

Hon. N. KEENAN: If Western Australia passed a proper Bill giving sustenance to unemployed as a subject-matter to the Commonwealth, of course the Commonwealth could do it, but could not give it to the unemployed of South Australia, Victoria or other part of Australia. It would not be part of the Constitution; the Commonwealth would be exercising a reference by a particular State.

Mr. McDONALD: I did not say that to grant the powers contained in paragraph (b) would be giving up the self-governing rights of the State but I do say that, by granting all the powers contained in Clause 2, we would be substantially giving up the self-governing rights of the State. What powers were left to the State would not be worth having. To grant the powers in paragraph (b) would represent a large part of the devolution of the self-governing rights in our possession. If a measure, as passed, contained this clause—that the Parliament of Western Australia refers to the Commonwealth all the self-governing rights we possess—that would not be a kind of exercise of reference contemplated by Section 51 (xxxvii) of the Commonwealth Constitution. It would not be within the spirit of the Constitution, and probably would not be constitutional, for any State Parliament to pass legislation referring to the Commonwealth all the powers it possessed. No State Parliament would be entitled, under Section 51 (xxxvii), to give away the self-governing rights of the people of that State. This being so, and as this measure in practice would enable the Commonwealth substantially to take over the self-governing rights of the people of the State, such a reference of power is outside the scope of Section 51 (xxxvii). I am wholly in accord with the Prime Minister, though when he made the remark I am about to quote, he had in view the original Bill contemplating the transfer of powers permanently. However, he struck the right note when he said—

I repeat that the questions are essential questions for the Australian people, whose future may be determined by the course of these deliberations.

If we intend to part with a degree or volume of the self-governing rights of the people of this State, those are questions for the decision of the people and, in the absence of consultation of the people, I suggest that we should and need go no further than

granting the powers proposed in the amendment.

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

Ayes	..	..	..	..	17
Noes	..	..	..	..	18

Majority against 1

AYES.		
Mr. Berry	Mr. Sampson	
Mr. Boyle	Mr. Seward	
Mrs. Cardell-Oliver	Mr. Shearn	
Mr. Hughes	Mr. Thorn	
Mr. Keenan	Mr. Warner	
Mr. Kelly	Mr. Watts	
Mr. Manu	Mr. Willmott	
Mr. McDonald	Mr. Doney	
Mr. McLarty		

(Teller.)

NOES		
Mr. Collier	Mr. Nulsen	
Mr. Coverley	Mr. Pantou	
Mr. Cross	Mr. Sleeman	
Mr. Hawke	Mr. Tonkir	
Mr. J. Hegney	Mr. Triat	
Mr. W. Hegney	Mr. Willcock	
Mr. Johnson	Mr. Wilson	
Mr. Leahy	Mr. Withers	
Mr. Needham	Mr. Fox	

(Teller.)

Amendment thus negatived.

Paragraph put and passed.

Progress reported.

House adjourned at 6.15 p.m.

Legislative Council.

Wednesday, 3rd March, 1943.

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Adjournment, special	2648

The PRESIDENT took the Chair at 2.15 p.m., and read prayers.

QUESTIONS (2).

BOOKLET, "INDUSTRIAL DEVELOPMENT OF WESTERN AUSTRALIA."

As to Cost of Publication.

Hon. C. F. BAXTER asked the Chief Secretary: Will he state the total number of booklets printed under the title of "The Industrial Development of Western Australia"? 2, What was total cost of such production? 3, Was any charge made for the advertisements contained in such booklets? 4, If so, what is the amount?

The CHIEF SECRETARY replied: 1, 9,953. 2, £1,229 7s. 9d., of which sum £183 6s. 6d. is the subject of negotiations now taking place. 3, Yes. 4, £12 12s. per page. Total charge for advertisements—£1,512.

APPLE AND PEAR ACQUISITION BOARD.

As to Disposal of Surplus Apples.

Hon. W. J. MANN asked the Chief Secretary: 1, Is the Government aware that the Apple and Pear Board recently communicated with representatives of industrial establishments in Victoria with a view to disposing of what was termed the surplus of the Tasmanian and Western Australian apple crop by making available cartons containing 12 lbs. of good quality apples for 2s.? 2, If so, will a similar arrangement be made for the people of this State? 3, If not, will the Government ascertain what the Apple and Pear Board proposes doing with respect to the sale of any surplus apple crops produced in Western Australia?

The CHIEF SECRETARY replied: 1, The Apple and Pear Board in Victoria does sell cartons of apples of approximately 12 lbs. weight. It is unlikely, however, that Western Australian apples will be sold at 2s. per carton, owing to the landed cost of such apples from this State. 2, During last year apples were sold throughout the suburbs of Perth from a mobile unit in 20 lb. lots, the price being 3s. 6d., and in a few cases as low as 2s. It is anticipated that this scheme will operate again this season. 3, The surplus of the apple crop produced in Western Australia will be utilised for dehydration purposes.

BILL—PUBLIC AUTHORITIES (RETIREMENT OF MEMBERS).

Report of Committee adopted.

BILL—COAL MINE WORKERS (PENSIONS).

Second Reading.

Debate resumed from the previous day.

HON. G. W. MILES (North) [2.22]: My personal view is that before this Bill to provide for pensions was brought into being, another Royal Commission should have been appointed to inquire into the working of the Collie coalmining industry. The present Government has got itself into the same position as the Government of ten years

ago, and is allowing the industry to go on bleeding the taxpayers of the country. In 1932, when moving for the appointment of a Royal Commission to inquire into the Collie coalmining industry, I said that the mineowners and the miners had formed an unholy alliance to bleed the taxpayers of the State. To me it seems that the position today is the same. According to figures quoted by Sir Hal Colebatch, the price of Collie coal now is higher than it was in 1932 and 1933. Therefore, before any pensions scheme is provided, there should be another inquiry into the working of the industry.

Hon. C. B. Williams: What is the price of beer at Marble Bar?

Hon. G. W. MILES: Am I to be insulted by this man?

Hon. C. B. Williams: You could not be insulted! It is not possible.

The PRESIDENT: Order! Will the hon. member resume his seat?

Hon. C. B. Williams: Does he say he is insulted?

The PRESIDENT: Mr. Williams has on many occasions indulged in the habit of interrupting the proceedings of this House. He has interrupted in a way that is not at all relevant to the proceedings and not in accordance with the order that should be observed in this Chamber. I wish to warn the hon. member that this sort of thing will not be allowed to continue. I have extreme powers, and I want to warn the hon. member now that if he continues on that line I shall exercise those extreme powers.

Hon. C. B. Williams: You have your job. You keep yours. I'll keep mine.

The PRESIDENT: Order! The hon. member must only address the Chair.

Hon. C. B. Williams: I only address the Chair, never anything else.

The PRESIDENT: Members of the House can only be addressed through the Chair. I desire to inform the hon. member that when I issue this warning, I mean it. I shall not issue this warning again.

Hon. C. B. Williams: I owe you an apology. You have it.

The PRESIDENT: The hon. member must cease interruptions in future.

Hon. C. B. Williams: Interjections?

The PRESIDENT: Interruptions! They must cease.

Hon. G. W. MILES: May I say further that yesterday when Mr. Parker was speaking—

Hon. C. B. Williams: If the hon. member goes on, I go on.

The PRESIDENT: I must ask the hon. member to continue his speech on the Bill before the House.

Hon. G. W. MILES: I think it is my duty to bring before you, Sir, and the House the remarks I heard in the corridor.

The PRESIDENT: What takes place in the corridor should not be referred to in this House.

Hon. G. W. MILES: I was asked by the hon. member to come out on the grass.

Hon. C. B. Williams: Of course I asked you, but you were not big enough to take it on.

Hon. G. W. MILES: The price of beer at Marble Bar has nothing to do with this Bill.

The PRESIDENT: Order!

Hon. C. B. Williams: Will you keep him in order, not me?

The PRESIDENT: I have already warned the hon. member and will be sorry to have to take action.

Hon. C. B. Williams: I will be sorry to continue to listen to him. I shall leave the Chamber.

The PRESIDENT: I hope Mr. Miles will proceed with the speech he was about to make on the Bill before the House.

Hon. G. W. MILES: I think I said that the Collie coal industry had got into a worse position than it was in when we had a Royal Commission in 1933, and according to figures quoted by Sir Hal Colebatch the price of coal to the taxpayer is higher today than it was then.

Hon. G. Fraser: I ask you—

Hon. G. W. MILES: The hon. member can ask what he likes. I am making a statement and I say it is the duty of this House to insist on a Royal Commission to inquire into the whole of the ramifications of the industry. It has been stated that the owners are prepared to put in machinery to bring down the cost of production. Mr. Moore, when replying to a statement by Sir Hal Colebatch, said that the mineowners took this machinery out themselves.

Hon. T. Moore: They did, too.

Hon. G. W. MILES: And the Collie people said that if the machinery was

brought in, it was likely to cause trouble in the industry—

Hon. T. Moore: Through bad health.

Hon. G. W. MILES: It does not matter whether it was through bad health or not.

Hon. T. Moore: Does it not?

Hon. G. W. MILES: It is the duty of this Parliament and the Government to inquire into the whole ramifications of the working of these mines. I still think there is an unholy alliance between employer and employee to obtain a price for the coal that is more than it is worth.

Hon. G. Fraser: Are you in favour of nationalisation?

Hon. G. W. MILES: I am not in favour of nationalisation. It has been stated that coal can be mined at 6s. a ton. These assertions need inquiring into. We could ascertain whether there is any truth in them or not. What is the idea of wanting to rush this pensions scheme through and accusing people of being opposed to the miners? Nobody is opposed to the miners getting a fair day's pay for a fair day's work. It has been stated that they only work three or four days a week to earn the money they are getting, and they will not earn any more because it would have to be paid away in income tax. These points should be inquired into, instead of which this Bill has been introduced to allow men who need only work for 300 days in five years to obtain a pension. It needs to be set out clearly whether this pensions scheme is going to relieve the Commonwealth of the necessity of paying the old age pension. When a man is 65 years of age he is entitled to draw the old age pension, but if a man is drawing money under this scheme the Commonwealth will be relieved of the need to pay the old age pension.

Hon. G. Fraser: Do you think that many miners will live after the age of 65?

Hon. G. W. MILES: That does not matter.

Hon. T. Moore: Does it not?

Hon. G. W. MILES: My friend referred to dead men getting no pensions. A "Ded-man" gets more than a pension in Australia. He gets £2,000 a year for putting up regulations to hinder the development of the country and its industries. That is my answer to the statement of Mr. Moore that dead men do not draw any pensions.

Hon. T. Moore: It is a pretty poor answer, too.

Hon. G. W. MILES: These matters should be inquired into before Parliament is asked to agree to this scheme. It has been said that the money is to come out of dividends and not out of the general revenue of the companies. The ordinary shareholder is to be relieved of paying anything towards this scheme. That looks to me as if there is an understanding between the ordinary shareholders and the miners for the preference shareholders to be asked to pay this extra amount, which is not allowed to be wholly passed on. It should come out of the general revenue of these companies. Anyone who talks about voting for the second reading needs to take into consideration the clauses contained in the Bill. Members have said that those who are in favour of super-annuation generally must vote for the Bill in order to be consistent. If we cannot get a Royal Commission, or an assurance regarding the Bill being referred to a Select Committee, I propose to vote against the measure. I would rather see the Bill go out on the second reading unless the Minister can give a definite assurance that he is prepared to have appointed either a Select Committee or a Royal Commission.

Hon. H. Seddon: Why do you not move for one.

Hon. G. W. MILES: I do not want to take on the burden. I took it on before, and it is up to some of the younger members of this House to look after the interests of the taxpayers. I did my part ten years ago.

Hon. W. R. Hall: You look as though you are fading away!

Hon. G. W. MILES: The Royal Commission saved this country £70,000 to £80,000 a year. If we had another Royal Commission we would save another amount.

Hon. W. R. Hall: There has never yet been a Royal Commission that did any good.

Hon. G. W. MILES: That Royal Commission has saved this country £70,000 a year for the last ten years. Prior to that no Government had the courage to tackle the question because Ministers were afraid that the ill-gotten gains of the coal magnates would be used to put them out of office the following year. When I made my first speech on the controversy in regard to this matter in 1932 or 1933, I was applauded throughout the country, but when I asked for a Royal Commission all the Ministers and ex-Ministers were up in arms opposing the suggestion. There was enough on the

Collie coal industry file, without the need for a Royal Commission, for any Minister to take action. There is enough on that file today for any Government to do something about it. There was a good deal on the file from 1920 to 1930 for the Mitchell Government and the Collier Government and all their Ministers to see, but not one had the courage to tackle the question until this House supported me in asking for a Royal Commission. That Royal Commission saved this country £70,000 a year. When the Commissioner made his report there was not one of the directors of these companies left in the State. They were all personal friends of mine, and are today, but I am not going to stand in this House and see the taxpayers of this country bled white by the coalmining industry of this country.

The Chief Secretary: By your friends.

Hon. G. W. MILES: My friends and your friends, too. There was an unholy alliance between the two. Ten years ago the member for Collie in the Legislative Assembly would not speak to me. He has grown older now and has more sense. I do not know whether I am out of step with everybody, or whether it is the member for Collie.

The PRESIDENT: I suggest that the hon. member avoid personalities.

Hon. T. Moore: Stick to the Bill!

Hon. G. W. MILES: I will. I want to congratulate the member for Collie on having got this Bill as far as he has. I want to see the men at Collie treated decently, but I want to see them treated decently on proper lines, and I do not want the taxpayers of this country to be bled in order to give further concessions to the coalminers. Therefore, as I said before, I am going to vote against the second reading unless the Minister will give me an assurance that he will allow the measure to go to a Select Committee.

The HONORARY MINISTER: The question of whether or not the Bill should be referred to a Royal Commission or a Select Committee to inquire into the operations of the Collie companies has nothing whatever to do with the measure, which should be considered on its merits and a decision reached as to whether or not the coalminers should be granted a pensions scheme. Members should decide whether the men have a right to such a scheme, and whether this House is prepared to recognise the claims of a body of men who have done a very fine job.

Hon. G. B. Wood: The reference of the Bill to a Select Committee is necessary to clear up the question of the broken health of miners when they reach 60 years of age.

The HONORARY MINISTER: Anyone who has any knowledge at all of coalmining knows that when the miners reach 60 years of age they are just about unable to do any more work underground.

Hon. H. S. W. Parker: Does that apply to surface workers?

The HONORARY MINISTER: During the debate the cost to the State Government of the coalminers' pensions scheme has been stressed, and it is well for the House to realise what is the exact cost involved. The Government's contribution will be equal to one-quarter of the total amount required from all sources to finance the scheme for the first full year, or the sum of £2,000, whichever is the lesser. If one-quarter of the total amount required for the first full year is greater than £2,000, the Government's contribution will be not a quarter of the total amount required, but £2,000. If one-quarter of the total amount is less than £2,000, the Government's contribution will then be one-quarter of the amount needed.

In the succeeding years the Government will pay one-quarter of the total amount required, with the following limitations:—Second completed year, £2,500 maximum contribution; third year, £3,000 maximum; fourth year, £3,500 maximum; the fifth year and all succeeding years, £4,500 maximum. Of the balance required during the first short period, or any full year thereafter, the owners will contribute two-thirds and the mineworkers one-third. In other words, the total cost for the first full year cannot exceed £2,000, and after operating for five years the total cost to the State cannot exceed £4,500 per annum.

This House without a blush passed the Superannuation and Family Benefits Act covering Government employees which cost the State last year £77,000, so that in objecting to this comparatively small amount, members with regard to civil servants swallowed a camel and are straining at a gnat as far as the miners are concerned. The majority of members when speaking on this Bill stated that they agreed with the principle of universal superannuation for everybody. Obviously, to undertake a proposition of that character is impossible for the State at this juncture.

There are two questions that this House has to answer. The first is: Can the State afford financially to back the scheme? The answer must be "yes," because the total amount involved is comparatively small. The next question to be answered is: Are the coalminers of Western Australia entitled to similar consideration to that extended to the coalminers of New South Wales and Queensland who enjoy a pensions scheme? Again, the answer must be emphatically "yes." The Collie miners have over the years established a splendid record of service, far higher than any achieved elsewhere in the Commonwealth. Disputes have been many, but stoppages very few.

I now want to deal with some remarks made by Mr. Baxter yesterday in opposing this measure. He indulged in scathing criticism of the alleged absenteeism, which, on examination, will be found to be without foundation. He quoted figures going back to 1939 in an attempt to prove that the miners were deliberately absenting themselves from work, which is a serious charge to make against the loyalty of the coalminers, and he suggested that large numbers of workers were stopping away from work in order to evade the payment of income tax. This statement as applied to the big majority of miners is totally without foundation in fact, and is a serious reflection on their manhood. In plain, unvarnished language, the charge laid by Mr. Baxter, if true, means that the coalminers are traitors to their sons, brothers and countrymen who are at their battle stations in Australia and abroad, and they are not worthy to be called Australians.

Such an inference is totally untrue and an insult to all the men concerned. I do not question the returns of absenteeism made by Mr. Baxter which obviously were supplied by the coalmining companies, but they are valueless because they are incomplete. I am informed that the men in the Fighting Forces who went from the Collie mines total from 200 to 250. Take such a number of physically fit, virile young men from any industry and the output—especially when that output largely relies on physical strength—must be considerably affected. I am also informed that the average age of the men now working in the Collie mines is about 50.

Hon. L. Craig: Surely that indicates that the work cannot be so very difficult!

The HONORARY MINISTER: It is unnecessary for me to stress the point that once a man is rising to 50 years of age he cannot stand up to physical work like the younger men; he has not the stamina or the endurance of his younger days. Therefore, the fact of so many young men joining up and leaving the older men to do the work is the real reason for the increased absenteeism in the Collie mines. My opinion is that the Collie miners—old men and young—have been doing a splendid job. During the weekend I had to go to the South-West on Government business. I was surprised to meet there men of advancing years who scorned the old age pension and were falling timber in order to assist the war effort. Some of these men were well over pensionable age. One man falling timber there was over 74 years of age.

There are comparatively large numbers of old miners now working in the mines whose ages are from 50 to over 70 years—working not merely for wages, but actuated by a genuine desire to assist the war effort. They know, as we know, that coal is the pivot of industry, and are going flat out to assist this country. How many men in this Chamber are doing as much to assist the war effort as the coalminers or the timber workers are?

The suggestion that men are deliberately staying away from work to evade taxation as applied to the big majority, is a mean reflection on good men. A few may do this, and those who do it are as bad as the successful business men with big war incomes who are led astray by the insurance companies and are persuaded by the latter to evade paying war income tax by taking out special tax-dodging insurance policies. In this way too, those business men are traitors to their country.

Hon. L. Craig: What do you mean by that statement?

The HONORARY MINISTER: What I say. There are policies that are being offered today to induce men to evade taxation.

Hon. L. Craig: Nothing of the sort! The object is to provide for the additional probate duty.

The HONORARY MINISTER: People are induced to take out these policies so that they will pay less in taxation.

Hon. L. Craig: Labour men are doing that too.

The HONORARY MINISTER: The insurance companies are wrong in doing that sort of thing. Men are being persuaded to take out these policies with the idea of dodging taxation.

Hon. C. F. Baxter: That is a grievous calumny regarding business people.

Hon. L. Craig: And it is a stupid statement.

The HONORARY MINISTER: It is not a stupid statement; it is a statement of fact.

Hon. L. Craig: It is quite stupid.

The PRESIDENT: Order! I must ask members to allow the Honorary Minister to proceed with his speech.

The HONORARY MINISTER: They have done it to decrease their war income contributions.

Hon. C. F. Baxter: They have done it to cover up increases in probate duty.

The HONORARY MINISTER: This sort of thing is being pushed down everybody's throat.

Hon. L. Craig: That is not true.

Hon. C. B. Williams: I would like to know who is making the speech.

Hon. L. Craig: I object to the statements that are being made by the Honorary Minister. They are not true. He said that insurance companies have special men out offering inducements that if taken advantage of would involve additional taxation deductions, and urging people to take out special policies in that connection. That is not true.

Hon. T. Moore: Is this a point of order?

The HONORARY MINISTER: I am informed that special policies are being issued, and that special efforts are being made to induce businessmen and others with large incomes to take up these policies with a view to avoiding the payment of taxation on their incomes.

Hon. L. Craig: That is not true.

The HONORARY MINISTER: Such an offer has been made to me.

Hon. L. Craig: It is not the policy of the companies, but it may be the policy of the canvassers.

The HONORARY MINISTER: Mr. Craig can make what explanation he likes. These policies are in existence, and they have been issued in order to assist men who have been paying fairly large income taxation to avoid such taxation.

Hon. J. A. Dimmitt: It would be interesting to have that statement made outside the House instead of under privilege.

The PRESIDENT: Order! Will the Honorary Minister proceed with his speech?

The HONORARY MINISTER: If this sort of thing is being done—I believe it is—it is looked upon as quite in order as a means of dodging the payment of income tax. I deny the insinuation that has been made in the House that a large number of miners are staying away from their work so as to avoid taxation payments.

Hon. C. F. Baxter: Both classes of men are human.

The HONORARY MINISTER: The principle is wrong, anyhow.

Hon. C. F. Baxter: You think that the Collie miner would not do it but that the businessman would!

The PRESIDENT: I ask members to listen in silence to the speech of the Honorary Minister.

The HONORARY MINISTER: Mr. Baxter made a charge against the Collie miners. My duty is to inform the House that other things of a worse description are being done, and I think I am quite correct in the statement I have made in that connection. I wish to refute the insinuations that have been made against these men, for in any case they could apply only to very few. I admit that the statement that has been made by some members that the Bill, if passed, would lift the responsibility of the Commonwealth Government in regard to the payment of old age pensions, needs some clarification. The coalminers' pensions' scheme in the Eastern States, I understand, was passed in the belief that the old age pension would be in addition to the miners' pensions.

Hon. C. B. Williams: I hope you are right.

The HONORARY MINISTER: Doubts have been expressed on this point, and if there is anything in those doubts the necessary amendment to the Bill could be made in Committee. In conclusion, I feel that the coalminers of this State, by work and service, have established the right to a pension. No-one who knows or realises the discomforts and hardships of a coalminer working underground would ever speak or vote against the Bill. I feel, therefore, that the House would be unwise to reject the measure, which has my wholehearted support.

Hon. C. F. Baxter: That does not help us very much.

On motion by the Chief Secretary, debate adjourned.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY: I move—

That the House at its rising adjourn till 2.15 p.m., on Tuesday, the 9th March.

Question put and passed.

House adjourned at 2.50 p.m.

Legislative Assembly,

Wednesday, 3rd March, 1913.

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The SPEAKER took the Chair at 2.15 p.m., and read prayers.

QUESTIONS (2).

FISHERIES.

As to Perth Herring.

Mr. WATTS asked the Minister for the North-West: 1, What is the average minimum length, age, and weight of a Perth herring or gizzard shad at the time it first spawns? 2, What is the average gross weight of a dead Perth herring at 5 inches, 6½ inches, 8 inches, and 10 inches? Also what is the weight of a cleaned fish, that is gutted, tailed and deheaded ready for canning, at similar lengths? 3, Will a legal net mesh of 2½ inches capture a Perth herring of 5 inches, and if so, what steps, if any, is it proposed to take to rectify or stop the destruction of these immature fish; that is, before they can reproduce their species? 4, Will he continue to permit the commercial exploitation of the fish at 5 inches under the Second Schedule to the Fisheries Act, and if so, to what extent? 5, If not, will he increase the minimum length to 8 inches at least, of Perth herring in the Second Schedule to the Fisheries Act, and if not, why not?

The MINISTER replied: 1, Although scientific research in relation to the life history of our commercially important species is now being undertaken, Perth herring, which until a few months ago was regarded as valueless for food and even now is not by any means high in importance, has had to take a very low place in the list of