

lieve have provided £1,600. If so, I will reciprocate and find all I can for the accommodation at Kalgoorlie Hospital. Certainly there will have to be some increase made in the nurses' quarters, not only at Kalgoorlie, but at other centres. We are now going thoroughly into that and I believe arrangements can be made, that we can find interest and sinking fund from the hospitals tax for a period of years to meet the cost of building nurses' quarters.

Item, Payments to local health authorities, £2,500:

Hon. C. G. LATHAM: I would remind the Minister that he is spending money from the hospitals fund for payment to local health authorities. There is here the entry "less rebate to hospital fund £1,730." That is on the expenditure side, and there is £2,500 on the Estimates. I have checked that, and I believe it is the only item for which a rebate is made. I am not sure whether, under the Hospitals Fund Act, the Minister can charge against moneys paid to local health authorities, except for a hospital.

Vote put and passed.

Progress reported.

*House adjourned at 10.56 p.m.*

## Legislative Council,

*Tuesday, 22nd October, 1935.*

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

### QUESTION—WORKERS' HOMES BOARD.

#### *Reverted Dwellings.*

Hon. J. CORNELL asked the Chief Secretary: 1, How many unallotted reverted

dwellings are now awaiting disposal by the Workers' Homes Board under—(a) Part III., (b) Part IV., of the Act? 2, In what localities are they situated, and how many are there in each locality? 3, What are the estimated values under each part of the Act quoted?

The CHIEF SECRETARY replied: 1, Unallotted reverted dwellings under Workers' Homes Act—(a) Part III., leasehold, 1; (b) Part IV., freehold, 57. 2, Albany 1, Arrino 2, Bassendean 5, Bayswater 1, Beaconsfield 1, Bellevue 2, Ben-cubbin 1, Beverley 1, Bicton 4, Busselton 1, Byford 1, Claremont 1, Corrigin 4, Cottesloe 1, Dangin 1, Denmark 1, East Fremantle 1, Geraldton 1, Goomalling 1, Kalamunda 1, Katanning 3, Kondinin 3, Kununoppin 1, Maylands 2, Merredin 1, Minnivale 1, Mt. Hawthorn 1, Narrogin 2 (1 Part III.), Northam 1, Nungarin 2, Palmyra 1, Pingelly 1, Pithara 1, South Perth 1, Tincurrin 1, Wagin 1, Wembley 2, Wyalkatchem 1, Total 58. 3, Part III., leasehold, £370; Part IV., freehold, £29,900.

### MOTION—MINES REGULATION ACT.

#### *To Disallow Regulation.*

Debate resumed from the 24th September on the following motion by Hon J. Nicholson (Metropolitan)—

That Regulation No. 17a made under the Mines Regulation Act, 1906, as published in the "Government Gazette" on the 8th March, 1935, and laid on the Table of the House on the 6th August, 1935, be and is hereby disallowed.

HON. J. NICHOLSON (Metropolitan)—in reply) [4.38]: By necessity I found myself in the position of having to move for the disallowance of the whole of the regulation, although there are certain parts of the regulation to which I have no objection. Had it been competent for me to do so, I would have confined my motion to the particular part of the regulation to which I objected. That part has relation to the early portion of the regulation referring to certificates and qualifications required for underground supervisors, etc. The regulation sets forth, amongst other things, that an underground manager, foreman or shift boss whose duty it is to exercise some control and supervision over 12 or more underground employees in any mine shall have been employed underground for a period of not less than five years, and shall be

the holder of a certificate of competency under this regulation. Certain machinery is also provided for a board of examiners, etc. As most members are aware, the statute relating to these matters gives power to us as a House only to disallow regulations as a whole. No power is given to amend or disallow portion of a regulation, however good the other portions may be. I point this out because, in the course of the discussion, some members apparently did not realise the extent to which our power is limited. I do not oppose wise and workable regulations designed to protect men working in the mines. I have always been prepared to support any proper regulation of the kind, and I think the same applies to other members. The Chief Secretary, in his speech, referred to the conference between certain members of the Chamber of Mines and the Minister for Mines. While I do not dispute the Minister's statement, I must point out that certain members of the Chamber of Mines, who are deeply concerned in this matter, were not present at the conference.

Hon. C. B. Williams: Why make excuses? The main ones were present.

Hon. J. NICHOLSON: I must explain the position. Not until after the regulation had been published was the position fully realised by them. The regulation, if passed in the form in which it has been gazetted, would seriously hamper them in their operations. There are two points, and following on the remarks of Mr. Seddon, perhaps I may be allowed to suggest three points which should have been provided for in the regulation. First of all, no provision is made for the men who have held positions as underground supervisors for many years. If the regulation is not disallowed by the House, despite all that has been said regarding efforts that may be made to protect those men, they will be unable longer to hold their present positions until they have complied with the regulation. If they do not pass the examination and a mining company continues to employ them, then clearly the company would be committing a breach of the regulation and thus would render itself liable to the penalties provided. The Chief Secretary in the course of his speech pointed out that a letter had been written by the Minister for Mines, stating something to the effect that provision would be made to protect the men at present holding positions as

supervisors but that if they left their present employment they would be bound to pass another examination and would no longer be able to hold the position of supervisor. That was made quite clear. In my opinion, it is unfair; and probably every hon. member who looks at the matter from the standpoint of fairness will admit that it is unjust that a man who has held such a position as underground supervisor, shift boss, or foreman, or whatever he may be called, should be deprived of his ability to earn his livelihood and be compelled to remain tied to one post, and prevented from taking another except at the risk of being disqualified to hold a similar position with some other mining company. So long as this regulation is retained, the situation is bound to be as I state. Practically every hon. member who spoke to the motion admitted this to be a serious flaw in the regulation, and also admitted that those men ought to be protected. All I can say to those hon. members who feel in that way is that there is only one course to take—to vote in support of the disallowance of the regulation, so that some new regulation may be introduced protecting those men and safeguarding their positions. The second point is in relation to the period of practical training that should have been provided to meet the case of men who have undergone technical training. Under the regulation every man, despite the technical training that he may have undergone, is compelled to serve five years underground before he can seek to become qualified. Obviously that is unfair. I gave cases, and other members instanced cases, of men in other callings of life who, when they have technical training, are invariably relieved of a certain proportion of the period required for practical training in connection with their particular vocation. The same thing should apply to those interested in mining, and therefore provision should be made accordingly. The disallowance of the regulation will render it possible for an amending regulation to be brought forward which would meet those cases of hardship. The third point is one which was suggested by Mr. Seddon—a very wise one indeed, in my opinion. The hon. member called attention to this position, that there was nothing provided in this regulation to meet the case of a supervisor being suddenly overtaken with illness and some other man being put in as a temporary relief man. No

provision whatever is made in that regard. It seems to me that it would be well worth while, if the regulation be disallowed, for the Government to give consideration, in the framing of any new regulation, to the making of provision to meet a case of emergency such as that. These appear to me to be the main points which demand consideration. All those interested in the working of our mines are as anxious as any other section of the community to co-operate with the Government in introducing wise and workable provisions and regulations which will obviate risks of accident and ill-health, to overcome the difficulties with which the mining industry is confronted. The regulation which has been tabled is in excess of any provision of a similar nature in any part of the world; go where you will, you will not find a provision so extensive, so devoid of limitation, as this regulation. Why should we put forward a regulation that is obviously so extreme, and calculated to interfere with the working of our mines and with the doing of that which is essential? I trust that hon. members will realise the need for meeting the position I have indicated, and disallow the regulation so that those men who will be affected by the passing of it may be safeguarded by some other regulation. I hope, therefore, that hon. members will support me in the motion I have moved for disallowance.

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

Ayes	..	..	..	15
Noes	..	..	..	10

Majority for	..	..	5
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#### AYES.

Hon. E. H. Angelo	Hon. W. J. Mann
Hon. C. F. Baxter	Hon. J. Nicholson
Hon. L. R. Bolton	Hon. H. S. W. Parker
Hon. L. Craig	Hon. H. Seddon
Hon. J. T. Franklin	Hon. C. H. Wittenoom
Hon. E. H. H. Hall	Hon. H. J. Yelland
Hon. J. J. Holmes	Hon. V. Hamer (Teller.)
Hon. J. M. Macfarlane	

#### NOES.

Hon. J. Cornell	Hon. G. W. Miles
Hon. J. M. Drew	Hon. R. G. Moore
Hon. C. G. Elliott	Hon. H. V. Piesse
Hon. G. Fraser	Hon. C. B. Williams
Hon. W. H. Kitson	Hon. A. M. Clydesdale (Teller.)

Question thus passed.

### BILL—SUPPLY (No. 2), £1,500,000.

#### All Stages.

Received from the Assembly, and read a first time.

#### Second Reading.

**THE CHIEF SECRETARY** (Hon. J. M. Drew—Central) [4.58] in moving the second reading said: The purpose of the Bill is to grant Supply to the Government to enable them to carry on pending the passing of the Estimates and the Appropriation Bill. The previous Supply Bill granted was apportioned as follows:—

Consolidated Revenue Fund	..	£1,300,000
General Loan Fund	..	600,000
Treasurer's Advance	..	300,000
Total	..	£2,200,000

The present Bill provides for a further Supply consisting of £1,200,000 from Consolidated Revenue Fund and £300,000 from General Loan Fund—a total of £1,500,000. Expenditure for the three months—July, August, and September, 1935—out of the Supply granted has been—

Consolidated Revenue—	
Governmental	.. .. £643,432
Public Utilities	.. .. 849,296
General Loan Fund	.. .. 535,668
Total	.. .. £2,028,396

This expenditure does not include commitments under special Acts, which totalled £967,505 for the same period. Interest and sinking fund payments included in this amount totalled £888,440. Exchange is included in the item "Governmental," and amounted to £134,568.

The revenue for the period—July to September—amounted to £2,218,176, and consisted of—

Taxation	.. .. £455,700
Territorial	.. .. 119,146
Commonwealth Grants	.. .. 268,359
Public Utilities	.. .. 1,175,662
All other revenue	.. .. 199,309
Total	.. .. £2,218,176

The deficit for this period amounted to £241,857 as compared with £162,000 for the corresponding period of the previous year, but it must be understood that no portion of the Commonwealth special grant of £35,000 for the deficit, or the extra £200,000 on account of disabilities, has yet been received this year. Another factor which must be taken into account is that the expenditure included an extra railway pay which became due in September this year, making three pays in one month as compared with two in the previous year.

This made a difference of £80,000 in the expenditure. In addition, we have also received £33,000 less from the Commonwealth this year. Those two items total £110,000, and, therefore, we are in a relatively better position now than we were in at the same period last year. The Commonwealth grants received for the first three months of the previous year totalled £301,359, as against £268,359 for the present financial year. The money asked for under the Bill is required to carry on the administration and continue works already undertaken under authorisation. I move—

That the Bill be now read a second time.

**HON. J. CORNELL** (South) [5.4]: Before the Bill is passed I should like to make a few observations because this will be the only opportunity worth while we shall have to offer comments regarding Supply and the administration of the present Government. True, the opportunity might occur when the Appropriation Bill is before the House, but, as we know, that Bill almost invariably comes down in the last days of the session, and it is then too late. There are one or two matters to which I wish to refer, one in particular being the provision of water supplies in the gold mining districts. It is not generally known in that respect that the present Government have found very little money at all for these undertakings. The Federal Government and the gold mining companies have found the money for the undertakings outside the re-conditioning of the Goldfields Water Supply pipe line, which is the main source from which supplies are drawn. Only the other day I asked a number of questions in this House, one being "What was the estimated cost of the proposed Norseman water supply extension?" The answer given was "£200,000." I was further informed, in reply to a question as to the proportions in which the necessary funds were being found, that the State Government were finding the £200,000, and that the three companies concerned had tentatively agreed to pay in advance for water £23,000, £10,000 and £10,000 respectively, making a total of £43,000. I was told also that the Federal Government were not supplying anything per medium of the unemployment grant for the carrying out of this scheme. I want to know what has become of the £46,000 that Senator McLachlan, the Postmaster General, said the State Government could have from

the unemployment grant. He also said that if the ratepayers of Northam disagreed regarding the proposed sewerage scheme, there would be £24,000 more available for the Norseman water supply. Not only did Senator McLachlan say that, but the Minister for Mines also said it at a deputation at Northam. I want to know whether that money has been used for another purpose, or whether it has been withdrawn by the Federal Government. Members will see that the £42,000 plus the £43,000 make the respectable total of £85,000. We were told also that the Marvel Loch water supply was being financed by the Government, and the answer to my question regarding that project was that the cost to date was £18,445, that the Marvel Loch Company had found £6,300, and that the Great Western Gold Development Company had found £10,000. On top of that here is a statement issued by the Commonwealth Government and published in the Commonwealth Gazette of the 14th March, 1935, setting out the particulars of the works which the Federal Government were subsidising on a pound for pound basis under the Loan Appropriation (Unemployment Relief) Act, 1934. So the Commonwealth Government have found £15,500 of that sum and when we add that £15,500 to the £12,500 we get £28,000, and the Government so far have found nothing at all. Again, there is the extension of the water supply to Palmer's Find. The reply to my question respecting this proposal was that the extension to this goldfield would cost in the vicinity of £7,000. The de Bernales Company have found roughly £3,500, and this amount is to be taken out in water supplied later on. Again the Federal Government, from the unemployment grant, have found £3,500, and in this case as in the other, the mining companies and the Federal Government have found the initial cash with which to carry out the extension.

Hon. G. W. Miles: Is that not good finance?

Hon. J. CORNELL: Of course; it is good finance for the State Government because, as the Federal Minister said to me when I explained the situation to him, it seems as if the State Government are prepared to do anything on earth with other people's money.

Hon. J. Nicholson: The Government then would not need such a big vote.

Hon. J. CORNELL: All the answers to my questions found their way into the Press and led one to believe that the State Government were financing the cost of all these schemes, when really they were doing nothing of the sort. The money is being found by the mining companies and the Federal Government. Then comes the question of interest and sinking fund payments. Where are those payments to come from? They must be obtained from some source. The position should be thoroughly explained and the public should know. We have been led to believe that some of this expenditure is from loan.

Hon. A. M. Clydesdale: Are you commending the Government for what they are doing?

Hon. J. CORNELL: I am commending the Government for their astuteness. If a new Government should come along in the near future, they will not thank their predecessors for that astuteness, and they will not thank their supporters for having allowed such a state of affairs to go on without having had an explanation. I cannot let the question of Supply pass without making a reference to the Agricultural Bank. Compared with a year ago, the affairs of the Agricultural Bank to-day are in a state of confusion. Evictions are taking place to-day that did not occur under the old regime. We know that less sympathetic consideration is given to the "dinkum" settler. I say advisedly that the officers of the Bank are doing the actual work for which the Commissioners are paid. Moreover, they are old and proved servants, having had many years association with the Bank, and are not receiving the consideration or the salary to which they are entitled for the work they are carrying out. The man who made the valuations in the Esperance district was at one time manager of the Katanning branch, a highly qualified man.

Hon. H. V. Piesse: An excellent servant of the Bank.

Hon. J. CORNELL: He was taken away from a first-class district so that he might endeavour to put the Esperance district upon its feet. It is a district that now appears to have very little hope of succeeding. Then there is also the soil analyst, Dr. Tenkle, and I should mention Mr. Rodgers, who is there to-day. After all the spade work had been done by these men on a

salary very little higher than they were receiving before the new Act was passed, the commissioners came along, and following a three-day tour told the country what they proposed to do to rehabilitate the district. I now turn to the 3,500 farms scheme. The man who did the work there is the ex-senior inspector of the Narrogin district, Mr. Mitchell. He made the inspection and analysis, and set out what ought to be done. A £2,000 a year man and another at £1,500 a year man come along for two or three days; go over the district, and a newspaper report is published. I understand the same men did the valuations in connection with the miners' settlement, the Wheatley settlement and the Bullfinch settlement. The commissioners certainly visited the Southern Cross district.

Hon. H. V. Piesse: They accepted the officials' valuations.

Hon. J. CORNELL: They left Southern Cross at 10 o'clock, and went out along the Marvel Loch road.

Hon. J. J. Holmes: In the night or the morning?

Hon. J. CORNELL: In the morning, but they were back at Southern Cross before lunch.

Hon. H. V. Piesse: You could not expect them to visit all the farms.

Hon. J. CORNELL: They saw five farmers, and there are 80 of them altogether. There are roughly 80,000 acres, half of which have been cleared. Then we get a report concerning what the commissioners think of the miners' settlement. They devoted even less time to Bullfinch, Wheatley and other areas. The irony of the position is that the two men on whom the commissioners to-day appear to be leaning, and on whom they seem to be pinning their flag and looking to for a definition of the basis of reorganisation, are the two most prominent men in the Bank. I have only met one of them once, and do not know the other at all. When it came to appointing a chief inspector, neither of these men apparently was fit for the job. A man who had never been an employee of the Bank, and one who had condemned the administration of the Bank, lock, stock and barrel, is brought in at a salary of £700 a year.

Hon. C. F. Baxter: At £750.

Hon. J. CORNELL: That is £150 or £200 a year more than the salary of the

men I have mentioned. If that kind of business is going to put the Agricultural Bank on a new basis, then human nature is not what I thought it was. Old and tried servants of 20 years' experience, on whom the commissioners appear to be leaning and pinning their faith, were ignored when it came to a higher position and a higher salary, and an outsider is put over them. The Bank is going from bad to worse. I am reluctant to say what I am about to say. When the Royal Commission inquired into the administration of the Bank, one of their strongest indictments was that servants of the Bank were also clients of that institution. The Royal Commissioners unanimously condemned that practice, and so did the Minister for Lands when introducing the Bill. The Minister says he never does anything in a hurry. Not only did he condemn the practice, but a proviso was inserted in the Bill, and tightened up in this House, to the effect that no servant of the Bank could be a client of the Bank. He had to be one or the other. We were all agreed upon that, but what did we find when the chairman of the Bank Commission was appointed? Evidently the Minister for Lands sometimes does hurry. On the 16th March last the chairman of the commissioners owed somewhere about £2,300 on Agricultural Bank and Lands Department mortgages. He discharged those mortgages to a private bank, and on the 18th March was appointed to his present position at £2,000 a year. The Minister for Lands says he never does anything in a hurry, but that was done almost as hurriedly as Dick Turpin undertook his ride to York.

Hon. H. Seddon: Did you say a private bank?

Hon. J. CORNELL: A trading bank. It is a sad commentary on our prominent agricultural citizenship that when it comes to dealing with the highest-paid position in the land, outside the judiciary, the Government have to take a man who was practically a client of the Agricultural Bank to put the Bank on a proper basis.

The Honorary Minister: What is the point?

Hon. J. CORNELL: Is the Honorary Minister so dense that he cannot see it? If the appointment had been made on the 15th March, the chairman could not have taken it, because he was disqualified from

doing so. He could not be a client as well as a servant of the Bank. Less than 36 hours before the appointment was made, however, that disability was removed.

Hon. H. V. Piesse: A director of a company often acquires his shares only just before his appointment.

Hon. J. CORNELL: It will be advantageous to the clients of the Bank to know that the chairman of the commissioners, who is going to put them on the right track, was a client of the Bank but a few hours before his appointment.

The Honorary Minister: He complied with the provisions of the Act.

Hon. H. V. Piesse: He will be better able to educate the clients.

Hon. J. CORNELL: That is one of the reasons why the Government were so long in making up their minds about the appointment.

The Honorary Minister: You said it was done in a hurry.

Hon. J. CORNELL: Was it not, when the chairman could not take the appointment on the 16th March, but was able to do so on the 18th? If any other political party had been in power, what would have been said by the very people who made this appointment? I do not want to comment on the position much further than to say that if I were a client of the Bank I would have much more faith in a man who had won his living from the soil for many years, and had never been a client of the Bank. Such a man could be found in one part of the State, whilst another who was practically a client of the Bank was chosen from another part of the State. I do not wish to pursue the matter any further. I have my own opinion. I venture to say the appointment was made purely for political reasons. Now is the time for plain speaking. I want to know what qualifications the chairman holds for the position he occupies, one which involves the rehabilitation of an institution with all the ramifications of this one? I say he has practically no qualifications. That a man was a Minister of the Crown means nothing. Jack Lang was Premier of New South Wales for a long time, and that State has survived.

Hon. C. B. Williams: And it will survive when he is again Premier.

Hon. J. CORNELL: It cannot be because he was a successful farmer that the chairman was appointed. The fact of his having been a Minister of the Crown in no way fitted him for a position that requires a life training and a lifelong personal knowledge of the industry.

Hon. C. B. Williams: You have got both the Chief Secretary and the Honorary Minister worried!

Hon. J. CORNELL: I do not know whether that is so or not. But I feel keenly on the matter. I am concerned not so much about the money that the new commissioners are to draw or the motor cars in which they are to ride, as about the clients of the Agricultural Bank, who have devoted practically their lifetime to improving their holdings. When the second reading debate on the Bill was in progress, I said that the proper form of the Commission would be two of the members of the staff of the Agricultural Bank as commissioners, and the Under-Treasurer as the financial link between the Treasury and the Agricultural Bank. I said it would be a minor tragedy if only one officer of the Bank were appointed, but a major tragedy if none was appointed to the Commission. I venture to say that there are officers of the Agricultural Bank who are more competent and more conversant with the task than the commissioners who are drawing the big money to-day. There is another phase of the administration to which I referred on the second reading debate, and that had reference to the staff. I said that if the House agreed to the Bill as it then stood, the staff would forfeit all their rights under the Public Service Act. It was then pointed out that if the new commissioners found that the institution was over-staffed, or that the staff included men whose services should not be retained, in consequence of which they could not be further employed by the Bank, the Public Service Commissioner was bound to re-employ them. Results have proved nothing of the sort. I said then, and I repeat now, that by no stretch of imagination could I conceive that the Public Service Commissioner would employ such officers, unless he had positions for them to fill. I understand that now some members of the staff who are public servants and are married men with families have received notices of their dismissal. No adequate reason has been advanced for their dismissal that will convince

the Public Service Commissioner that they are not employable. I consider the Public Service Commissioner will stand by them and will find some employment for them. But in those instances respecting which the commissioners have dispensed with some officers because their services have not been satisfactory or they are not suitable for the work, I am convinced that the Public Service Commissioner will not re-employ them, and all the more power to him. If, after having been with the Agricultural Bank for many years, they have proved themselves unsuitable for the work, they will be unsuitable also for the Public Service. While young men, 30 years of age, some of them married men with families, and others have received notice of dismissal, there are men in the employment of the Bank who are over the retiring age and have been temporary employees for 20 years or more, whose services are being retained. That phase needs a lot of explanation. The position is working out as I anticipated it would, if Parliament turned the staff of the Agricultural Bank completely over to the commissioners to do with as they thought fit. Where public servants have been notified that their services are no longer required, temporary employees have been engaged in their stead. As I understand the position with the Agricultural Bank, from now until the Act is amended the employees of the institution are really casual workers, who can be dismissed summarily or upon short notice. Their only recourse is to apply to the Public Service Commissioner for work, and who could blame him for not finding positions for men who have been dismissed from the Bank as incompetent or with no good reason for their dismissal? The Public Service Commissioner would probably scratch his head if he saw young men, married men with families, being dismissed and temporary employees 60 years of age or more retained in the service of the institution. As Mr. Holmes would say, "There is a nigger in the woodpile." In referring to this matter, I may bring a certain amount of criticism or odium upon myself, but I claim the time for the overhaul of a ship and an examination of its steering gear and motive power is not when the vessel hits the rocks, but before that calamity. What I have said in this Chm-

ber to-day, plenty of members in each House of Parliament are saying or thinking as well. It may be distasteful to me to enter this protest, but as a public man who has always endeavoured to do the right thing, I have considered it my duty to pass these comments, and I have done so. I support the second reading of the Bill.

**THE CHIEF SECRETARY** (Hon. J. M. Drew—Central—in reply) [5.27]: I am not sufficiently equipped in order to reply to the statements and comments by Mr. Cornell, and I can merely do as I have on previous occasions, namely, ask the House to pass the Bill, and in due course, when I am able to collect the necessary information, I will, with the permission of the House, make the usual statement in reply.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

Read a third time and passed.

#### **BILL—HEALTH ACT AMENDMENT.**

Received from the Assembly and read a first time.

#### **BILL—DIVORCE AMENDMENT.**

Received from the Assembly and, on motion by Hon. G. Fraser, read a first time.

#### **BILL—TRAFFIC ACT AMENDMENT.**

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

#### **BILL—FINANCIAL EMERGENCY ACT AMENDMENT.**

*Second Reading.*

**THE HONORARY MINISTER** (Hon. H. W. Kitson—West) [5.45] in moving the second reading said: This is a Bill to amend the principal Act which, as members know, was passed in 1931, and which provides for deductions in all wages, salaries, pensions, grants and rates of interest. The Govern-

ment, in accordance with their policy, have reduced those deductions as opportunity offered and in conformity with the financial position each year. The deductions made by the Act ranged from 18 per cent. to 20 per cent. and 22½ per cent. in relation to the salaries. When the present Government came into office it was decided to exempt all those persons who were subject to the Arbitration Court. That was agreed to. Then it was decided by the Government to exempt all those persons employed by the Government and receiving salaries up to £293. Then, last year, we exempted all those receiving salaries up to £500 as at the 30th June, 1930, with the exception that the basic wage variations were applied to all those persons to whom they had not previously applied. To-day the Government say the time has arrived when there is no longer need to re-enact those parts of the Financial Emergency Act which deal with salaries, wages, pensions and grants. Consequently the Bill before us deals with only two points. First of all it proposes to carry on for another 12 months that section of the Act which deals with rates of interest, and secondly it has been found necessary to include a saving clause in order to protect the interests of those public servants who may retire after the 31st December of this year and who are entitled to superannuation based on the actual salary received during the past three years. Therefore, if we did not have this saving clause they would be penalised, for the clause provides that their superannuation shall be based on their classified salaries, not on the salaries they actually received during those three years. It is not desired that they should receive a lesser amount of superannuation than they are really entitled to. It may be of interest to members to learn that during the period since the Financial Emergency Act came into operation £1,075,000 has been saved to revenue. Of that amount, £938,000 represents deductions in salaries and wages, while deductions in pensions account for £60,500 and in grants £76,500.

Hon. J. J. Holmes: Pensions ought never to have been interfered with.

The HONORARY MINISTER: Yes, there is an argument in that. That is being rectified by the Bill, as far as it can be rectified, and I think it may be said that we are only giving public servants what they are entitled to. It has been said of course, and I agree with it, that the Financial Emer-



gency Act placed an added burden on a very deserving section of the community, singling them out for special deductions.

Hon. G. W. Miles: You could have retrenched 25 per cent. of them at the time.

The HONORARY MINISTER: I say they were singled out for special deductions as against any other section of the community. And, of course, they had to meet their share of the special taxation that was inflicted on all sections of the community at that time. So we say the financial position of the State at present is such that we feel we should remit the whole of those deductions made under the Financial Emergency Act. I think I am right in saying that when one compares the salaries of public servants in this State with the salaries being paid to men doing similar work in private employment, it will be found that the men in private employment are incomparably better paid. Our public servants have never been what might be called well paid, and even if we compare their salaries with those paid in the Eastern States for similar work, it will be found that the public servant in the Eastern States has always been on a better footing than the public servant here. Another effect of the Bill is that it will annul the decision that the Government shall say what wages are to be paid—as has been virtually the case during the last two or three years—and place the question where it ought to be, namely in the hands of the Public Service Commissioner. That official is at present engaged on a reclassification. Members are aware that one of the duties of the Public Service Commissioner is to reclassify the service at least once in every five years. That is being done at present, and that classification, I expect, will come into operation as from the 1st January next. I think I have fully explained the Bill for, as I have said, there is very little in it. It provides for the continuance of Part V. of the principal Act, and contains a clause which in effect says that those public servants who may retire after the 31st December next are entitled to fair superannuation. I move—

That the Bill be now read a second time.

HON. L. CRAIG (South-West) [5.53]:

I do not intend to take up the time of the House discussing the Bill. I said last year I would not agree to the restoration of any money to anybody while the Government

continued to charge the high rate of interest they are charging on repurchased estates. I pointed out last year that rents have been reduced under the Reduction of Rents Act, that interest has been reduced under the Tenants, Purchasers and Mortgagees' Relief Act, and that other Acts have made reductions in rates of interest paid in one way or another. The Government repurchased estates and sold them subdivided to settlers at the full rate paid in boom time, charging the settlers six per cent. interest. Since then there has been neither a reduction in the price of the land nor in the interest rates. Settlers on repurchased estates are still paying six per cent. interest. The Government in effect have said that everybody paying six per cent. interest should have the interest reduced to five per cent.—everybody but us. This is most unjust, and why it has not been altered I do not know. Settlers in my district have to meet this high rate of interest, the highest rate imposed on agricultural land in Western Australia. Even the private banks are not charging six per cent. to-day. Still, the Government will insist on exacting this unreasonable rate of interest, and while they do I will oppose the Bill.

On motion by Hon. H. V. Piesse, debate adjourned.

## BILL—BUILDERS' REGISTRATION.

### *Second Reading.*

Debate resumed from the 8th October.

HON. L. B. BOLTON (Metropolitan—in reply) [5.56]: I do not intend unduly to delay the House, but I must say I am surprised and disappointed at the hostile reception accorded to the Bill by some members of the Chamber. Mr. Mann suggested that the Bill would neither attain its objective in the elimination of the jerry-builder, nor help to overcome the apprentices problem. But it is only a question of time when the jerry-builders would disappear as the result of the operations of the measure. I can appreciate the hopeless task it would have been if the Bill provided for their immediate extinction, but in that regard the most it was hoped from the measure was that it would prevent the numbers of the jerry-builders from increasing, and that eventually they would disappear from the industry. Mr. Mann in referring to the apprentices

question complained that the Bill made no mention of it. But members probably know that nothing could be done in the Bill; that such a question is for the Arbitration Court. The object of the Bill was to place the industry in such a position that it could and would absorb large numbers of unemployed youths. As I pointed out when moving the second reading, I am appalled at the few apprentices employed in the building trade.

Hon. G. W. Miles: But they want to abolish the apprentices board itself.

Hon. L. B. BOLTON: I warn the employers in the industry and in allied trades that eventually they themselves will be the greatest sufferers, for a shortage of skilled labourers in any industry operates most seriously against the employer.

Hon. L. Craig: The Bill will not improve that position.

Hon. L. B. BOLTON: Yes, because it will help to put the industry on a better footing, and so it is certain that more apprentices will be employed and consequently there will not be the shortage of labour that we have to-day in many industries, particularly in the building industry. When there is a shortage of labour, employers are compelled to pay artisans at a higher rate than is warranted, and while I do not advocate a low standard of living, there is no doubt that Australia's failure to compete with large manufacturing countries can be largely assigned to this cause. An uplifting of the building industry, which would be effected by this measure, must lead to the employment of additional apprentices in every branch of the trade. In the metropolitan area there are no fewer than 120 buildings in course of construction and not a solitary apprentice is employed.

Hon. C. F. Baxter: How will this Bill rectify that?

Hon. L. B. BOLTON: I am trying to show that by uplifting the industry, improvement in that direction will follow. Members will agree that the building trade is certainly one of the most difficult in which to employ apprentices, and any measure which would bring drastic alteration of the present deplorable state of affairs would be justified.

Hon. W. J. Mann: Why was it not necessary years ago?

Hon. L. B. BOLTON: I pointed out that years ago there were hundreds of apprentices employed in the industry, while to-day there are very few.

Hon. W. J. Mann: There is no obligation to employ apprentices.

Hon. L. B. BOLTON: Mr. Mann, in dealing with remarks made by the president of the Builders and Contractors' Association in reference to preference to unionists, pretended to believe that all unions were composed only of craftsmen. Had he had half the experience I have had, he would know that that is not so. I strongly support Mr. Brine in his contention that it is far too easy for men to gain admission to the various trade unions, which do not exercise sufficient care as to the qualifications of their members.

Hon. W. J. Mann: Who are those other than craftsmen?

Hon. L. B. BOLTON: Time was when a craftsman, before he could join a union, had to produce his indentures, but I consider that at present quite a lot of men who are not thoroughly skilled are admitted to the unions. The hon. member reminded me that this House had always opposed the principle of preference to unionists. With my help, I hope it will continue to do so. At the same time, as a large employer of labour, I am not fool enough to think that unionism is not good for the employer as well as for the employee. If, by employing unionists, I am helping to maintain that peace in industry which we all desire, I shall continue to employ unionists when I can get them.

Hon. G. W. Miles: So long as you keep them out of politics, they are all right.

Hon. L. B. BOLTON: Some employers enter politics, and if it is fair for one to do so, it is fair for another.

Hon. C. B. Williams: You will revolutionise this House if you continue like that.

Hon. L. B. BOLTON: Mr. Mann said that we could have peace in industry only at a price, and that price would mean increased building costs to the public. I remind Mr. Mann that if we do not get peace in industry, that also involves a price and that price the good old public have to pay. In my opinion it is better to pay a little higher price to maintain peace because indirect benefits follow in other ways. Mr. R. G. Moore complained that, because the chairman of the board of three was to have a casting vote, it would be what he termed a one-man board. Such a provision is contained in the stipulations governing almost every board consisting of three members, and I see no danger in the principle on this

occasion, particularly as the chairman is to be an important Government official.

Hon. L. Craig: Not necessarily.

Hon. J. J. Holmes: Where do you get that?

Hon. L. B. BOLTON: It is provided in the Bill.

Hon. L. Craig: Somebody else could be chairman.

Hon. W. J. Mann: The board would elect their own chairman.

Hon. L. B. BOLTON: It is almost certain that the Principal Government Architect would be chairman. Mr. Thomson complained of the restrictive nature of the Bill's operation, and suggested that it should embrace the whole State, while other members suggested that it should operate in the metropolitan area only. If members agree to the second reading, we can then decide in what parts of the State it should operate.

Hon. C. F. Baxter: Restrict it to Rottnest Island.

Hon. L. B. BOLTON: Mention was made of similar legislation being suggested in other parts of the world. We were also told that the Eastern States were endeavouring to place like measures on their statute-books. Since the Bill was reinstated, I have received a very interesting comment on the serious position existing in the Old Country regarding jerry-built houses. To show how seriously the Home Government view the position, I will read a quotation.

Hon. J. J. Holmes: Cannot we take it as read?

Hon. L. B. BOLTON: You can, but you are not going to. The quotation reads—

An interesting statement has been made in England by the Minister for Health (Sir Kingsley Wood) that he desires to co-operate with the National Federation of Building Trades Employees in the elimination of jerry-building. Sir Kingsley Wood recently revealed to a deputation which complained of "inferior and shoddy" houses, produced by scamped and hurried work, that he was giving close attention to plans designed by the federation to check the rapid growth of jerry-built houses in Great Britain. He stated that he understood that this plan provided for the formulation of a standard specification for the construction of houses and for keeping a register of house builders to which only those of good reputation would be admitted.

That is what we are asking for.

Hon. J. J. Holmes: You are asking for power to register jerry-builders.

Hon. L. Craig: You wish to admit everybody.

Hon. L. B. BOLTON: The quotation continues—

Registered builders would be able to obtain certificates for any house which conformed to the appropriate standard. The Ministry have appointed an observer to the board which is at present engaged in drawing up this standard specification.

Hon. J. J. Holmes: There is nothing about that in this Bill.

Hon. L. B. BOLTON: This Bill seeks what is proposed in the Old Country, namely power to register the good class of builder and eliminate the jerry-builder.

Hon. C. F. Baxter: People set out to build those places themselves.

The PRESIDENT: Order! The hon. member should be allowed to continue his speech.

Hon. L. B. BOLTON: If another argument were required to convince members of the wisdom of supporting the Bill, it would be that of the apprenticeship position. I maintain that the passing of the measure would improve the position for apprentices, because the uplifting of the industry would make that possible. I was surprised to read in this morning's "West Australian" a comment by the chairman of the Building Trades Apprentices Board. I should like to read the statement.

Hon. C. F. Baxter: We have all read it.

Hon. R. G. Moore: I have not.

Hon. L. B. BOLTON: My reading of it might convince the hon. member that he should support the Bill.

Hon. L. Craig: But the chairman of the board introduced the Bill.

Hon. L. B. BOLTON: Not the chairman, a member of the board. The statement was as follows:—

Twelve apprentices are employed in the bricklaying, plastering and stonemasonry sections of the building industry. In the view of the chairman of the Building Trades Apprentices Board (Mr. W. Somerville) these trades should employ at least 120 apprentices. The board, he said yesterday, had contemplated taking action against employers who were considered in a position to take apprentices and had not done so, but the Crown Law Department had advised that the section upon which the board relied was of little value to it. The board, which consisted of the chairman, Mr. J. D. Moloney, M.L.A., representing the Plasterers, Bricklayers and Stonemasons' Unions, and Mr. W. Fairweather, representing the Master Builders and Contractors' Association, had considered resigning, but it was faced with the position that without an amendment of the Arbitration Act its resignation would prevent apprentices being taken in the trades mentioned.

Hon. G. W. Miles: That is what I said. Amend the Act or abolish the board.

Hon. L. B. BOLTON: The statement continued—

For a long time, said Mr. Somerville, the Building Trades Apprenticeship Board has been very dissatisfied with the condition of apprenticeship in the building trades. The fact that the number of apprentices did not accord with the present prosperity in the building trades had given the members of the board much concern. By every means open to them they had striven to increase the number of apprentices but without success. The attention of master builders had been directed to the way the regulations had been modified to suit the intermittent character of the average master builder's business to the facilities for transfer from one master whose business was in a state of slump to another who had work, and to the power of the board to suspend the apprenticeship when the employer had no work. The board had made direct appeal to individual employers to shoulder the responsibility which properly rested upon everyone in the business to take apprentices so that properly trained young Australians might be ready to follow on. Notwithstanding all this effort the facts were that in the building trades controlled by the board there were at present 12 apprentices—four learning brick-laying, six plastering, and two stonemasonry. In these trades alone, excluding carpentry, plumbing and painting, there should be at least 120 apprentices.

In view of these facts, continued Mr. Somerville, the board thought the time had arrived to use the power conferred upon it by Parliament to compel employers to take their quota of apprentices. Subsection 4 of Section 126 of the Industrial Arbitration Act provided—

Any employer who, when required by the Court or by the Apprenticeship Board in the case of apprenticeships in the building trade, neglects or refuses to do so without reasonable cause shall be guilty of an offence. Penalty: Fifty pounds.

The position was brought under the notice of the Minister for Labour (Mr. J. J. Kenneally) and he made available the services of an inspector to make an examination of the whole of the building industry and to make a report in respect of the bricklaying, plastering, and stonemasonry trades, as to the number of employers, the amount of work on hand, their prospects for the immediate future, the number of journeymen employed and the possibilities of teaching apprentices. The board were fortunate in securing for the job a man who from long experience in responsible positions in building was capable of advising the board on many phases of the question which could not be expressed in figures. He furnished the board with reports on 53 businesses, when for the time being the inquiry was stopped. The businesses reported on ranged from very small ones to several with over 20 suburban residences and other buildings on hand, ranging in value from £1,000 to £4,000.

The board selected what seemed a glaring case of a contractor with much work on hand and no apprentices, and his case, together with

the whole file, was sent to the Crown Law Department (in conformity with regulation 13 of the building trades apprenticeship regulations). The considered opinion of the Crown Solicitor (Mr. A. A. Wolff) was in effect that Subsection 4 or Section 126 was of no value for the board's purpose. It would be easy for anyone against whom the board took action to drive the proverbial coach and four through the section.

*Sitting suspended from 6.15 to 7.30 p.m.*

Hon. L. B. BOLTON: Before tea I was quoting the Crown Solicitor's opinion, which proceeds—

I have given close consideration to this matter as it involves questions of great importance to the apprenticeship system in this State. The highly mechanical processes which to-day play such a large part in the building industry have given rise to a set of circumstances which was not contemplated when the system of apprenticeship laid down by Section 125 of the Act was inaugurated. In this case I am asked to consider the question of a prosecution against . . . under the provision of Section 126 of the Act. As has been pointed out on the file, all apprentices are taken under the wing of the board and placed out with employers. It is of some moment I think to recapitulate the provisions of Subsection 4 of Section 126. That subsection provides that any employer who when required . . . by the Board . . . to enter into an agreement of apprenticeship neglects or refuses to do so without reasonable cause shall be guilty of an offence.

I request hon. members to pay close attention to the next succeeding paragraph, which in my opinion has an important bearing on the Bill, and expresses the opinion given by the Crown Solicitor to the Minister—

A good many so-called contractors to-day are not craftsmen or artisans, but merely financiers or building jobbers who have at their call certain artisans whom they employ on various contracts which they manage to get . . . I do not know whether Mr. . . . is one of these contractors, but assuming that he is, it might be urged by him that he is not personally competent to instruct an apprentice, nor can he, according to the method by which he carries on business, ensure that an apprentice can be properly instructed by his journeymen craftsmen. There is no obligation on a craftsman who is doing piece work for a contractor to teach an apprentice. I merely point to these facts because they all have a bearing on the words "without reasonable cause." What is reasonable cause? It seems to me that the words are very wide in their application. They are unrestricted by any context. An employer might well say that he is not competent to give the necessary instruction. He could say that the work which he usually does had no continuity and there-

fore he is not able to take on the obligation of an apprentice. He could also set up that the method of carrying out his contracts is such that it does not afford reasonable means of practical instruction for an apprentice. These are only some of the reasons which, in my opinion, might be advanced by the contractor. It seems to me that the Court is left to decide on the circumstances of the case whether the employer's refusal is unreasonable and I think that if this particular employer is working under the circumstances mentioned on this file (he is a mere jobbing contractor) the defence would stand every likelihood of being upheld.

I appreciate the fact that without registering "Mr. Blank" for the time being, there would be no possibility of getting such a measure as this placed on the statute-book. There is, however, the possibility that very few "Mr. Blanks" would have to be registered, and that in course of time they would be entirely eliminated.

This situation, Mr. Somerville proceeded, had brought the matter to a crisis. The board did not feel disposed any longer to carry the responsibility for highly important work which it could not do. The members would be quite willing to resign and make way for some other body. They were restrained by the knowledge that, if the board went out of existence, then, so long as the law remained without amendment, no more apprentices to bricklaying, plastering and stonemasonry could be taken for they must all in the first instance be apprenticed to the board.

The decline in the number of apprentices in the building trades was due to causes which did not operate in other trades. These causes were: The great increase in the use of metal and concrete building materials and of machinery in the fabrication of the larger buildings, and the increasing practice of jobbing contractors erecting buildings by pieceworkers over whom they had little control. The first of these was inevitable and must be accepted. The second should be combated and the board submitted as a means to that end that the Act be amended so as to give to some body the necessary staff to keep in touch with all building and the power to say to every building contractor: "If you want a youth for any job, short or long, you can only get him from the board's apprentices." By some such scheme the youth and his training could be cared for while the employer would be relieved of any continuing responsibility. Some thing must be devised. Skilled craftsmanship must not be allowed to die out.

Hon. J. J. Holmes: We all agree with that. Let us amend the Apprenticeship Act.

Hon. C. B. Williams: But you have always blamed the unions in the past.

Hon. L. B. BOLTON: The report continues—

Mr. Somerville said that he had written to the Master Builders and Contractors' Association, the Building Trades Executive, Trades

Hall, Perth, the Plasterers' Union, the Bricklayers' Union and the Stonemasons' Union placing the position and the suggestion for an amendment of the Act before them and stating that if they had a better suggestion to make the board would be glad to hear of it. He had mentioned, too, that the board was quite alive to the probability that those who were endeavouring to destroy the apprenticeship system would try to use its action to support their case but it would not be a legitimate use.

#### Maintaining Supply of Tradesmen.

In the meantime the board would carry on as best it could, but it declined any further responsibility for the failure of the building trades to employ the large number of apprentices (at least 120) which they should be employing to-day. Bad as the position was in Western Australia it was no worse than that existing elsewhere. Remedial measures were an urgent need if the supply of tradesmen was not to peter out. The board had had nearly ten years' experience with the problem and it would be foolish to scrap all that and start anew with any of the proposals for unindentured boy labour. All forms of technical schools were valuable and necessary adjuncts, but a trade could not be learnt in a school. Craftsmanship was the result of a co-ordinated training of the hand, the eye, the muscles of the body and of the brain, and it could only be acquired by years of work with the tools of the trade under workshop conditions. When the cases of men who were tradesmen and said they were not apprentices were investigated, it was usually found that they worked with a father or some other relative, or with a master journeyman, but without a formal signed and sealed deed of apprenticeship. The document was only a means to an end—the essential thing was the extended period of training. There were cases of course of men who had dodged from one employer to another and finally acquired competence, but when these men deprecated the necessity for apprenticeship they forgot how much they owed to their seniors who were loyal to the apprenticeship tradition and recognised the obligation on them to teach their juniors. It would be easy to destroy this tradition by the introduction into industry of uncontrolled rouseabouts.

"The Building Trades Apprenticeship Board," Mr. Somerville added, "is as convinced as ever as to the necessity for controlled training. The problem to which we desire to direct attention is how to bring it into harmony with the changed conditions in the building trades."

Hon. G. W. Miles: Does he say anything about the Bill?

Hon. L. B. BOLTON: I have read all that Mr. Somerville has said on the apprenticeship question as affecting the building trade. I trust that my quotation of an utterance from such an authority—I pay tribute to Mr. Somerville as an authority on the apprenticeship question

—will convince some hon. members that by supporting the second reading of the Bill they will be helping to place one of our greatest secondary industries on a better footing. Members of that industry, properly registered, will be able to absorb the number of apprentices who, it is essential in the interests of the State, should be taught their trades in the various branches of the industry. I commend the second reading to hon. members. In conclusion I would say to country members who may feel that the operation of the measure would not prove successful in country districts, that during the Committee stage that aspect might be eliminated, and the measure given a trial in the city.

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

Ayes	..	..	..	..	12
Noes	..	..	..	..	12

A tie .. .. . 0

#### AYES.

Hon. E. H. Angelo	Hon. E. H. Gray
Hon. L. B. Bolton	Hon. E. H. H. Hall
Hon. A. M. Clydesdale	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. J. Nicholson
Hon. J. T. Franklin	Hon. H. S. W. Parker
Hon. G. Fraser	Hon. C. B. Williams

(Teller.)

#### NOES.

Hon. C. F. Baxter	Hon. G. W. Miles
Hon. L. Craig	Hon. R. G. Moore
Hon. C. G. Elliott	Hon. H. V. Piesse
Hon. V. Hammersley	Hon. H. Seddon
Hon. J. J. Holmes	Hon. H. J. Yelland
Hon. W. J. Mann	Hon. C. H. Wittenoom

(Teller.)

#### PAIR.

Aye.	No.
Hon. J. Cornell	Hon. A. Thomson

The PRESIDENT: So that further consideration may be given to the Bill, I cast my vote with the ayes. The question passes in the affirmative.

Question put and passed.

Bill read a second time.

#### In Committee.

Hon. J. Cornell in the Chair; Hon. L. B. Bolton in charge of the Bill.

Clause 1—Short title:

Hon. L. B. BOLTON: I move an amendment—

That in line 2 “1934” be struck out and “1935” inserted in lieu.

The amendment will provide that when the measure comes into operation it will

be cited as “The Builders’ Registration Act, 1935.”

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

Clause 2—agreed to.

Clause 3—Areas under the Act:

Hon. R. G. MOORE: I move an amendment—

That the proviso be struck out.

The amendment if carried will confine the operation of the measure to the metropolitan area.

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

Ayes	..	..	..	..	14
Noes	..	..	..	..	10

Majority for .. . 4

#### AYES.

Hon. E. H. Angelo	Hon. W. J. Mann
Hon. C. F. Baxter	Hon. G. W. Miles
Hon. L. Craig	Hon. H. V. Piesse
Hon. C. G. Elliott	Hon. H. Seddon
Hon. E. H. H. Hall	Hon. C. H. Wittenoom
Hon. V. Hammersley	Hon. H. J. Yelland
Hon. J. J. Holmes	Hon. R. G. Moore

(Teller.)

#### NOES.

Hon. A. M. Clydesdale	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. J. Nicholson
Hon. J. T. Franklin	Hon. H. S. W. Parker
Hon. G. Fraser	Hon. C. B. Williams
Hon. E. H. Gray	Hon. L. B. Bolton

(Teller.)

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

Clause 4—Prohibition against unregistered builders carrying on business:

Hon. C. F. BAXTER: I move an amendment—

That in line 3 of subparagraph (i) of Sub-clause (A) “three hundred” be struck out with a view to inserting “one thousand.”

The amount of £300 is the total fee or charge payable in respect of the carrying out of any contract or engagement. I desire to increase that to £2,000. The danger in the Bill right through is its application to the people on small jobs. The amendment will mean that those who desire to build homes will not be restricted.

Hon. J. T. FRANKLIN: I am surprised at the hon. member moving such a ridiculous amendment.

The CHAIRMAN: Order! All amendments are supposed to be sensible.

Hon. J. T. FRANKLIN: I said “supposed.”

The CHAIRMAN: The hon. member said the amendment was ridiculous.

Hon. J. T. FRANKLIN: It is ridiculous. I have heard members here argue against jerry-builders, and I am just wondering whether they are in favour of jerry-builders because from what I know of jerry-builders they are men who started from scratch.

Hon. H. S. W. Parker: Then they are not necessarily jerry-builders.

Hon. J. T. FRANKLIN: I started from scratch and I had to learn and prove myself a competent builder.

Hon. L. Craig: You are not a jerry-builder.

Hon. J. T. FRANKLIN: We are trying to frame legislation the object of which will be to protect both builders and the public. No one who has his honour at stake will object to being registered. The Bill might as well go by the board if the amendment be carried. A limit of £300 is too high, and would not protect the small man who could only afford to build a modest home. I should like to see the limit reduced to £200.

Hon. R. G. MOORE: I shall vote for the striking out of the words "Three hundred" and would prefer to see "Five hundred" substituted. There are many competent carpenters who are able to build a first-class house for £500, but who would not attempt to register themselves so that they might compete with the big contractors. Those people would probably do a better job with their £500 houses than many of the registered tradesmen would do. If all builders were required to be registered, the competent carpenters would be unable to carry out the smaller jobs that at present come their way. The man who can quite well be trusted to erect a one-storey building would make no attempt to go in for the larger structure.

Amendment put and passed.

Hon. C. F. BAXTER: I move an amendment—

That the words "one thousand" be inserted in lieu of the words struck out.

My desire is to protect those people who wish to have a comparatively cheap home in which to live. If all builders have to be registered, that will inevitably increase the cost of building. We are not justified in placing the control of the trade in the hands of a few.

Hon. L. B. BOLTON: A limit of £1,000 is far too high. I move—

That the amendment be amended by substituting the words "five hundred" for "one thousand."

Hon. W. J. MANN: I support Mr. Baxter's amendment. If we place the limit at £1,000 it will show the extent to which it is desired to protect the small builder.

Hon. G. Fraser: It will turn the Bill into a farce.

Hon. W. J. MANN: Only an inferior building can be erected for £500.

Hon. G. Fraser: I could show you hundreds that have been built for £400.

Hon. W. J. MANN: They may be only jerry-built homes. A thousand pound house is not a big one. The largest proportion of our people live in homes costing between £750 and £1,000.

Hon. R. G. MOORE: I support Mr. Baxter's amendment. It will be optional for people to employ registered builders if they so desire. If they prefer to do so, they will also be at liberty to employ the non-registered man. There will be nothing to prevent the registered builder from advertising the fact that he is registered. I do not want to prevent the smaller man from carrying on his avocation. The public are not interested in this measure, which has been brought down solely in the interests of the builders.

The HONORARY MINISTER: I support Mr. Bolton's amendment on the amendment. The debate has taken a strange turn. Members must not lose sight of the fact that the Bill has been brought down to protect the general public from what are known as jerry-builders, and to prevent, as far as possible, incompetent people from taking building contracts. Some members seem to think that protection should be given to the man who can afford to pay for a house valued at £1,000, whereas the man who can afford a house valued at £300 only is not entitled to that protection.

Hon. W. J. Mann: You are losing sight of the fact that the registered man can take on the smaller jobs, too.

The HONORARY MINISTER: I realise that, but as Mr. R. G. Moore pointed out, the proposal before the Committee will have the effect of stopping many good carpenters and other tradesmen from building wooden houses valued at £400 or £500. Those people are entitled to consideration.

Hon. C. F. Baxter: The Bill does not give them that.

The HONORARY MINISTER: If there is any protection to be accorded by the Bill, it should apply to houses built to accommodate families.

Hon. L. Craig: The registered builder will not necessarily build a better house than the unregistered journeyman.

The HONORARY MINISTER: I am not arguing that point of view at the moment. If the Bill becomes law, there will be protection for people that is not apparent today.

Hon. L. Craig: If you get an unscrupulous registered builder, he may provide just as bad a job as anyone else.

The HONORARY MINISTER: I cannot argue against that. Irrespective of how qualified a man may be, he may be capable of adopting an attitude contrary to that which he usually does. For instance, I believe that in some suburbs certain builders have carried out excellent jobs, but have also carried out jobs that are no credit to them. I support the amendment on the amendment.

Hon. G. W. MILES: I support the amendment. The argument advanced by the Honorary Minister is against the small tradesman. The carpenter or the bricklayer who is experienced can build just as well as some of the big contractors quoted by Mr. Bolton. The big builders and contractors in many instances sublet the different sections of their work to tradesmen. The Bill will have the effect of cutting out the small men, and yet it is supported by the Labour Party. Here we have the Builders' and Contractors' Association and the Labour Party in an unholy alliance to get the Bill through this Chamber.

Hon. L. B. Bolton: You are too narrow-minded.

Hon. G. W. MILES: I am not. This has been supported by a block vote.

Hon. C. B. Williams: Have we a new disciple in Mr. Bolton?

Hon. G. W. MILES: What is the great idea? The Labour Party are solidly supporting the Builders and Contractors' Association against the small tradesman, who is not to be allowed to make a living. Here we have the democrats of Beaufort-street supporting the big builders and contractors against Labour's own supporters. There is no necessity for the poor man to go to an unregistered builder at all. This will not

allow the tradesman to get a start, yet all the big builders and contractors were supposed to start from the bottom rung of the ladder.

Hon. L. B. Bolton: You were born with a silver spoon in your mouth.

Hon. G. W. MILES: I was not, and you know it; I had to work for my living. I did not have a father to put me on my feet, as your father did for you.

Hon. C. F. BAXTER: I am not much concerned about the small builder but about the small householder who desires to have a home built for himself at a cost ranging from £700 to £1,000. The effect of the Bill will be to give registered builders a close preserve. The small man will have to go. I am astonished at the attitude of Labour members. Moreover, a board will be set up; there will be a staff and, doubtless, a suite of offices. Money will have to be provided for their upkeep, and where will it come from? With the granting of a close preserve for the registered builders, the small man will be out of the way, despite the fact that the small man could probably build a house better than the big builder or contractor, who is not a tradesman. Building prices will tend to increase because competition will be eliminated. Members should not be influenced by the argument that choice will be restricted, because that is not the position.

Hon. J. J. HOLMES: One would be led to believe that the Bill had been introduced for the protection of the public, but I can find no word or clause in the Bill that will afford any protection. On the other hand, there is the close corporation that will be created if the Bill be agreed to. Honest builders, dishonest builders and jerry builders will all be registered and, according to Mr. Bolton, we must wait till they have all died out before we can get a clean list of builders. The public have not asked for the Bill.

Hon. L. B. Bolton: The public do not ask for half the Bills that are passed.

Hon. J. J. HOLMES: And it would be better if the Government did not introduce half the Bills that come before us. The public have a duty to themselves to see that their interests are protected when they decide to build homes. The further we go with the Bill, the more convinced I am that, sooner or later, it must go out.

Hon. J. T. FRANKLIN: I am sorry the amendment and the amendment on the



amendment have been moved. I am rather proud of being a builder. I started from scratch.

Hon. J. J. Holmes: Why not let others start from scratch?

Hon. J. T. FRANKLIN: Although I started from scratch, I was not a jerry builder. The Bill will not debar any workman from starting out from scratch. Mr. Moore said a carpenter could erect a building worth from £400 to £500. May I tell Mr. Moore that the carpenter is one of the brains of the builders. He can carry out any work allotted to him, and so a carpenter desiring to build such a cottage has no restrictions placed upon him. Any honest, straightforward builder could carry out any work allotted to him, provided he had the necessary experience. We are asking that the amount shall be increased from £300 to £1,000. A good house of six rooms can be erected for from between £700 and £800. I would erect one for £800 and guarantee satisfaction.

Hon. G. W. Miles: I should think so.

Hon. J. T. FRANKLIN: I will vote against the amendment on the amendment, because I am anxious to get the Bill through. Nearly all members have declared that the board will be a one-man board.

The CHAIRMAN: That is not under discussion now.

Hon. J. T. FRANKLIN: There will be three good men on the board, and they will see that no shoddy contractors come along. I believe a fee of £500 would be too much. Any honest workman should have opportunity to start in trade for himself.

Hon. G. W. MILES: The amendment before the Chair is another reason why I will not support either the amendment or the provision as printed. We have in this State architects to protect the public, yet these builders come along and want to put the Bill through. They say it is to protect the public. But have not the architects protected the public in the past?

Hon. G. Fraser: Yes, that is why we have so many jerry-built houses.

Hon. G. W. MILES: Labour members, who usually are looking for protection, are supporting the Bill. If the Government were to bring down a Bill to amend the Apprentices Act, there would be no stronger supporter of it than I.

Hon. J. T. FRANKLIN: Can I make myself clear to members?

The CHAIRMAN: I do not know; that is for members to say.

Hon. J. T. FRANKLIN: I merely want to say that I am voting for the £500 because the £300 has been struck out.

Amendment on the amendment put, and a division called for.

The CHAIRMAN: Before I appoint the tellers, I may point out to Mr. Franklin, who made a personal explanation, that he is defeating that personal explanation, for he said he intended to vote for the £500.

Hon. J. T. FRANKLIN: Thank you.

Division resulted as follows:—

Ayes .. .. .	10
Noes .. .. .	14
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Majority against .. .. .	4
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#### AYES.

Hon. E. H. Angelo	Hon. E. H. Gray
Hon. L. B. Bolton	Hon. W. H. Kitson
Hon. A. M. Clydesdale	Hon. H. V. Piesse
Hon. J. M. Drew	Hon. C. B. Williams
Hon. G. Fraser	Hon. J. T. Franklin
	(Teller.)

#### NOES.

Hon. C. F. Baxter	Hon. R. G. Moore
Hon. L. Craig	Hon. J. Nicholson
Hon. C. G. Elliott	Hon. W. H. Parker
Hon. V. Hamersley	Hon. H. Seddon
Hon. J. J. Holmes	Hon. C. H. Wittenoom
Hon. W. J. Mann	Hon. H. J. Yelland
Hon. G. W. Miles	Hon. E. H. Hall
	(Teller.)

Amendment on the amendment thus negatived.

The CHAIRMAN: The question now is that £1,000 be inserted in lieu of the amount struck out.

Hon. L. B. BOLTON: I move an amendment on the amendment—

That £750 be inserted.

I thought £300 was a reasonable amount, but I was prepared to meet the wish of the Committee and make it £500.

Hon. J. J. Holmes: That was not the wish of the Committee.

Hon. L. B. BOLTON: Mr. Holmes asked me what the Employers' Federation would say to my supporting the Bill. Certain members never can see good in anything emanating from the Labour Party. I do not hold those views, and I am prepared to support anything that appears to me to be in the interests of the State.

Hon. J. J. Holmes: What has this to do with the £750?

Hon. L. B. BOLTON: A lot.

The CHAIRMAN: Order! The amendment concerns figures, not an explanation.

Hon. L. B. BOLTON: I will leave it at that.

Amendment on amendment (to insert £750) put, and a division taken with the following result:—

Ayes .. .. .	11
Noes .. .. .	13

Majority against .. ..	2
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AVES.

Hon. L. B. Bolton	Hon. E. H. H. Hall
Hon. A. M. Clydesdale	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. H. V. Piesse
Hon. J. T. Franklin	Hon. C. B. Williams
Hon. G. Fraser	Hon. E. H. Angelo
Hon. E. H. Gray	(Teller.)

NOES.

Hon. L. Craig	Hon. J. Nicholson
Hon. C. G. Elliott	Hon. H. S. W. Parker
Hon. V. Hamersley	Hon. H. Seddon
Hon. J. J. Holmes	Hon. C. H. Wittenoom
Hon. W. J. Mann	Hon. H. J. Yelland
Hon. G. W. Miles	Hon. C. F. Baxter
Hon. R. G. Moore	(Teller.)

Amendment on amendment thus negatived.

Amendment (to insert £1,000) put and passed.

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

That subparagraph (ii) of paragraph (c) be struck out.

The words are unnecessary.

The Honorary Minister: I think they are necessary.

Hon. H. S. W. PARKER: According to Subclause 2 the prohibitions contained in that subparagraph do not apply. That amounts to the same thing, because this subparagraph grants exemption.

Amendment put and passed.

Hon. C. F. BAXTER: I move an amendment—

That the words "the Institution of Surveyors, Western Australia, Incorporated" be struck out.

I move the amendment in order to obtain an explanation as to why members of the institution should be exempted from the prohibitions.

Hon. L. B. BOLTON: I cannot say, other than that they would have sufficient knowledge.

Hon. C. F. Baxter: Would they?

Hon. L. B. BOLTON: I think so.

Hon. C. F. Baxter: They are not builders.

Hon. L. B. BOLTON: Building surveyors would possess the requisite knowledge.

Hon. C. F. BAXTER: I cannot accept that explanation. We ought to be sure that the people to be exempted are fully qualified. How could an ordinary surveyor be a builder?

Hon. J. T. FRANKLIN: The object of the clause, I believe, is to protect not only builders but proprietors. Surveyors are important men. We have had experience of buildings having been erected on wrong blocks.

Hon. H. S. W. PARKER: It seems absurd to exempt members of the institution of surveyors or of the institution of mining and metallurgy. We are dealing with the construction of buildings, not the surveying of land.

Hon. J. J. HOLMES: Will Mr. Bolton explain why the institution of mining and metallurgy has been included? I understood that metallurgy was a science.

The HONORARY MINISTER: The Institution of Surveyors of Western Australia is included, I take it, because frequently it would be the duty of a surveyor to supervise the carrying out of a contract.

Hon. C. F. BAXTER: The point is that a surveyor need not be registered in order to take a contract.

Hon. H. S. W. PARKER: This permits him to put up a plate, "Registered Builder."

Hon. C. F. BAXTER: If the surveyors are allowed to remain in the Bill, they can, should they lose their own employment, take to contracting. Surely the measure is not intended to go so far. Metallurgy, again, has nothing whatever to do with building operations.

Hon. J. NICHOLSON: There is considerable room for arguing in favour of the exclusion of all these institutions. They are not concerned with either building or contracting. The architect only prepares plans for a building; he does not enter into the business of contracting. Mr. Bolton would do well to report progress and obtain further information on the point. Why do the names of these institutions appear in the clause at all?

Hon. L. B. BOLTON: I would accept an amendment for the deletion of the two institutions of surveying and of mining and metallurgy.

The HONORARY MINISTER: Probably the institutions are included because of the provision that no person who is not registered under the measure is to be en-

titled to recover in any court any fee or charge in connection with a contract unless the contract is for less than £1,000. Consequently the striking out of the Institution of Surveyors would prevent a surveyor from suing for fees in a court of law unless the contract was for less than £1,000.

Hon. H. S. W. Parker: No. The measure applies only to construction of buildings.

Hon. J. J. HOLMES: I would suggest that the reason why these institutions have been included here is that they have torn the Bill to shreds and pointed out the fallacy of the whole thing. They are now included with a view to keeping them quiet.

Amendment put and passed.

Hon. C. F. BAXTER: I move an amendment—

That in subparagraph (i) the words "the Australasian Institution of Mining and Metallurgy" be struck out.

I cannot see any justification for the inclusion of this organisation.

Amendment put, and a division called for.

The CHAIRMAN: Before tellers are appointed, I shall cast my vote with the ayes.

Division taken with the following result:—

Ayes .. . . .	12
Noes .. . . .	12
A tie .. . . .	0

#### AYES.

Hon. C. F. Baxter	Hon. G. W. Miles
Hon. J. Cornell	Hon. J. Nicholson
Hon. E. H. H. Hall	Hon. H. S. W. Parker
Hon. V. Hamersley	Hon. O. H. Wittenoom
Hon. J. J. Holmes	Hon. H. J. Yelland
Hon. W. J. Mann	Hon. E. H. Angelo (Teller.)

#### NOES.

Hon. L. B. Bolton	Hon. W. H. Kitson
Hon. A. M. Clydesdale	Hon. R. G. Moore
Hon. J. M. Drew	Hon. H. V. Piessie
Hon. C. G. Elliott	Hon. H. Seddon
Hon. J. T. Franklin	Hon. C. B. Williams
Hon. G. Fraser	Hon. E. H. Gray (Teller.)

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

Amendment thus negatived.

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

That subparagraph (ii) be struck out.

One has only to read the paragraph to see how absurd it is. The words are quite unnecessary.

The CHAIRMAN: When speaking to the second reading, I said that this was a Bill that Jack built. It looks like it.

Hon. L. B. Bolton: It might be better for me at this stage to ask the Committee to report progress.

Progress reported.

*House adjourned at 9.25 p.m.*

## Legislative Assembly,

*Tuesday, 22nd October, 1935.*

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

## BILL—SUPPLY (No. 2), £1,500,000.

*Standing Orders Suspension.*

THE PREMIER (Hon. P. Collier—Boulder) [4.33]: I move—

That so much of the Standing Orders be suspended as is necessary to enable resolutions from the Committees of Supply and Ways and Means to be reported and adopted on the same day on which they shall have passed those Committees, and also the passing of a Supply Bill through all its stages in one day.

Question put and passed.

*Message.*

Message from the Lieut.-Governor received and read recommending appropriation for the purposes of the Bill.

*Committee of Supply.*

The House having resolved into Committee of Supply, Mr. Sleeman in the Chair,