roads shall be paid to Consolidated Revenue, and that an equivalent amount shall be made available to the Commissioner from the petrol tax funds for the improvement, reconstruction, etc., of roads and bridges within the metropolitan traffic area. The operation of the Bill is restricted to license fees collected in relation to the current licensing year.

In 1932 Parliament amended the Main Roads Act to provide that the Commissioner of Main Roads shall have authority to improve, reconstruct, etc., main roads and bridges within the metropolitan traffic area, such works to be financed from a contribution of 22½ per cent. of the metropolitan traffic fees available after the cost of collection had been deducted. Various amounts have been derived from this source for the purposes mentioned, and have gradually increased up to the year 1939-40, when £39,416 was paid to the Commissioner. In the year 1940-41, the amount received decreased to £37,666. It is estimated that under existing conditions the amount will decrease this year to £29,000.

The following is a list of the main works which have been undertaken by the Commissioner of Main Roads with revenue derived from traffic fees since the amending legislation was passed:—

		£
Stirling highway	Widening, re-construction and surfacing	177,950
Canning road	Improvements	23,547
Garrett road bridge, Bayswater		22,730
Perth-Midland Junction	Helena bridge	18,355
Perth-Midland Junction road	Construction and surfacing	14,000
Guildford road	Improvements	11,780

When introducing the Budget the Treasurer said that, owing to unavoidable heavy increases in revenue expenditure, the State was faced with the prospect of a deficit of approximately £200,000. In considering the proposal in the Bill, regard should be had not only to the immediate effect on Consolidated Revenue, but also to the very important matter of the effect legislation of this nature will have on the de-