

has been taken into consideration. It is apparent that some protection is required for a trustee who desires to agree to a voluntary arrangement, or adjustment, or does not wish to oppose one. At present it is likely, in view of the provisions of the Trustees' Act of 1900 and its amendments, that such a trustee would be liable to be charged with a breach of trust. The Bill states that no such trustee shall be chargeable with a breach of trust by reason of his agreement to, or failure to oppose any such proposal put forward by the Trustees and contemplated by the Bill. The last clause makes provision that farmers who, under the existing Act, have had their unsecured debts primarily adjusted, may take advantage of the provisions of the legislation in connection with any debt concerning which they have had no relief, so that as far as possible an opportunity may be given to all concerned in the matter to obtain similar benefits. This proposed legislation follows to an extent the legislation in force in Victoria, but not by any means completely. There is a number of provisions therein which are not to be found in that State, or which have been adapted so far as possible to suit the interests of people in this State, as I see them. The provisions dealing with secured creditors, as proposed by the Bill, are largely in accord with those which have been in existence in Victoria. It is therefore no new departure as far as Australia is concerned. The circumstances referred to by me have only been too evident to the Government of Victoria during the past couple of years. It is apparent that in this direction Western Australia has to an extent been lagging behind.

Hon. W. D. JOHNSON: The trouble is that a private member cannot speed up Government officials.

Mr. WATTS: This measure is of a somewhat difficult nature. It is easy to criticise any proposal of the kind. I ask members to give the measure careful consideration, and not to be inclined to criticise the proposals out of hand. I believe they will do a great deal of good, if properly taken advantage of under the discretionary powers conferred upon trustees, for a large section of the farming community. That community has borne a considerable burden for the last six years. I do not think these provisions will be of advantage only to the farming community. With the prosperity and con-

tinentment of those engaged in the farming industry, is bound up the prosperity of the city of Perth and other portions of the State. No matter how great the losses which have been made as a result of the failure to collect debts due, for example, to the Crown out of agriculture, there has been a very substantial profit to the Crown and the people accruing from the development of agriculture. That profit is quite likely to continue, but I do not think it will be increased by further abandonments of farming property. Unless some action is taken along the lines indicated, I believe there will be further abandonments of farming properties. In order that the matter may at least be considered, I have introduced this Bill, and commend it to the consideration of the House. I move—

That the Bill be now read a second time.

On motion by the Minister for Lands, debate adjourned.

#### **BILL—PEARLING CREWS ACCIDENT ASSURANCE FUND.**

Returned from the Council with amendments.

*House adjourned at 11 p.m.*

### **Legislative Assembly.**

*Thursday, 29th October, 1936.*

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

#### **BILL—FORESTS ACT AMENDMENT CONTINUANCE.**

*Second Reading.*

THE PREMIER (Hon. J. C. Willecock—Geraldton) [4.35] in moving the second reading said: The purpose of the Bill is to

exclude, during the current year, all revenue from sandalwood from the operation of Section 41, Subsection 2, of the Forests Act, 1918, reading—

Three-fifths of the net revenue of the department, to be certified by the Under Treasurer, shall in every financial year be placed to the credit of a special account at the Treasury, and shall form a fund for the improvement and reforestation of State forests and the development of forestry, and such fund may be expended by the Conservator with the approval of the Minister without any other authority than this Act: Provided that a scheme for such expenditure shall be submitted annually to and shall be subject to the approval of Parliament.

The first annual Act on the above lines had effect from the 1st July, 1924, and each Act for the ensuing five years made provision for a transfer of 10 per cent. of the net revenue from sandalwood, or £5,000, whichever was the greater, to a special account for the reforestation of sandalwood. During this period large areas of sandalwood-bearing country were located and reserves gazetted over considerable areas on the Eastern Goldfields which were found to be carrying a sparse stocking of immature sandalwood. Large-scale experiments were carried out in the artificial regeneration of sandalwood, and a technique was developed which resulted in the successful germination and parasitising of young sandalwood from nuts sown under host plants. It was found, however, that these were freely attacked by rabbits, and that on the uncleared land carrying host plants which are necessary for the successful growth of sandalwood the suppression of rabbits was economically impracticable. The practice was carried on for some time, and special efforts were made in the direction indicated; but the sandalwood plant being a slow-growing plant we were not always able to get suitable land in the vicinity of the host plant, which I think is jamwood. When the Forests Department did endeavour to establish regeneration in that direction, rabbits, which were over-running the unfenced country, destroyed the young plants.

Mr. Stubbs: Is jamwood the best host for sandalwood?

The PREMIER: Yes. When we came to 1930 in dealing with that aspect of forestry, it was recognised that the expenditure of money on reforestation of sandalwood was comparatively useless. We were not getting any practical results from it, and so we decided to discontinue the work. In 1930 the

first Act was passed allowing the revenue from this source, instead of being put into the reforestation fund, to be paid direct into Consolidated Revenue. That has been going on since 1930. It is proposed that a similar practice be followed during the current year. The Bill is an annual one. The principle embodied in this measure is the same as that embodied in the measures of the past five or six years. I presume that the House, having already carried such Bills under successive Governments, will be prepared to continue the policy which has operated for that length of time. The question does not require much debate or information, as hon. members who have been in the House are aware of the provisions of the previous measures. I move—

That the Bill be now read a second time.

On motion by Hon. C. G. Latham, debate adjourned.

## LOAN ESTIMATES, 1936-37.

### *Message.*

Message from the Lieut.-Governor received and read transmitting the Loan Estimates for the year 1936-37 and recommending appropriation.

### *In Committee of Supply.*

The House having resolved into Committee of Supply to consider the Loan Estimates, Mr. Sleeman in the Chair,

*Vote—Departmental, £110,963:*

## THE PREMIER AND TREASURER

(Hon. J. C. Willecock—Geraldton) [4.40]: In submitting the Loan Estimates for this year, I do not propose to give a detailed explanation of the items making up the estimated expenditure, because these will be supplied by Ministers when they deal with the expenditure of their respective departments. I shall mention, in a general way, the most important works, and indicate what has been done and what is proposed during the current financial year. The gross programme for this State, as approved by the Loan Council in June, was £2,350,000. The proposed provision of this sum, however, includes a Commonwealth grant of £33,000 towards deficits, so that the amount available for works is £2,317,000. The expenditure provided for in the Loan Estimates is slightly

less than that amount, namely, £2,316,963. When the loan programmes were approved by the Loan Council, we anticipated receiving a continuance of the Commonwealth grant of £870,000. As members are aware, that grant has been reduced to £500,000, with the result that our estimated revenue surplus of approximately £6,000 has been converted into an estimated deficit of £294,000. Unfortunately the deficit will be increased by expenditure for drought relief. I hardly know how to deal with this particular phase, in view of the motion of which the Leader of the Opposition gave notice today. I had intended to say something about drought relief, and already have said something in that regard, but if I proceed my action may be misconstrued, and it may be contended that I am replying to the motion I have referred to.

Hon. C. G. Latham: We are not likely to take a point like that.

The PREMIER: I do not say so, but I do not desire to traverse ground during the present debate that may have to be covered again when the hon. member's motion is before the Chair. His notice of motion may have some effect on what it is proposed to do because, as Leader of the House, I may not be prepared to leave the State to attend the meeting of the Loan Council to deal with various matters. However, I do not know that I have had sufficient time to decide exactly what is best to be done. Perhaps I had better proceed with the remarks I had intended to make regarding the drought, irrespective of the effect it may have upon my position at the Loan Council. The drought, of course, will have a material effect on our finances, not only on account of the additional expenditure that will have to be undertaken, but in respect of the loss of revenue that would have been forthcoming had climatic conditions been normal. The affected areas have been subjected to three years of adverse conditions. In some districts it was not drought that affected the position of farmers but rust, which has just as much effect on curtailing production. Whether rust or drought, however, the position would not be made better or worse from the standpoint of production, whichever the cause. In the areas that were so seriously affected during those years and which are to-day affected by these adverse conditions, there has been curtailed production for three

years. and this year, following upon the two previous bad seasons, the agriculturists there are in an extremely parlous condition. This is all the more unfortunate because, had the farmers in those districts been in a position this year to take off normal crops, they would have received for their wheat what might be termed a remunerative price. We can never tell what the price of wheat will be from day to day or from week to week, but it would appear that the harvest that will be garnered in the near future will secure to those fortunate enough to be able to take off a crop, a reasonable price which at any rate may provide them with a return that will make the current season at least somewhat profitable. It is particularly unfortunate that in the year when prices, apparently, are to be fairly remunerative, the agricultural areas should have suffered from disaster in the shape of adverse climatic conditions to such an extent that a seriously reduced quantity of wheat will be produced throughout the State this year. Several estimates of the necessary expenditure have been made by officers of the Agricultural Bank, and following a very careful and complete survey of the affected areas by the Chairman of the Agricultural Bank Commissioners, that officer estimates that the State will be committed to find a sum approaching £800,000 for relief purpose. Of course these estimates I refer to are varied almost from week to week because even now I anticipate that if we were blessed with a beneficent rainfall, particularly in the Great Southern district and in the areas eastward of that country, the production of wheat would be materially affected. Unfortunately the present season, which started late, seems to be finishing early. It has already finished in several districts and the probability, unfortunately, is that it will finish early in the Great Southern district and the areas to the eastward. Certainly that will materially affect the production of wheat in those areas. While we may talk about the cost to the State from the standpoint of rendering assistance to agriculturists in distress owing to these adverse climatic conditions, and the amount necessary may be stated at £500,000 or £800,000, the amount may have to be reviewed again in the light of what happens during the next two or three months. The member for Wagin (Mr. Stubbs) will agree that if an inch or two of rain were recorded in the Great Southern

areas, it would make an appreciable difference in the production of wheat there.

Mr. Stubbs: It would mean an additional two or three bushels per acre.

The PREMIER: Yes, and that would apply in the nearer eastern districts. While I do not expect we shall have to render assistance to the people in those particular districts, yet it would make a big difference regarding the production of wheat and the value of that production to the State, the prosperity of which is reflected in the conditions that obtain from time to time in the producing districts. It is proposed to charge any expenditure under this heading against revenue, as no good purpose will be served by using Loan funds. To enable us to meet the resulting deficit, strong representations have been made to the Commonwealth Government, and it will be one of my chief objectives, if I attend the forthcoming meeting of the Loan Council, to obtain from the Federal Treasurer all the financial assistance we require. While I have not too much ground for hope, I trust that the Commonwealth Government will give us a substantial grant for drought relief, because such assistance will be no more than consistent with the past actions of that and previous Governments, and is their reasonable responsibility.

Hon. C. G. Latham: Do you think you will secure a grant, or increased loan funds?

The PREMIER: The Commonwealth Government have made advances during the past five years, so that the Commonwealth Government have recognised that position.

Hon. C. G. Latham: But no individual State has received a grant.

The PREMIER: Yes.

Hon. C. G. Latham: For wheat?

The PREMIER: Yes. If any part of Australia is visited by calamitous conditions there is surely an obligation on the other members of the Federation to go to the assistance of those in distress. We are all part of Australia, all members of one family, and if one member of the family gets into trouble it is the duty of the rest to go to that member's assistance. The growing of wheat is an industry carried on by a considerable portion of our population, and while to some extent assistance has been rendered to agriculturists growing wheat, by means of flour tax and other methods, a considerable amount of Commonwealth money has been made available to people

who are engaged in the production of wheat, because they have passed through a calamitous period so far as prices are concerned. If people have needed and have been given assistance when passing through a calamitous period due to low prices, surely it is not too much to ask that the same principle should be adopted in respect of a calamity which is worse than low prices, a calamity such as drought, which results in the farmers getting no wheat at all. As a matter of fact the principle of assisting necessitous States has been recognised and put into operation for years. The Commonwealth Government said only this year that because the farmers growing wheat in Australia, by reason of the rise of prices, are likely to be in much better circumstances than previously, the need for assistance which the Commonwealth Government had rendered in the past four or five years would not be necessary this year. That indicates that the Commonwealth Government went to the assistance of those people, and that it is the settled policy that help should be given to those suffering any disability through calamitous circumstances. Of course we are not the only people in Australia suffering from drought conditions. I understand from the Press that the pastoral industry in portions of Queensland is in a bad state, and wheat-growing in South Australia has also suffered from drought conditions, and trouble has also been experienced in New South Wales. Other industries, such as the fruit industry, have suffered. In New South Wales the fruit industry suffered from severe frosts at the time of blossoming, and it is in a particularly precarious position. I suppose that, generally speaking, all those in trouble of that kind will be entitled to ask for a proportion of whatever money is available, in order that they may be enabled to carry on. That, it seems to me, will be the mission of whoever represents this State at the Loan Council—to put up a proposition on these lines. The Leader of the Opposition mentioned that the Commonwealth Government had not gone to the assistance of any State.

Hon. C. G. Latham: Of any individual State.

The PREMIER: The Commonwealth Government, in 1930, when special assistance was sought by South Australia because of adverse conditions brought about by

drought, made an additional grant to that State of £850,000 beyond the one proposed of £320,000, South Australia receiving in all £1,170,000. The State had a grant of £220,000 made on the Disabilities Grants Commission's recommendation, but because of the extremely adverse conditions it received that extra amount.

Hon. C. G. Latham: I was at the meeting, and know what took place there.

The PREMIER: It seemed to me that it was the drought conditions which led to the increase being made.

Hon. C. G. Latham: It was made because South Australia had not the money to carry on.

The PREMIER: They would have had money but for the drought conditions. Neither shall we have money with which to carry on if we are struck by drought. On the lower Murchison and the Gascoyne districts and the lower North-West I suppose there are hundreds of people who would be in active employment, well-sinking, fencing, dog-trapping, and engaging in other necessary works, but they are out of employment because the pastoralists—

Mr. Stubbs: Many have lost half the sheep on their stations.

The PREMIER: Yes. People on the stations are out of employment. That adversely affects the State in every way. I thought that it was because of the drought conditions in South Australia that that large amount of money was made available to that State, but the Leader of the Opposition was concerned with what went on at that particular time, and I accept his word. But when there have been low prices steps have been taken to obtain money from some source or other to assist farmers in necessitous circumstances. The additional amount of £850,000 given to South Australia was provided by the other States foregoing some part of the special grant for unemployment relief made by the Commonwealth. Next year the Commonwealth paid a grant of £1,000,000, apparently because of the drought conditions. We are now in the position where South Australia unfortunately found itself six years ago, and we can confidently expect the same measure of help as was then afforded to that State. We have an excellent case to put up, although it is not always the people with an excellent case who get excellent results. The case will be pressed, however, and it

seems to me that the giving of assistance by the Commonwealth to States in distress, having become a settled policy, we would be very pessimistic not to expect some measure of assistance. Of course I do not know what will happen. In the next week or so we may alter the amount we desire to have made available. We are justified in asking the Commonwealth Government for some relief, and if we cannot get all the relief we want from Revenue grant, so long as we are able to borrow some money to assist people who are in such unenviable circumstances, we shall be able to carry on and provide relief where it is necessary. If, however, the money cannot be secured all these works and everything else on these Loan Estimates will have to be drastically recast. The primary responsibility will be those people engaged in agriculture who are distressed. No matter what happens in regard to the curtailment of some particular works which certain people may think essential, those works, in the minds of other people, may be merely desirable. Even if they are absolutely essential in the minds of some people, we have the greater responsibility in regard to drought conditions, and so some of the works will have to be postponed unless we get sufficient money to carry on the distressed people in the agricultural industry. I do not think we are justified in concluding that we cannot get any assistance from people of our own race, and so we would not be justified in stopping the works that are in progress, or cancelling orders for material that we expect to use; these things we would not be justified in doing until we find out just what the position is. For my part, I think we shall be given some consideration. The Estimates of Loan Expenditure are based mainly on the amount required to keep the present number of men employed on relief works. Though it is gratifying to know that the numbers requiring this assistance are steadily falling year by year, the cost of providing work for them is rising, and it is increasingly difficult to find suitable work on which to keep the men engaged. The decrease in the number of relief workers has been maintained even during the winter months, which are generally severe upon the finding of employment. The position in regard to relief works is always difficult to judge, because Governments, when looking for relief works, look for works that will employ the greatest amount of labour. When the previous Government were in

office, there was a tremendously greater number of people requiring employment and relief, and there was a number of works on which the percentage of labour would be very high. Naturally, that Government desired to give as much employment as possible, and so they favoured works where the percentage of labour costs was very high in comparison with the material costs. This has been going on for some four or five years, and consequently works that employ much labour are becoming very few, whilst other works carrying higher costs for material, and which have been deferred, are now becoming essential. So it means that the ratio of money spent on the material costs is growing, and the money available cannot employ so many men. The increasing cost of material is very clearly shown in the figures given hereunder, which display the cost of wages and material per man employed per week on relief works:—

Cost per man per week.

	Wages.			Material.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.
1932-33 ...	2	14	7	1	8	2	4	2	9
1933-34 ...	2	17	9	1	18	9	4	16	6
1934-35 ...	3	1	8	2	13	10	5	15	6
1935-36 ...	3	6	7	3	4	4	6	10	10

It will be noticed that the total cost per man per week has increased slightly more than 22 per cent. since 1932-33, whilst the cost of material has increased by about 130 per cent. So whereas in 1933 it cost £4 2s. 9d. to employ a man on relief work, it now costs £6 10s. The Estimates, as I have already stated, are based on the approved Loan programme, and it should be borne in mind that the accomplishment of this programme is entirely dependent on the ability of the Loan Council to raise the necessary money. The proposals of the Loan Council were to raise the money by two loans, one in June and the other next month. The June loan was for £9,000,000, less than half the programme for the year, and, as members are aware, a substantial proportion of it had to be carried by the underwriters. That does not seem to be very promising for the raising of the next loan, but of course conditions change, and it may prove that in the forthcoming loan we shall have a better opportunity to get a much bigger percentage of the total. Various Press announcements have suggested that, in view of the unsatisfactory response to the June loan the loan programme will have to

be curtailed. I do not know whether that is propaganda spread in order to get people into the belief that only a small loan will be necessary, but in this State we have acquired and spent just about the average amount of loan money spent during successive years. Certainly I will use every endeavour to prevent any reduction in the amount approved for us. It has been stated that some of the States are not spending as quickly as was anticipated when the programmes were considered in June, and it may be that if a reduction does apply it will not affect us. It would appear that a large proportion of the money available for investment is now finding its way into industrial concerns, due to a return of prosperity in those industries. The effect is, of course, to leave for Government loans only the normal accumulation of funds in the hands of trustee companies and insurance companies, who prefer, or are limited by law, to invest in Government securities. Unfortunately, we in Western Australia do not get the benefit of this money invested in industrial enterprises, or not nearly to the extent that obtains in the Eastern States.

Mr. Stubbs: Because we have no industries.

The PREMIER: We have some. In the Eastern States the putting of money into industry beneficially affects the people, but it has no beneficial effect for us, for it only makes the amount of money to be spent from public subscription smaller, and so it does not help us. In the Eastern States, though the Governments may find themselves curtailed in the matter of available loan moneys, the increased employment in private enterprise relieves them of the necessity to provide work. In addition to the money that will be raised by loan, we shall have available grants by the Commonwealth for mining and forestry. The mining grant this year is £34,600 and the forestry grant £50,000. Those sums are just about one-half of the amounts made available last year, and the Commonwealth Government have intimated that next year's grants will be further reduced. Consequently we shall have to depend more and more upon money raised on behalf of the State to provide employment for our people. This Commonwealth assistance was a valuable aid to us and we regret that the Commonwealth Government cannot see their way to continue the assistance at the same

rate as that granted last year. A report has been made reviewing the industries upon which this money has been expended, and apparently the conclusion is that the money has been spent wisely and has been of benefit, not only to the State, but to Australia, because of the increased asset represented by wealth-producing industries. A further aid from the Commonwealth is the assistance towards unemployment relief through local government authorities. The Commonwealth are making available a sum of £1,000,000 at the rate of £100,000 per annum for ten years. Our share of the amount is £6,650 per annum. That money is not intended to be spent on works undertaken by local authorities, but is to be used to meet interest and sinking fund charges on money borrowed by such authorities for works that create employment. We have to supplement the £6,650 on a pound-for-pound basis from revenue. The Commonwealth contribution, though small, is of some assistance. I do not grudge the Commonwealth credit for helping us to this extent, but it affects the State Government in a very small way. Numerous requests have been received from local government authorities to participate in the grant. The requests are being carefully investigated and will be submitted to the Commonwealth Government for approval. A concession has been made to Western Australia, inasmuch as we shall be permitted to use some of that Commonwealth money to meet charges on works undertaken by the Government which, in other States, would be undertaken by local or semi-governmental authorities. For example, most country water supplies, which here are financed from Government loan funds, are undertaken in other States by semi-governmental bodies having independent borrowing powers. To the extent that we can use the Commonwealth money, we shall be relieved of portion of the interest and sinking fund charges, but this will not in any way provide us with more loan money. Perhaps for the Barbalin reservoir work to serve Barbalin, Waddouring and Knunagin, a proportion of the interest and sinking fund charges may be taken out of the £6,650.

Hon. P. D. Ferguson: Then there would not be much left for the local authorities.

The PREMIER: It would represent interest on £125,000.

Hon. P. D. Ferguson: The local authorities would still be responsible for the principal money.

The PREMIER: Yes, but this payment by the Commonwealth is to continue for ten years. If a local authority received £400 or £500 annually towards interest and sinking fund charges over a period of ten years, it would represent in the aggregate a substantial sum of £4,000 or £5,000. The estimated expenditure this year, compared with the actual expenditure last year, is as follows:—

	1935-36. Expenditure.	1936-37. Estimate.
	£	£
Departmental ... ..	101,441	110,963
Railways and Tramways etc. ... ..	392,407	550,374
Harbours and Rivers ...	281,962	221,000
Water Supply and Sewer- age ... ..	1,217,215	1,197,024
Development of Goldfields and Mineral Resources	26,619	20,000
Development of Agri- culture ... ..	227,910	179,548
Roads and Bridges, Public Buildings, etc. ...	216,614	133,500
Totals ... ..	£2,464,168	£2,412,409

Thus the estimated expenditure for this year is roughly £50,000 less than the actual expenditure for last year.

Hon. P. D. Ferguson: What about the amount required for sustenance for farmers in distress?

The PREMIER: I pointed out earlier in my remarks that we shall endeavour to get a special grant for that purpose. If we cannot do so, we shall have to make other arrangements, and probably it will be necessary to re-cast all estimates of expenditure. If we have to spend money in that direction, we shall do so. Such money would have to come out of loan funds; it could not come out of revenue, because there will be a deficit which will have to be financed from loan funds.

Hon. P. D. Ferguson: It seems to be the only item omitted from the Estimates.

The PREMIER: The Estimates were prepared some little time ago, and though we knew that on revenue account we would expend £50,000 for drought relief, we did not then know what our requirements for loan money would be. As the season developed and the position changed, we realised that we would be unable to carry out our programme unless we obtained more money, either from the Commonwealth Government by way of grant or from the Loan Council by way of loan. Consequently, we made strong representations to the Commonwealth Government without delay,

but the other States would not then forgo a portion of their loan expenditure. This will be an important phase of the deliberations of the Loan Council in Melbourne next month. I have details of various works to be carried out under the Estimates. The details will be given by the Ministers in charge of the respective departments when the votes are under consideration, and I shall content myself by briefly referring to the more important items. For railways and tramways £475,000 is provided, which is approximately equal to the amount provided last year. The programme to overtake belated repairs and for special maintenance is being continued. The total sum expended on this account to the 30th June last was £520,516, of which £327,920 has been recouped from revenue. The additional £100,000 will be recouped to loan from revenue during the current year. It is proposed to make annual appropriations from revenue of a similar amount until the total amount charged against loan is recouped. It is estimated that a total sum of £273,000 is necessary for new stock, and, unless a commencement is made now, it will be impossible for the railways to cope with the traffic. That is the forecast of the Commissioner and officers of the department. We must believe that this State is going to make progress. We must expect that the calamitous times we have had from the point of view of harvests will reach an end some time. These lean periods do not generally last as long as this one has lasted. In the light of the experience of the last 50 years we know that after a series of calamitous years we are blessed with a bounteous rainfall, and that should result in greatly improved harvest returns. If that be so, the railways, which can just manage to do the business with the stock at their disposal, will require further supplies of rolling stock, and we are taking time by the forelock in an endeavour to make some provision for that at this stage. A five-years construction programme will be proceeded with. We have an agreement with the American Smelting and Refining Co. to build the Cue-Big Bell railway, at a cost of £60,000, provision for which is made on these Estimates.

Hon. C. G. Latham: Has that money yet been found?

The PREMIER: Some of it will not be new money, but it will be loan expenditure.

Hon. C. G. Latham: You have some rails on hand now?

The PREMIER: Yes. Some of the sleepers that will be required are in store, and have been paid for, and others will have to be cut this year. The whole of this money will not be new money. I hesitate to refer to the next item, which is that of the expenditure on trolley buses, about £75,000. I will skim over that without saying anything more about it. I am sure further remarks will be made on the subject before this Vote is finished. It is as well that I should leave a subject which apparently is causing considerable concern to many members.

Mr. Sampson: What about electricity extensions?

The PREMIER: There is some money for that purpose. The extension connected with the big plant at East Perth does not appear in this year's expenditure. Provision has already been made for the material that is coming to hand. A special arrangement was made by the ex-Premier (Hon. P. Collier) some two years ago, and it is considered that there are sufficient funds held in suspense and in London to meet commitments to the 30th June next. Most of the money involved is being spent on plant, and it is out of the general loan funds made available at the time.

Mr. Sampson: I understand that certain district extensions are awaiting these Estimates.

The PREMIER: Perhaps so. We shall not be able to go in extensively for extensions. The resultant output from the new plant at East Perth, which is expected to be in operation at this time next year, will not be available in full until a period of 12 months has elapsed. Our existing plant is more or less overloaded. We have nothing to spare there, and cannot go in seriously for a system of extensions involving the use of additional current. When the new plant is in operation, the output of the station will be greatly increased, and probably extensions to various districts will then be considered. The sum of £18,000 has been provided for a feeder cable for Colin-street sub-station, and switch gear for the Murray-street sub-station. Under the heading of "Harbours and Rivers," the expenditure last year was £281,962, and the provision this year is £221,000, being £60,962 less than for last year. The Ashburton jetty, which will be completed this



year for an estimated further expenditure of £3,000, accounts for £19,763 of the decrease. The amount provided for the Sunbury harbour is £43,000, compared with £75,038 spent last year. On the Geraldton harbour we spent last year £48,636, and we are providing this year £20,000, which will complete the work that has been proceeding for a number of years. For the Pt. Samson jetty we are providing £40,000 this year, compared with an expenditure of £18,950 last year. For additions and improvements generally in the North-West, £5,000 has been provided. The water supply section covers the water supply, sewerage, irrigation and drainage requirements of the State, including the Canning Reservoir and the metropolitan sewerage works. The expenditure last year was £1,217,739, and the provision this year is £1,196,500, a difference of £21,239. The principal work to be carried out for town water supplies will be further improvements to the Geraldton water supply, and the reticulation for the Narrogin water supply. With respect to stock routes we are providing new watering places, and additional storage for a new stock route into Wyndham and elsewhere as may be required. On sewerage and drainage for Perth and Fremantle the expenditure last year was £436,234, and the provision this year is £375,000, a decrease of £61,234. Under the heading of "Goldfields Water Supply," the principal works undertaken last year consisted of renovations to the main conduits. The Sawyers' Valley tank, the Yellowdine water supply, and the Tammin pipe line were completed, and the Marvel Loch and Coolgardie-Norseman pipe lines were commenced. The expenditure this year, £375,000, an increase of £56,325 over last year, is mainly for the renewal of the main conduit, the completion of the Norseman extension, and the Marvel Loch pipe line. Provision has also been made for the extension of town reticulation and improvements, and improvements to agricultural branch mains, some of which have been in operation for many years, and are in a bad state. The expenditure last year on water supplies, irrigation and drainage in agricultural areas was chiefly on account of water supplies, tanks, drainage and irrigation generally in our agricultural areas. Provision has been made this year for similar purposes. This is mainly in connection with the linking up of the Barbalin

water supply scheme with the goldfields mains. It is proposed to fill this particular dam during the winter months so that water may be available there throughout the year. The estimated cost of this work is £65,000. The expenditure is well warranted. The Barbalin scheme depends for its supply on a large rock catchment. The failure of the rains during the past two seasons has emphasised the dangers to which settlers who rely on the scheme are exposed. If there were an assured water supply in that area it would make a tremendous difference to the stock-carrying capacity of the district. At present farmers are afraid to go in extensively for stock. If they get a dry season, or the water supply gives out, they will have no water for their stock.

Hon. C. G. Latham: The settlers had a bad time last year.

The PREMIER: The scheme provides for a big holding capacity. With an assured water supply, which we would be able to pump into the reservoirs by means of this extension, the prospects of the district from the stock-raising point of view ought to be considerably enhanced. The connection of the dam with the pipe line will relieve the anxiety which has been experienced this year. The expenditure under the heading of "Development of Goldfields" was £26,619 last year, and the estimate for this year is £20,000, a decrease of £6,619. Provision has been made for prospecting and loans to mining concerns. The amount provided will be supplemented by a grant from the Commonwealth for prospecting. The erection and reconstruction of batteries have been provided for. Under the heading of "Development of Agriculture" the expenditure last year was £227,910, and this year we have provided £179,548, a difference of £48,362. Decreases are shown under the heading of "Development of Agriculture, Lands," etc., £23,308, "Group Settlements" £518, "Forestry" £30,000, "Assistance to Industries" £7,289, a total of £66,115; and increases are shown as follows:—"Abattoirs" £17,179, and "Land Settlement for Soldiers" £574, a total of £17,753. The Vote "Development of Agriculture (land)" covers land clearing and settlement at Nornalup, Nannup and Albany, and the reconditioning of holdings. With regard to roads and bridges the amount provided this year shows a reduction of £82,902, as compared with last year. The money will be expended on

roads not covered by the Federal Aid Roads scheme. Of course this item might have to be seriously curtailed, that is, if our loan money is reduced. In 1933 the small loans scheme was inaugurated under the administration of the Workers' Homes Board, and up to the 30th June last, £25,550 had been provided. This year £3,000 will be provided for the same purposes. It is proposed to discontinue the scheme, as the purpose for which it was commenced, namely, to stimulate activity in the building trade, has been achieved. The reason for that money having been provided was to create employment. Fortunately we can now say that the building industry no longer requires to be stimulated by Government funds; it is absorbing a greater complement of men than it has done for a considerable time past. Provision has been made for water supplies and buildings at Moola Bulla native cattle station, the purchase and reconditioning of settlements, and for expenditure at native hospitals at Broome, Wiluna and Kalgoorlie. Provision is also being made for building extensions at the Moore River Settlement and at the East Perth girls' home. With regard to public buildings the provision of £50,000 shows a reduction of £24,791 as compared with last year, and it is for buildings generally. During the year the new girls' school at East Perth was completed. In connection with State hotels and tourist resorts provision has been made for the rebuilding of Caves House at Yallingup, and the amount provided is £10,000. It is a pity that we have a tourist resort of such great value to the State, and that we are unable to provide proper accommodation for visitors. From the amount of £10,000 it is to be hoped to carry out the work of rebuilding which is so necessary. As far as State hotels are concerned a sum of £3,000 is provided for sewerage and for installing hot water services and refrigerating plants at some of the hotels. Of the loan of £10,000 granted to the Rottnest board of control, £8,000 was drawn last year, leaving a balance of £2,000 to be provided this year. There is also an amount of £3,500 for a ferry boat to supplement the South Perth service.

Mr. Cross: It is about time too.

The PREMIER: The money has been provided on the Estimates, and it is to be hoped that we shall be able to carry out the programme that I have outlined. As we make progress with the Estimates, Ministers in charge of the various departments will

be only too pleased to supply members with any detailed information that they may desire to have.

Progress reported.

## BILL—FINANCIAL EMERGENCY TAX.

*Point of Order—Bill Withdrawn.*

Order of the day read for the resumption from the 27th October of the debate on the second reading.

HON. C. G. LATHAM (York) [5.36]: I sire to ask your ruling, Mr. Speaker, as to whether this Bill is in order. Under Section 46 of the Constitution Act Amendment Act it is provided—

Bills imposing taxation shall deal only with the imposition of taxation, and any provision therein dealing with any other matter shall be of no effect.

In examining this Bill I find that Clause 2 deals with an amendment of the Assessment Act, and therefore I cannot see how this can have any effect. I contend that the Bill is out of order on the ground that it does more than impose a tax. In going back over discussions that have taken place from time to time on Bills of this nature, it has been ruled that as another place cannot amend a tax measure, members there must either accept or reject the intrusion of any other matter which would restrain them from making an amendment. Some years ago a learned judge—a member of the High Court Bench—made this statement—"One tax one Act, and a tax and nothing but a tax in one Act." That seems to me to be perfectly right. We have been very jealous in the past of reserving entirely to this House the right to impose taxation, and the control of money Bills. If we are going to introduce Bills containing extraneous matter and attempt to amend other Acts in that way, then we are not complying with the provisions of the Constitution Act, particularly the section I quoted. It is clearly set out that any Bill that imposes taxation shall not contain any other matter. If hon. members look at the Bill before us they will see that Clause 2 deals with the interpretation section of the Assessment Act, and extends it inasmuch as it provides for a basic income and deals with the word "dependent." May I draw hon. members' attention to the fact that the clause is directly con-

nected with the Assessment Act because it says—

“Dependant” means a person who is—(a) domiciled and resident in Western Australia, and (b) a “member of a family” (as defined in the Assessment Act) of a person liable or sought to be made liable for tax under this Act.

Then when we turn to Clause 1 we find this—in paragraph (b)—

Subject to the express provisions of this Act, the Financial Emergency Tax Assessment Act, 1932, with its amendments (hereinafter called the Assessment Act) is incorporated with and shall be read as one with this Act.

It even extends the operations of the existing Act.

Hon. W. D. Johnson: It is as obviously out of order as was the Agricultural Bank Act Amendment Bill last night.

Hon. C. G. Latham: I am very glad to have that interjection, though if I took any notice of the hon. member I would probably find that I was wrong. As it happens on this occasion, however, I know that I am right. I ask your ruling, Mr. Speaker, because to me the Bill is certainly out of order and should be withdrawn.

Mr. North: I support the remarks of the Leader of the Opposition. Last night I was greatly impressed with the importance, no matter how desperate the emergency, of adhering strictly to the Standing Orders. A precedent having been established last night, I feel it my duty now to support in a few words the contentions of the Leader of the Opposition. On page 174 of our Standing Orders I find the following:—

Bills imposing taxation shall deal only with the imposition of taxation, and any other provision therein dealing with any other matter shall be of no effect.

In view of the Standing Orders, and in view of the various statements made by the Leader of the Opposition proving that in this Bill there is interference with the Assessment Act, I think your ruling, Mr. Speaker, should be that the Bill must be disallowed and some other action taken.

Mr. Speaker: The Leader of the Opposition has asked for my ruling in regard to this Bill for an Act to impose and fix the rate of a tax, to be called the Financial Emergency Tax, upon income, salary, and wages. The Leader of the Opposition was quite correct in quoting the Constitution

Act. Further, May’s “Parliamentary Practice” states—

It may become necessary before the second reading of a Bill to make considerable changes in its provisions, which can only be accomplished at this stage by discharging the Order for the second reading and withdrawing the Bill.

There is no shadow of doubt, as I have already told the Premier, that the Bill contains a considerable number of items which should not be in this Bill, but should be in the Assessment Bill. My attention having been drawn to the matter, I have no alternative but to order the withdrawal of the Bill.

The Minister for Lands: We surmised that. We more than surmised it.

Hon. C. G. Latham: The Premier was told.

The Minister for Lands: The Premier was told last night, when he asked.

The Premier: I desire to explain that I went to the Speaker, having doubts myself. The Speaker, however, assured me that the amendments should be made in the Assessment Act. I proposed, if the Bill had passed the second reading, to amend the measure in Committee by striking out those provisions which should be in the Assessment Bill and later introducing a Bill to amend the Assessment Act. I cannot take even that action now that the Speaker has ruled that this Bill should be withdrawn. However, that was my intention. That is the only reason why I consulted the Speaker on the subject, to ascertain whether possibly something which was contained in this Bill and should be in the Assessment Act, could be deleted in Committee and put into the Assessment Act.

Hon. C. G. Latham: This shows how unreliable our draftsmen are.

Hon. W. D. Johnson: It is not their job.

The Premier: It is the job of the draftsmen.

Hon. C. G. Latham: Of course it is.

Mr. Speaker: Order!

The Premier: I have no wish, Mr. Speaker, to dispute your ruling; I merely desire to get on with the business of the House. Or have you given your ruling already, Sir?

Mr. Speaker: Yes.

The Premier: Business would have been considerably expedited if this Bill had been allowed to go through the second-reading stage, whereupon steps could have been taken in Committee to delete from it the provisions which should be included in the Assessment Act.

Mr. Speaker: I should like to clear the atmosphere in regard to an interjection of the Leader of the Opposition. Hon members need to appreciate the fact that it is not the Speaker's business to run around and tell members whether their motions or Bills are in order or out of order. The Speaker has to keep members in order in this House. If hon. members want information as to whether their proposals are or are not out of order, their business is to come and see the Speaker. I am always pleased to give what advice I can. That was what occurred on this occasion. I hope hon. members do not expect me to study every Bill and tell them whether or not it is out of order. I do not propose to do that. This is the place where I give my rulings.

Bill withdrawn.

## **BILL—DIVIDEND DUTIES ACT AMENDMENT.**

### *Second Reading.*

**THE PREMIER** (Hon. J. C. Willecock—Geraldton) [5.47] in moving the second reading said: The Bill proposes to make two amendments in the Dividend Duties Act. The first amendment deals with the assessment of the premium on gold. Some years ago the High Court of Australia decided that where gold was produced in a State and sold overseas, the whole of the profit was not derived in the State where the gold was produced. It is possible to argue, from this decision, that some part of the profit resulting from the premium on gold produced in this State and sold overseas shall be regarded as derived outside the State and thus escape tax. However, all of our mining companies except one have returned, and been assessed on, the whole of the premium. In the one case referred to, a definite claim has been lodged for the exemption from tax of a portion of the premium. As the company carry on business exclusively in Western Australia and produce the whole of their gold here, and also because the company are not subject to taxation else-

where on any portion of their profits, it is not considered that they should be allowed the exemption requested. I wish to draw the attention of the House to the fact that the principle of taxing to Western Australian tax the whole of the profits derived from primary production in this State applies in the case of individuals or partners by reason of Section 25 of the Land and Income Tax Assessment Act, 1907-1932. No reason appears to exist why the same principle should not be applied in the case of a company. The second amendment deals with the exemption from dividend duty of the profits of a mining company until the company had recouped the capital raised by them in cash after the 1st July, 1924. This is provided for by Subsection 9 of Section 6. The provision operates to-day and perhaps has had some influence on the prosperity of the industry. When this provision was included it was obviously intended only to apply to companies operating within the State, but the renewed activity in the industry encouraged an Eastern States company to participate in operations in Western Australia and that company made a substantial profit on its operations here. That company raised a large amount of capital since the 1st July, 1924, by a share issue and the major portion of the capital raised by that means has been invested in operations outside Western Australia. There may be profits in Western Australia sufficient to recoup the original capital invested in this State, but when the company took into consideration the additional capital raised on account of the operations carried on outside this State, that additional capital may not have been returned to the company. Because of that fact, the company desired to be exempt from the payment of dividend duties on profits made by the company on its operations in Western Australia, seeing that they had not secured the return of that part of their capital that was invested outside the State. The amendment has been drafted so as to restrict the exemptions in their application to the amount of capital expended locally. Therefore the money the company has spent locally can be recouped from profits and any further profits in respect of local mining operations will be subject to dividend tax. It is thought that this amendment will afford companies justice and provide them with all the exemption that can reasonably be sought. If the principles of the Bill commend themselves to the

House, members will approve of the Bill because those principles are eminently fair, just and reasonable to the State and the individuals concerned. In those circumstances, I move—

That the Bill be now read a second time.

On motion by Hon. C. G. Latham, debate adjourned.

## **BILL—WESTERN AUSTRALIAN BUSH NURSING TRUST.**

### *Second Reading.*

**THE MINISTER FOR JUSTICE** (Hon. F. C. L. Smith—Brown Hill-Ivanhoe) [4.53] in moving the second reading said: The object of this small Bill is to incorporate the Western Australian Bush Nursing Trust, which was established in 1920 as a result of a gift made by the British Red Cross Society and the Order of St. John of Jerusalem. The donation was made through the then Governor-General of the Commonwealth, the Right Hon. Sir Ronald Munro-Ferguson. The purpose for which the gift was made is set forth in deeds that members will find have been attached to the Bill in the form of schedules. It has been pointed out that the money or gift was in recognition of services that the Dominions had rendered during the Great War. There were five trustees of the fund, and three of them were appointed permanently subject, of course, to death or retirement, while two are ex-officio appointments in the persons of the Minister for Health and the Leader of the Opposition for the time being. The present trustees are Messrs. A. J. Monger, Alfred Carson, and the Hons. John Nicholson, S. W. Munsie and C. G. Latham. One of the original trustees was the late Sir Walter Kingsmill and on his death he was succeeded by the Hon. John Nicholson. Under the deed of trust the capital has to be invested. That is to say, the money itself cannot be used but has to be invested in order to return interest and the interest that is derived from such investment can be used for the purposes of the Trust. It was first thought those objects could be best secured by appointment of nurses in various country districts who would serve the interests of those living in the more remote parts of the State, where the settlers were pioneering the country. They were to render service to expectant mothers and to country

people generally who were in ill-health. But it was found that, owing to long distances and difficulties associated with travelling, very little aid could be rendered in a practical sense by such means. It was afterwards thought that the available funds could be used to better purpose by the provision in country centres of accommodation, adjacent to hospitals, under the supervision of trained nurses or matrons. I am informed that the Trust have rendered very useful services throughout the country districts and their efforts have been much appreciated. With the assistance of Government grants of land from time to time, hostels have been provided at various centres. These include the Lady Novar Hostel at Wyalcatehem—that institution was named after the wife of Sir Ronald Munro-Ferguson who afterwards became Lord Novar—the Lady Campion Hostel at Russelton, the Muriel Chase Hostel at Kununoppin and the Alfred and Eva Carson Hostel at Denmark. The Bill will make the Trust a body corporate with a common seal and the trustees will have perpetual succession in that they will have a corporate entity or existence, and the assets with which they are entrusted will be held in the name of the corporation and not, as at present, in the name of the trustees as joint tenants in most instances. If the Bill be passed, the Trust, being a body corporate, will have power to sue and be sued.

Hon. C. G. Latham: That is sometimes a disadvantage.

**THE MINISTER FOR JUSTICE:** I presume there are compensating advantages. As an entity established in perpetuity, the Trust, by the provisions embodied in the Bill, will possess better legal standing and difficulties will be removed that are inseparable from transactions that have had to be performed regarding titles and assets that the Trust possess. I understand that though the Trust have in the past received grants of land from the Government, the Lands Department officials have experienced difficulty regarding those grants seeing that they have had to be made to individual trustees. The personnel of the Trust must inevitably change as the result of the death or retirement of permanent trustees or of changes that take place regarding Governments and consequently in the personnel of the ex-officio trustees—the Minister for Health and Leader of the

Opposition. The work of the Western Australian Bush Nursing Trust has materially extended. It is most desirable that the trust be given a corporate existence, so that no matter how the personnel of its trustees may change through death or retirement, it can go forward undisturbed in its objective. I do not think there can be any possible objection to the Bill. The provisions are entirely confined to making this trust a corporate body. I move—

That the Bill be now read a second time.

On motion by Hon. C. G. Latham, debate adjourned.

### **BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT BILL.**

*To Refer to Select Committee—Negatived.*

**MR. HUGHES** (East Perth) [6.2]: It is my intention to move that the Bill be referred to a select committee. The Bill proposes to make some amendments in the Arbitration Act, with a view to achieving certain objectives. I am very doubtful whether they will secure the results desired. The arbitration system in this State is due for an overhaul. Before we start tinkering with the amendment of the Act, we should submit the Bill to a select committee, to which evidence as to the working of the Act and its defects and shortcomings may be presented by those interested with a view to bringing about a satisfactory measure. To-day the Industrial Arbitration Court is not functioning as an Industrial Arbitration Court at all. It is a political court. The original intention of the Act was that awards should be established dealing with industry, and in order that there should not be a multiplicity of unions it was prescribed in Section 19 of the original Act that a union could not be registered if there existed in the locality where it was proposed to be registered an organisation to which its members could conveniently belong. Like many institutions which are justified at the time of their establishment, a swing has come the other way, and to-day it is practically impossible to get a union registered unless it is registered in such a way that its members must subscribe to the funds of the political party opposite. To-day an intense state of Fascism exists in the industrial movement. The unions that have registration and are affiliated with the A.L.P. are finding themselves in this position: The members, irrespective of their political

views, are obliged to pay toll to a Government to put into operation legislation with which they entirely disagree. I will guarantee that amongst the industrial workers of the State there will not be found one per cent. in favour of the legislation we have just had withdrawn that puts a tax on their wages. They find themselves in this extraordinary position, that they are obliged to pay toll and subscribe to the political funds of the party opposite for the purpose of putting a tax on their wages, which they consider is not in the best interests of the country and is highly undesirable. Efforts have been made under the Industrial Arbitration Act from time to time to get unions registered, and they have failed signally. We have the remarkable case of the electricians. Electricity has developed extensively in recent years. When the electricians were few in number, they found it convenient to join the Amalgamated Society of Engineers, but as the electricians became strong, and there was plenty of activity in the industry, Mr. Beasley, who is a prominent member of the Federal Government, organised an Electricians' Union in the Eastern States, which obtained registration in every State in the Commonwealth, in addition to its Commonwealth registration, except in Western Australia. The electricians have made repeated efforts to have their union registered in this State, but in vain. Although they number hundreds, and although their trade is a branch of the engineering trade, they have very little community of interest with the other members of the Amalgamated Society of Engineers. But although the union is registered in a number of other States, in addition to Commonwealth registration, every time they seek registration in this State objections are raised. Although they have registration in a number of other States, plus Federal registration, every time they go to the court here the objection is taken that there are other unions to which they could conveniently belong. The blacksmiths are in much the same position. They feel that their activities could best be looked after by an organisation dealing with only the blacksmithing industry, and they have made repeated efforts to secure registration here; but although they have a Federal registration and registration in other States, their local branch cannot get registration in Western Australia. I venture to think that the same fate will follow a new organisation that has been formed—it is

long overdue in the industrial sphere—and brought into existence, namely, the farm labourers' union. They also are getting ready to apply to the industrial court for registration, but probably they will be told that they can belong to the A.W.U., and therefore are not entitled to a separate registration.

Mr. Hegney: Does that union consist of the vineyard employees?

Mr. HUGHES: No, I am not speaking of them; I am speaking of the farm labourers' union.

Mr. SPEAKER: I do not think the hon. member is now putting up an argument in favour of the appointment of a select committee.

Mr. HUGHES: Is not that the way in which to make the case, to point out *prima facie* some avenues that want investigation with a view to remodelling?

Mr. SPEAKER: That may be so, but I say that the benefits to be derived from a farm labourers' union has little to do with the case.

Mr. Raphael: The hon. member had better try to form an undertakers' union.

Mr. HUGHES: I would be prepared to form even a dentists' union. The position in regard to Section 19 has become very oppressive indeed. There are to-day hundreds of people who, in order to be members of a union, have to pay contributions to a political party of which they do not approve. To-day the party opposite does not draw its support from the rank and file of the working men, but from the wealthy people, the *de Bernales* of the community: they are the people behind the present Government.

Mr. Raphael: Rats!

Mr. SPEAKER: I do not think the hon. member should continue along that line. That is not an argument in favour of the appointment of a select committee.

Mr. HUGHES: It is a very large question.

Hon. W. D. Johnson: Why are you making a second reading speech?

Mr. HUGHES: Because I do not want to make two speeches with the one object. Is there any harm in making a second reading speech when I propose to send the Bill to a select committee? I have not the slightest doubt that if there be any chance at all, the hon. member will rise to a point of order.

Hon. W. D. Johnson: I am only trying to get it clear as to why you are speaking now on the second reading.

Mr. HUGHES: The President of the Arbitration Court in a weak moment, when the question of political contributions by an industrial union was raised in the timber workers' case in 1933, made the statement that if the union obliged members to contribute to a political party it might be a ground for registering another union in that industry. But unfortunately, when the question was actually raised before the President of the Arbitration Court he fell down on his own ruling and would not make it a ground for the registration of another union. It ought to be a ground for the registration of another union. When the members of a certain union want to subscribe to a political party there should not be any restriction on any individual giving whatever portion of his income he likes to any political party. If we are to have freedom of thought we should give the fullest scope for people to subscribe to a political party, but we should not make it a condition precedent to belonging to an industrial union that a member must subscribe to the funds of a political party, against which he constantly votes.

Mr. Raphael: The same as the Country Party and the milk producers.

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

Mr. HUGHES: The people who are endeavouring to obtain registration should have an opportunity to place their views before a select committee so that they might receive consideration by this House. The whole system of registering unions needs overhauling. Under the Act, when an application is made for registration of a union, the Registrar notifies the unions thought to be interested and is supposed to give consideration to any objections. But it is an open question whether there can be an ordinary hearing of objections. The Registrar finds himself in the unfortunate position of being unable to have any evidence he requires placed before him. If the parties subpoena a witness, the person receiving the subpoena may, according to the ruling of the President, please himself whether he obeys it or not. There are no sanctions in the Act to compel the attendance of a witness whom the Registrar or a party might require to enable the Registrar to decide whether a union should be registered. Furthermore, we should have some information before us, with a view to making the Act workable, on the question of vesting in the

Registrar the right to obtain the necessary evidence, either at his own behest or at the behest of the contending parties. We ought not to have the farce, if the Registrar does register a union, of the President promptly de-registering it. If we are going to have an appeal, it should lie to the regular judiciary—the judges who have been trained to weigh evidence and to determine appeals. If we want the President to be in it, we should take the first step right away and provide for the application being made to the President, with the appellate jurisdiction vested in the judges of the Supreme Court. The Arbitration Act, in prescribing the rules necessary for an industrial union, contains a dragnet provision to the effect that the rules may provide for any other lawful thing. The intention was to provide for any other lawful thing that was reasonable, necessary, and incidental to the working of the Arbitration Act, but Parliament did not intend the extraordinary interpretation placed upon that provision by the President of the court, namely that an industrial union could provide in its rules for any activity under the sun. Under the ruling of the President, a union could invest funds, apparently, in all sorts of commercial and business undertakings. If industrial arbitration is to be industrial arbitration, we should examine that provision in particular, with a view to determining whether it should not be restricted to the doing of any other thing reasonable and necessary to the carrying out of the functions of the Act. It would be strange if an Act vesting powers in a board like the Milk Board permitted the creation of organisations to engage in all sorts of activities foreign to the Act. Such a thing, I am sure, would be stoutly resisted. We are asked to approve of the registration of the A.W.U. by legislative enactment. If the A.W.U. is to be registered in this way, we should do the fair thing and register all the other unions that have unsuccessfully applied to the court for registration. The A.W.U. is not an industrial organisation. If we made a thorough investigation of the sources from which the A.W.U. gets its revenue, we would find that it levies toll on people in the shape of a license to work, and, at the time of collecting the dues, denies to those people the rights of membership, showing conclusively that this is not an industrial union, but is purely and simply a machine that has been diverted from industrial purposes to make

a special political levy on a section of the community. Before we are asked to override the Arbitration Court and provide special facilities for the registration of the A.W.U., when it has repeatedly failed to satisfy the court, evidence should be obtained and a comprehensive report submitted to the House. To a select committee the A.W.U., if it has a case, as well as other people, could give the full facts upon which it claims to be entitled to special legislative enactment. Members would then be in a position to examine the basis of the claim. The Bill contains a very necessary amendment. Members know that in the first place industrial arbitration was established much on the same principles as the primitive criminal law. The individual had placed upon his shoulders the onus of pursuing and bringing to trial any person who had committed a criminal act against him. I do not propose to follow the member for Kataning through extensive research of the sources of history of the law, but I think we can draw a parallel between the old criminal code and the present industrial arbitration law. The first step was that the criminal law was enforced by the person against whom the injury was done. As it developed the State recognised that it had an interest in the maintenance of law and order, and so in the natural course of things it took over from the individual the duties of obtaining peace by means of the Criminal Code. Offences against the peace were codified, and the responsibility was removed from the shoulders of the individual on to the State as a whole. We had a parallel development in the industrial law. The industrial law in the first place became a function of voluntary enforcement. Individuals had to group themselves together and police industrial awards. To-day an individual cannot bring a prosecution against a party for a breach of an award, nor can an individual who has been short paid in his wages under an award take action in the Arbitration Court to recover the money. Only an inspector under the Act, or an industrial union can take such action. That seems a very serious limitation of the rights of the individual. If a person has money owing to him under an award, he should be able to exercise his own rights to prosecute and recover the money under the terms of the award. I would make that particular clause retrospective. Thus we have the first step analogous to the Criminal Code. Then



we have the next step, which was a very natural development. It was said that an award ought to be a common rule. That was a very sound advancement in the industrial law. Although an award is made a common rule, it is not always easy to enforce it against people carrying on similar occupations. It is necessary to prove that the award covers the type of work engaged in by someone who is a party to the award, or that it is of a similar nature to that work. In this Bill an attempt is made, I take it, to meet that difficulty, but I doubt if the wording of the clause will enable it to be overcome. We are now reaching to what I consider will be the natural and final development of the system of arbitration, that is an industrial code. The time has arrived when Parliament should take back the powers it has delegated to the Arbitration Court, and fix an industrial code prescribing the minimum rates of pay to be paid to any adult worker, whether he happens to be working in an industry the subject of an award or not, and prescribing the maximum hours that any person can be compelled to work by his employer, irrespective of whether he is governed by an award or not. I do not propose to get hot and bothered about this, though I believe it will be the natural development of industrial legislation. We shall come to the stage when Parliament will say, "We are going to set up an industrial code governing the relationship between employer and employee, just as we have set up a criminal code governing relations between citizen and citizen, and have set up a mercantile code governing the relationship between merchant and merchant." Arbitration is becoming sapped of its usefulness. The basic wage is fixed. The only variant that can be obtained is when the price of commodities alters according to statistical enunciation. The basis of the basic wage is that it takes so much more money or less money to buy a given quantity of commodities compared with what it used to take. The margin for skill in different trades has become more or less standardised. Apart from small variations to suit new conditions, not a great deal of alteration has been effected by way of the industrial law per medium of the Arbitration Court. The time has come to give serious consideration to the advisability of establishing an industrial code with adequate means for elastic

alterations. By that system we would get rid of a great deal of unnecessary friction that is taking place in the industrial world, and would extend the protection of a decent system of industrial relationship to cover workers who are too weak industrially to obtain protection from the court. It is a big subject covering the ramifications of the whole of the commercial and industrial life of the community. I admit that the job is too big for the limited powers of a select committee. Some inquiring body with large powers and better opportunities ought to be set up to review the whole position, and have the evidence of both sides tabulated for the information of members. That would be more satisfactory and efficient than the suggestion I am putting forward to appoint a select committee. I believe this Bill will bring about some amendments that are desirable, but it will perhaps dislocate the present system without improving it as a whole. It certainly will not effect those amendments that experience has been shown to be highly desirable. I have had a great deal of experience in these matters. Many of us think that the present system of having a president of the court, with permanent employees' and employers' representatives might be improved by abolishing the two representatives, and giving in their place the right to each party to an application for an award to nominate an assessor to sit judicially, more or less as an independent advisor to the President, in respect to each particular industry. With all the ramifications of industry it is asking too much of a man to require him to be a quasi-advocate of the workers employed in industry, or to be the quasi-advocate of the employers in every individual industry. I believe a great deal of time would be saved in the Arbitration Court itself if, instead of having the fixed representatives on the bench when a particular industrial question arose, the two parties concerned each nominated their independent assessor. I do not know whether I am subject to correction on this, but in my experience there has been no case where the employers' and employees' representatives combined to overrule the president of the court. Generally it is the president who gives the decision; and if the decision is not unanimous, the employers' representative agrees with the president, in which case the employees' representative disagrees; and vice versa. I have asked vari-

ous people intimately concerned, and I have not been able to learn of a case where the two laymen combined to overrule the president. Not that there have not been numerous cases when they should have done so, but the fact remains that they have not. So that, in the ultimate, the decision is a one-man decision. I do not know that we could not develop the system of industrial boards further than at present by giving the court power definitely to appoint an arbitrator, as it were, much on the system of the ordinary law of arbitration. My object in moving the reference of the Bill to a select committee is to afford interested parties the opportunity to present their point of view in such a way that it can be collated and placed before this Chamber with a view to reconstructing, if necessary, the present Bill so as to include in it improvements in the Industrial Arbitration Act which many of us feel to be desirable if the present system of industrial arbitration is to be maintained. It is on those grounds that I move—

That the Bill be referred to a Select Committee.

**THE MINISTER FOR EMPLOYMENT**  
(Hon. A. R. G. Hawke—Northam) [7.54]: We have listened to a long and not altogether uninteresting lecture from the member for East Perth (Mr. Hughes) on the development of our industrial law and on certain industrial practices. We have also had the benefit of listening to a prophecy regarding almost certain changes which will take place in the industrial law of the future. The provisions of the present Industrial Arbitration Act are well known and generally understood, especially by those who feel in a direct way the operations of awards and industrial agreements made from time to time. The Bill proposes to make a number of desirable improvements in the Act. It may possibly be, as suggested by the member for East Perth, that other improvements could be effected; but that, in my judgment, is not sufficient ground to warrant the reference of the Bill to a select committee. Doubtless almost every Bill introduced into Parliament is capable of achieving more benefits than are aimed at in the measure. That, however, would not be a logical argument for referring to select committees all Bills that come before us. The member for East Perth has not proved that there is any

strong need to make amendments other than those proposed in the Bill. He certainly suggested that in his opinion other changes might be considered, and that various things were happening to-day which in his opinion should not happen; but the giving of opinions about various matters does not provide the proof which is necessary to justify the House in remitting the Bill to a select committee for further consideration. The member for East Perth had a good deal to say regarding the position of existing unions and members of those unions. He stated that to-day industrial unions were constituted and carried on in such a manner as to compel some members of those unions to do things which they might not, as individuals, feel inclined to do. I am quite sure that in every organisation at some time or other a minority of the members are compelled to do things which they as individuals would not voluntarily do. The very basis of organisation is that the majority shall rule regarding the management and the progress of the organisation. Each one of us here belongs to some organisation other than the political organisations with which we are connected. Our experience in other organisations has taught us that at times, by virtue of being in a minority, we are compelled to do things which we as individuals would not be in favour of doing. The Industrial Arbitration Act to-day does not compel any industrial union to be affiliated with any political party. There is no word in the Industrial Arbitration Act that can have the slightest influence in that regard. The decision whether a certain industrial organisation shall affiliate with any political organisation is entirely a matter for the judgment of the members of the union concerned. If the majority of the members of a certain organisation feel that it is desirable to become affiliated with a political organisation, then that affiliation takes place. Not every industrial organisation in the State to-day is affiliated with a political organisation. Those organisations that are not affiliated evidently contain within their ranks a majority of members who feel that political affiliation is undesirable. I have no doubt that in those organisations there is a minority of members who feel that political affiliation would be desirable, and if achieved would be most beneficial. But they are compelled by the decision of a majority to have their

union unaffiliated in the way they would desire.

Mr. Marshall: And most such organisations are registered under the Arbitration Act just the same.

**THE MINISTER FOR EMPLOYMENT:** If the member for East Perth (Mr. Hughes) has ideas regarding improvements that can be made, there is nothing to prevent him from setting himself up as a sort of unofficial select committee, and if, after making all the inquiries he is capable of making and adding the benefit of his own practical experience in the industrial world, he feels vital and sweeping changes in the existing Act are necessary, then next session it will be competent for him to introduce a Bill that will incorporate all his own ideas with those of other people that he feels may be beneficial in recasting the Arbitration Act in a more extensive way than is proposed in the Bill.

Mr. Hughes: And have it ruled out of order.

**THE MINISTER FOR EMPLOYMENT:** If the hon. member is as careless in handling the proposal that I suggest to him, as he has been during this session regarding practically all the matters he has brought before the House, then it is almost a certainty that he will be ruled out of order. On the other hand, if he gives the proposal the earnest and careful consideration it is entitled to, then I have no doubt he will not suffer again the indignity that he has already experienced on several occasions this session by having his proposals ruled out of order.

Mr. Hughes: That is not an indignity; that is part of the game.

**THE MINISTER FOR EMPLOYMENT:** It may be part of the hon. member's game to bring before the House proposals that he knows are not in order with the object of having them ruled out of order so that he may go out among the people he so easily dupes and say that he has not been able to do anything for them, because the Speaker had adopted an unfair attitude towards him and would not give him a reasonably fair go. I have no doubt that is the type of tactics he would adopt in such circumstances. No sufficient reason has been advanced why the consideration of the Bill should be delayed to the extent that would be necessary if it were to be referred to a select committee. The proposals embodied in the measure are desirable. They will achieve an improvement in the arbitration laws, and I trust therefore that the proposal advanced

by the member for East Perth will not be accepted by a majority of the members of this House.

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

Ayes	..	..	..	..	17
Noes	..	..	..	..	20
Majority against					3

#### AYES.

Mr. Boyle  
Mrs. Cardell-Oliver  
Mr. Ferguson  
Mr. Hill  
Mr. Hughes  
Mr. Latham  
Mr. Mann  
Mr. McLarty  
Mr. North

Mr. Patrick  
Mr. Sampson  
Mr. Seward  
Mr. Shearn  
Mr. J. M. Smith  
Mr. Thorpe  
Mr. Warner  
Mr. Doney

(Teller.)

#### NOES.

Mr. Coverley  
Mr. Cross  
Mr. Doust  
Mr. Fox  
Mr. Hawke  
Mr. Hegney  
Miss Holman  
Mr. Johnson  
Mr. Lambert  
Mr. Marshall

Mr. Millington  
Mr. Needham  
Mr. Raphael  
Mr. Sleeman  
Mr. F. C. L. Smith  
Mr. Styants  
Mr. Tonkin  
Mr. Willcock  
Mr. Withers  
Mr. Nulsen

(Teller.)

#### PAIRS.

**AYES.**  
Mr. Brockman  
Mr. Keenan  
Mr. McDonald  
Mr. Watts  
Mr. Welsh

**NOES.**  
Mr. Wilson  
Mr. Collier  
Mr. Troy  
Mr. Wise  
Mr. Rodoreda

Question thus negatived.

## BILL—FACTORIES AND SHOPS ACT AMENDMENT.

*In Committee.*

Resumed from the 27th October; Mr. Sleeman in the Chair, the Minister for Employment in charge of the Bill.

Clauses 29 to 34—agreed to.

Clause 35—Repeal of Section 94 of the principal Act and insertion of new section:

Hon. C. G. LATHAM: What is the position regarding an auctioneer who happens to have secondhand furniture in his possession for sale? Is there any provision in the Act that he should be exempt? I think the intention of this proposed section is that it shall apply only to new furniture. A man with furniture temporarily in his possession should be excluded.

**THE MINISTER FOR EMPLOYMENT:** The reading of Section 94 would make it appear that the stamping conditions apply to new furniture only. There seems to be

a doubt regarding the wording of the clause in the Bill. I undertake to have the point investigated and if any change is necessary, I will have it made later.

Clause put and passed.

Clause 36—Amendment of Section 97 of the principal Act:

Mr. NORTH: This clause deals with two points: the cutting out of the word "knowingly" and the striking out of the proviso to the section. In regard to the word "knowingly," I should like an explanation from the Minister. At present the law is that the person concerned must be proved to have deliberately acted in defiance of the law. If the word "knowingly" is cut out, a man may be charged with an offence of which he knows nothing.

The MINISTER FOR EMPLOYMENT: It has been found practically impossible to obtain a conviction under the provision as it is worded in the present Act. There have been a number of instances in which unstamped furniture has been found in the possession of a person and being offered for sale without having the necessary stamp affixed; but it has been impossible to prove that the person has knowingly offered such furniture for sale. It is considered that if a person has furniture for sale which is not stamped in accordance with the law, that breach should be sufficient to warrant prosecution and, if the magistrate considers it necessary or reasonable, to warrant also conviction. If the word is not deleted, I am afraid it would not be of much avail to seek to enforce the stamping provisions in regard to furniture. This law is widely known, and those who commit a breach do it knowingly, though it is impossible to prove that. For that reason it is proposed to delete the word, so that breaches of the law may be dealt with.

Clause put and passed.

Clause 37—Repeal of Section 100 of the principal Act and insertion of a new section:

Mr. NORTH: This clause abolishes elections in regard to the closing of shops. The objective is to make the conditions of employees in the shops less arduous, to reduce the time they serve the public. That must be an objective with which everybody would agree, so far as it goes in itself. But, as things are, it is going to cause a great deal of hardship in certain localities.

The Minister will have seen from the Press that meetings have been held in different parts of the State in which objection has been taken to this clause. At present each locality can decide the matter for itself. The intention of the Minister can be enforced where a locality so desires. I think there are strong grounds for opposing this clause but I do not want to leave the matter there. I want to make my position clear. Some years ago in this Chamber we had a debate on the 44-hour week. I was able to say that, apart from our customs, engineers had devised ways and means whereby hours of labour would be reduced to four per day, if the tremendous weight of custom, which makes all of us keep the present hours, could be removed. If the Minister can by some subtle means overcome customs such as that of people on farms coming into town late on Saturday night, hours could be reduced and late shopping abolished. The Minister has the right intention but the question is how to accomplish it. I think the time is coming when, because of mechanical progress, more and more men will be displaced from employment, and there will be so many persons out of jobs that shifts will have to be introduced. The farmer, who to-day works from sunrise till after sunset, requires these late shopping nights in order to meet existing conditions, and in consequence the shop assistant has to work longer hours. As the surplus labour gradually increases, the time will come when farms and shops alike will be worked on shifts. So it will be seen that I am not opposing this clause blindly. And, apart from existing customs, we have another difficulty in that we have to increase very largely the amount of turnover in all trades and callings in order to make these proposed improvements possible. But the Bill provides for the existing situation and the existing custom. I will vote against the clause.

Hon. C. G. LATHAM: I point out to country members, who have been inundated with letters from country storekeepers, that this is the jumping off place from which the Minister proposes to enforce the Saturday half-holiday throughout the State. When a half-holiday is decided by referendum, it has to be either a Wednesday or a Saturday. In other parts of the State, where the shopkeepers decide amongst themselves upon which day to have the half-

holiday, they submit the selected day to the Minister and he by proclamation sets it aside as a half-holiday. The clause proposes to invalidate all the proclamations already made and henceforth to enforce a half-holiday on the Saturday, which will put the country people at a disadvantage. The lot of a shop assistant is nothing in comparison with that of the man who has to work in the fields or in the mines. (I have done both. I have stood in a shop at a time when the shop did not close till 11 p.m.)

The Minister for Justice: And I have seen the people suffer when the 11 p.m. closing hour was cut out.

Hon. C. G. LATHAM: We know that Satan finds some mischief still for idle hands to do.

Mr. Withers: That is why you are always in mischief.

Hon. C. G. LATHAM: I am not idle. I am kept very busy indeed. The man who swings an axe or a pick—

Mr. Raphael: Or swings the lead, as you do.

Hon. C. G. LATHAM: We all know it is impossible for the hon. member to take anything seriously. There is very much to be said for the man who is on his feet in a shop all day, but at all events the man who has to swing axe or pick cannot sit down to it. So if there is any little consideration that can be given to the man outback, at least let us give it to him. This law proposed by the Minister means centralisation.

The Minister for Employment: It means the opposite.

Hon. C. G. LATHAM: It means centralisation even in the electorate represented by the Minister. The Saturday half-holiday was tried up there but the men were glad to go back after the experiment.

The Minister for Employment: That is absurd.

The Minister for Justice: A number of towns observe the Saturday half-holiday.

Hon. C. G. LATHAM: There may be an odd one. There is a little place adjoining my electorate where they want it, but the majority of my electors want the Act to remain as it is. The member for Bunbury (Mr. Withers) knows that a resolution was carried in his own town to leave the half-holiday as it was.

The Minister for Employment: And how many were at the meeting?

Hon. C. G. LATHAM: I cannot say. Probably many meetings of the sort consist of the secretary and his minute book.

Mr. Withers: Small country towns enjoy the Saturday half-holiday more than do bigger towns.

Hon. C. G. LATHAM: That is not correct. I probably know more about the State than does the hon. member. The busiest members, and Ministers too, find that the only time in which they can get about the country is during week-ends, and so they know when the shopping is done. Practically right through the agricultural districts they have the Saturday shopping. There are isolated places in the wheat belt where they have not late shopping on Saturday.

Mr. Cross: It is a matter of habit.

Hon. C. G. LATHAM: No; Saturday closing has been tried and abandoned. A poll was taken in a town in my electorate a little while ago and a large majority favoured Saturday afternoon shopping.

The Minister for Employment: They did not want the Wednesday afternoon holiday.

Hon. C. G. LATHAM: No, Thursday suited them better. The curse of this State is centralisation, and this provision will tend to centralisation. Many country people, if deprived of the opportunity to do their shopping on Saturday, will send to city emporiums for their requirements. The day will come when this State will have to take action, as other places are doing. Agitation is growing against chain stores and grabbing emporiums that want to deal in everything; yet this measure would favour them by preventing small men from earning a living. We have not objected to clauses that do not involve vital alterations, but the principle of allowing country people to decide their shopping hours should be observed.

Mr. THORN: I oppose the clause. Consideration should be given to the country people, whereas legislation of this kind favours city interests. To compel Saturday closing would lead country people to do their shopping in the city. If farmers have to lose a day to do their shopping, they will travel to the city, especially as transport to the city is nowadays so easy. Saturday shopping suits the people of the country. A petition has been prepared in Toodyay favouring late shopping on Saturday. The Toodyay people, after doing their shopping, can attend the pictures which do not start until 9 p.m. All the farmers do not possess

motor cars and those who do not use horse-drawn vehicles.

The Minister for Employment: How would they get to the city to do their shopping?

Mr. THORN: They would use the post. I regret that the Minister has been forced into the position of having to introduce such legislation. It must be contrary to his wishes and to the interests of the town he represents.

Mr. Hegney: All the farmers of Middle Swan go to Midland Junction to do their shopping on Saturday morning.

Mr. THORN: Because that is their only shopping centre.

Hon. C. G. Latham: And they are not half-an-hour's journey distant.

Mr. THORN: They are right on the spot. If the country people want a late shopping night, they should have it. Shop assistants are not on their feet as long as are farmers who have to work from daylight to dark.

Mr. Hegney: Do you want to keep the shops open all night.

Mr. THORN: We are not extremists; we believe in fair and reasonable legislation.

Mr. SAMPSON: Any provision that would discourage shopping in the rural areas would be very undesirable. The lot of the country storekeeper is far more difficult than it was a few years ago.

The Minister for Employment: Partly because the cost of advertising in country newspapers is altogether too high.

Mr. SAMPSON: That is rather embarrassing for me, but let me mention something that will embarrass the Minister. I have a letter from Northam, the writer of which regrets that the Minister is introducing legislation that will have the effect of greatly injuring the town. My sympathy is with the Minister. When caught on a party measure, one is sometimes compelled to do things that one otherwise would not do.

Mr. Withers: You ought to know.

Mr. SAMPSON: I am here to know what is happening. The hon. member knows it also, but he is led astray by oblique thought and vision. The writer of this letter from Northam calls attention to the fact that the member for the district is in favour of closing the shops on Saturday afternoon, and that this will be a very bad thing for Northam.

The Minister for Employment: I have several letters from business men in Northam heartily supporting me.

Mr. SAMPSON: If country residents are unable to purchase their requirements at times that are convenient to them they will resort to the practice of shopping by post. That will be a bad thing for the country towns. Storekeepers should be encouraged to trade without the position being made impossible for them.

Mr. DOUST: In dealing with this clause we must also bear in mind Clause 38.

Mr. Sampson: Knock them both out.

Mr. DOUST: That may be necessary if they are not acceptable to the Committee. There are other people working in the country beside farmers. I refer particularly to sleeper hewers, timber cutters, sawmillers, tobacco growers, road workers, and labourers generally who are employed a distance of two or three miles from any country town. I quite agree that people should be enabled to make use of their week ends for holiday purposes, but in the country it would be wise if the Government allowed shopkeepers one late night during the week. This Bill provides for a 44-hour week. If the shop assistants have to work a few hours later on one evening in the week, they must have their time off at another period of the week. Many people may lose wages if they have to leave their work and go shopping because there is no late night on which they can buy their requirements. Traders in the country suffer from the competition of hawkers. If shops cannot be kept open one night in the week this will tend to increase the amount of hawking that goes on. Shopkeepers should be protected from that sort of thing as much as possible. Furthermore, if country people have to rely upon what may be delivered to them by the shopkeeper, they may send to Perth for their goods instead of buying them locally. I favour the closing of shops on Saturday afternoon, but the attempt to prevent them from keeping open one night in the week is premature.

The MINISTER FOR EMPLOYMENT: This clause contains an amendment to the Act which is preliminary to another amendment to Section 102. The section we are dealing with in this clause provides for the taking of a referendum in the different shopping districts. I am sure it will surprise many members of the Committee, as well as numerous members of the general public, to learn that there are 111 shopping districts in Western Australia. Of that number 65, or more

than 50 per cent., at present recognise Saturday as the shopping half-holiday.

Mr. Seward: How many of those districts are in the metropolitan area?

The MINISTER FOR EMPLOYMENT: One. Listening to the speeches which have been made on this question, one might think there was not one country district, and not even one country town, where shops close on Saturday afternoon. In point of fact there are many country shopping districts, and, of course, a much larger number of country towns, where Saturday afternoon closing is enjoyed.

Mr. Patrick: Are not those mostly the bigger towns?

The MINISTER FOR EMPLOYMENT: No. They are of all types and sizes.

Mr. Patrick: It depends on train services and many other considerations.

The MINISTER FOR EMPLOYMENT: I have no doubt whatever that if the Saturday afternoon closing of shops becomes universal, an alteration of train time tables will not be beyond the bounds of possibility, especially if the members for the districts concerned make the necessary approaches in that regard. Most of the opposition to the universal Saturday afternoon closing of shops is based on past habits and customs of the people. This proposal runs counter to the habits and customs which people have developed over a long period of years. Thus there is a small amount of opposition raised in some country districts. The opposition which has become vocal is, after all, not very great. The member for Swan, making more than ordinary use of his fertile imagination, suggests that because he received one letter from one business man at Northam against the proposal, the people of the Northam district are against it. Actually the indications at Northam are that the majority of the people there are not against the proposal to establish universal Saturday afternoon closing of shops.

Mr. Sampson: Why did they at an earlier stage decide on Saturday afternoon?

The MINISTER FOR EMPLOYMENT: Northam experimented with the Saturday afternoon closing of shops.

Mr. Patrick: To its everlasting regret.

The MINISTER FOR EMPLOYMENT: Not so. As their experience of the system became greater, they found that a certain amount of business was being lost by Northam to Toodyay, Goomalling, Meckering,

and York because those towns did not have Saturday afternoon closing. Therefore the main argument used at the next Northam referendum was that Saturday afternoon closing was undesirable and unfair in the Northam district because shops in towns 20 miles distant were open on the Saturday afternoon, with the result that people who ordinarily would have traded in Northam traded in other towns. That type of argument, the only type used in the last referendum taken at Northam, is highly selfish. The business that Toodyay, Goomalling, York and Meckering received as the result of the Northam shops closing on Saturday afternoon was really business which Northam had pirated from those other towns, business which those other towns were really entitled to receive. It is said that if country shops close on Saturday afternoon, country people will come to Perth to do their shopping. That argument has no logic in it. Perth shops close at 1 o'clock on Saturday, and for country people at any distance from Perth to come to the city to do their shopping would necessitate leaving the country homes reasonably early. If they would go to the expense and trouble of a trip to Perth to do their shopping, surely they would have sufficient commonsense to incur a much smaller amount of expense and do a much smaller amount of travelling by getting into their own shopping town before 1 o'clock on Saturday. Then there is the point that although they might not come to Perth by car or in person, they would do their shopping by post. I have met numerous people even in Northam—which is not far from the city and has an excellent postal service and a splendid train service—who, after, say, a month's experience of the system of shopping by post, state they have found it unsatisfactory and unprofitable in the long run. Why is Friday recognised as the market day in a town like Meckering, for instance? Meckering has the late shopping night on Saturday. Meckering shops close at 6 p.m. on Friday, and at 9 p.m. on Saturday; yet Friday is regarded as the market day at Meckering.

Mr. Mann: It is train day.

The MINISTER FOR EMPLOYMENT: The member for Beverley should realise that Meckering is a town enjoying one of the best railway services in the State. They have at least two trains every day and a daily postal service.

Mr. Mann: Then what is the reason for their attitude?

The MINISTER FOR EMPLOYMENT: It is the habit of the place, a custom that the farmers have adopted.

Mr. Sampson: I think the talkies operate on Friday nights there.

The MINISTER FOR EMPLOYMENT: In the hon. member's district the talkies are always operating when he travels about. It becomes obvious that the question of shopping in the country districts is not really decided by necessity but by custom that has persisted over a period of years. I predict that in ten years' time there will be no Saturday shopping at all in Western Australia and in that regard the proposal under discussion is exceedingly moderate. The member for Toodyay said he was not an extremist, but adopted the middle course and logically, therefore, he must support this very moderate proposal.

Mr. Thorn: I am a bit old-fashioned. For instance, I would not interfere with the aborigines.

Mr. Marshall: That, I should say, is very problematical.

The MINISTER FOR EMPLOYMENT: There is no need for the member for Toodyay to admit that he is old-fashioned, for that has been a well-recognised fact for at least 20 years. Reference has been made to a meeting of protest against some of the proposals in the Bill. The member for Swan seems to have taken a deep interest in the affairs of my electorate.

Mr. Sampson: I am trying to save you from yourself.

The MINISTER FOR EMPLOYMENT: The meeting at Northam, to which he referred, was held by the local Chamber of Commerce and 16 members were present. Seven of the men at the meeting voted against the proposal in the Bill regarding early closing and five were in favour of it. Two of those who voted against the proposal already close their business premises at noon on Saturdays. They do not remain open to meet the convenience of farmers. Those two individuals adopted the unfair attitude of preventing other business men and shop assistants from enjoying the benefits they themselves possess regarding the long week-ends.

Hon. C. G. Latham: What did the other five do?

The MINISTER FOR EMPLOYMENT: Four of them did not vote at all. One of the

four spoke in favour of the proposal because of his business experience in Narrogin, but did not vote because he was acting in a managerial capacity and had received no instructions from his principals.

Hon. C. G. Latham: What did he say about Friday night shopping at Narrogin?

The MINISTER FOR EMPLOYMENT: I do not know if he discussed that aspect. One of those who voted against the proposal is engaged in the same industry as the member for Swan, and, like all engaged in that particular industry, has a very conservative outlook on life and hates to interfere with customs that have lasted over a period of years.

Hon. C. G. Latham: But he more than anyone else at the meeting could feel the pulse of the people.

The MINISTER FOR EMPLOYMENT: At Narrogin, Wagin, Katanning and Albany, which are the progressive districts in the Great Southern, the shops, I understand, are all closed on Saturday afternoons and have done so for a number of years. Are there no farmers in those particular districts?

Mr. Doney: They stick with determination to the late shopping nights.

The MINISTER FOR EMPLOYMENT: They may, but at Albany there is no late shopping night at all. So it may be assumed that the farmers in that district have adapted themselves to the new conditions.

Hon. C. G. Latham: But Albany lives on the tourist trade.

The MINISTER FOR EMPLOYMENT: I have it from the member for Albany that there are no more progressive minded residents than those of the Albany district. Instead of opposing this proposal, the Opposition should educate their farmers to a recognition of the fact that this reform will not involve them in difficulties but merely will require the farmers to cultivate a new custom.

Hon. C. G. Latham: If the local people have to be educated, you will have a full-time job at Northam during the first year.

The MINISTER FOR EMPLOYMENT: I do not anticipate any difficulty in that respect. I predict that if this proposal is not accepted by Parliament, within 12 months the Northam business people will have changed back to the closing of all shops on Saturday afternoons.

Mr. Patrick: There can be no objection to that if the people themselves desire it.



**The MINISTER FOR EMPLOYMENT:** None at all, except that it is hardly fair for one district, or one town, to be penalised because of a progressive move that may be decided upon. It is quite possible that should the people in one town decide to make this change, the shopkeepers there may be penalised through business being transacted at adjacent towns where such new conditions do not obtain. I suggest that this proposal is not so awful or dangerous as some members would have us believe.

**Hon. C. G. Latham:** What we object to is the forcing of people by Act of Parliament to do something they do not want to do.

**Mr. Withers:** All Acts of Parliament do that.

**The MINISTER FOR EMPLOYMENT:** There are very few Acts of Parliament that give the people the right, by way of referendum, to say whether certain conditions shall or shall not apply.

**Mr. Doney:** Where it exists, why disturb it?

**The MINISTER FOR EMPLOYMENT:** For the reason I have already pointed out—that the progressive districts to-day are penalised to some extent because of the unprogressive districts. That is one reason why closing times for shops should be made uniform. Another reason is: Why should I have the right to vote at a referendum to say that certain workers in my district shall be compelled to work unfairly long hours to suit my convenience? Is that fair or reasonable?

**Mr. Thorn:** What about the farmers?

**The MINISTER FOR EMPLOYMENT:** I have no doubt the member for Toodyay would desire that right, not only in regard to shop assistants but for all other workers in the community. He would like to say how long road workers should work.

**Hon. C. G. Latham:** He would probably say six hours a day.

**Mr. Withers:** Did you say six or sixteen?

**The MINISTER FOR EMPLOYMENT:** The hon. member would like to see all workers—railway workers, "Hansard" reporters and workers of all kinds—working such hours as would suit his convenience. Is there any fairness or justice in that attitude?

**Mr. Seward:** It is not a question of long hours; that is not in it.

**The MINISTER FOR EMPLOYMENT:** It is in it. Shop assistants are compelled

to work from 8.30 a.m. to 9 p.m. They are on their feet the whole day.

**Mr. Seward:** Not always.

**The MINISTER FOR EMPLOYMENT:** It is a very busy day for them, and when the late night takes place on a Saturday they are robbed of any leisure they would otherwise enjoy at the week-end. This principle of a district referendum to decide how long shops shall remain open is unfair and really a vicious thing. It has no merit in it at all, and I am surprised at some members opposite raising their voices against the proposal.

**Mr. Doney:** There is no question of a referendum to lengthen the total hours worked during the week!

**The MINISTER FOR EMPLOYMENT:** No. This proposal lays down that the hours shall be less than at the present time, and that no shop assistant can possibly be compelled to work from 8.30 a.m. to 9 at night.

**Mr. Seward:** They are not now.

**The MINISTER FOR EMPLOYMENT:** In many districts they are. In some districts they are compelled to work after 9 at night and forced to sign the book as having finished work at 9.

**Hon. C. G. Latham:** Who says that?

**The MINISTER FOR EMPLOYMENT:** I do.

**Hon. C. G. Latham:** That is an accusation! Are you not in charge of the department?

**The MINISTER FOR EMPLOYMENT:** I am not in a position to stop the practice except to endeavour to see that where these offences are going on they are checked up, and the necessary action taken to punish the offenders.

**Mr. Doney:** Have you taken such action?

**The MINISTER FOR EMPLOYMENT:** Yes. There is no doubt that the present provision for a late night is very unfair, and is the means of compelling thousands of shop assistants in country districts to work exceedingly long hours on the days on which the late shopping night occurs. Where a late night falls on Saturday, it takes them the balance of the week-end to recuperate, with the result that they have no opportunity to enjoy in a reasonable way the leisure which the week-end brings to most other people.

**Hon. C. G. Latham:** Our people have not deteriorated to that extent. You know very well they are out playing the first thing on Sunday.

The CHAIRMAN: Order! The Leader of the Opposition will have an opportunity to speak to the clause.

The MINISTER FOR EMPLOYMENT: I suggest the proposals are fair and just, and deserve to be supported by every member of this Committee.

Mr. BROCKMAN: I oppose the clause. I have had dozens of letters from people in my electorate—not only from business men but also from farmers and municipalities and road boards—asking me to oppose this clause, as it will have a detrimental effect. In almost all the country districts I have been in Saturday afternoon is the business day for most sections of the community. Only a few weeks ago in one big centre in my electorate the half-holiday was altered to Saturday. It had not been altered more than three weeks before there was a request for it to be changed back to Wednesday.

Hon. P. D. FERGUSON: That is what happened in Northam, too.

Mr. BROCKMAN: The referendum was taken, and they have now got the Saturday late shopping night. I oppose the clause, because it seems to me right that people in a district should be able to decide the matter for themselves.

Hon. P. D. FERGUSON: Those members of the Committee who desire to see the Act remain as at present would be well advised to vote against the clause. If it is carried, I am afraid the conditions existing at present which are enjoyed by the people in the country districts will be filched from them. It is all very well for the Minister with his vocal sophistry to draw a lot of red herrings across the trail, but he will not mislead this Committee. Even in his own town of Northam, where this scheme which he and the Government are attempting to foist on the country people was tried, the people found to their cost that it was absolutely futile. By a very considerable majority they decided to go back to the old system. I believe the majority was 300.

The Minister for Employment: Half that.

Hon. P. D. FERGUSON: The Minister says, "Half that." I would not mind betting that my figures are nearer the mark than his.

Mr. Marshall: If I get my Bill through, betting will be legalised.

Hon. P. D. FERGUSON: The Minister mentioned that the attitude taken up by those opposing the measure was selfish. If

there is anything selfish about the whole business it is the selfishness of those who want to foist these ideas on the great majority of the residents of the country districts, against their desire. The shop assistants in country towns do not want this alteration, but want their customers to have the right to say during which hours they shall do their shopping.

Mr. Tonkin: You ought to talk about foisting things on people; look at what you have foisted on waterside workers.

Hon. P. D. FERGUSON: The wharf lumpers who handle wheat are very small in number as against those who grow the wheat. In Moora, a town in my electorate, there is a large proportion of road workers employed by the local authority. Those men and their wives do their shopping in Moora. Some shop assistants there approached me the other day and pointed out that any alteration in the weekly half-holiday would prevent those road workers and their wives from doing their shopping on the Saturday afternoon, which they said would be distinctly against the interests of the shop assistants themselves. The Minister said that the race of shop assistants in Western Australia had so degenerated in physique that after working late on Saturday they required all the week-end in which to recuperate. In Moora the shops close at 8 o'clock, and immediately afterwards 90 per cent. of the shop assistants of the town go to the pictures, many of them assisting gratis to run the hospital pictures. So there is no lack of physique in those men.

The Minister for Employment: They go to sleep at the pictures.

Hon. P. D. FERGUSON: As I have said, many of them help to run the pictures. I have received from the business people of Moora a petition stating their opposition to Clause 38 of the Bill, which provides for the Saturday half-holiday. The petition, which is signed by 100 per cent. of the business people of Moora, urges me to vote against that provision. Also there has come into my hands from the Northam Chamber of Commerce a letter notifying that the clause was discussed by a meeting of that Chamber on Tuesday last. After the discussion the meeting passed a resolution to the effect that the Chamber was of opinion that the proposed amendment in Clause 38 was not in the best interests of Northam and district, and was in direct op-

position to the recorded votes of the people. That was a vote taken in the Minister's own town of Northam by the business section of the community.

The Minister for Employment: Out of those present at that meeting only seven business men voted for the motion.

Hon. P. D. FERGUSON: This is only Beaufort-street rule, not majority rule. The Trades Hall has put this over the Government. It shows a total lack of consideration for those people living in outback districts endeavouring to produce some wealth on which the metropolitan area can exist.

The Minister for Employment: Tell us how the country people are affected.

Hon. P. D. FERGUSON: The Trades Hall put this over the Minister and the Government. They know that if Saturday closing becomes general all over Western Australia it will materially increase the employment of the shop assistants in the metropolitan area, and certainly decrease it in the country districts. Here is a letter I have from Corrigin, also protesting against the proposed alteration in the weekly half holiday as being detrimental to the farmers in that district. Then I have here a letter from the York Traders' Association.

Mr. Withers: You are stonewalling.

Hon. P. D. FERGUSON: I am not, for I have been on my feet for only about ten minutes. This letter states that the Bill was discussed at a meeting specially called for the purpose, and that a resolution was carried protesting against any alteration in the hours of trading as being against the best interests of the town and district, and tending to foster centralisation. Any such alteration, the letter declares, would be detrimental to all sections of the community. Those are a few letters of the number I have received from rural areas during the last few days. What is this legislation designed for? In whose interests is it to be placed on the statute-book? Whose interests should it be the duty of Parliament to consider? Are we to take primary notice of what may be regarded as the welfare of a handful of shop assistants, or are we to regard the interests of the farmers and others in country districts? Western Australia should not be unmindful of the benefits that accrue to the State from the fact that those people have gone into country districts to carve out homes for themselves,

and incidentally benefit the rest of the State. We should regard their convenience as of primary importance, and in framing legislation we should consider their wishes. As to the selfishness mentioned by the Minister, surely the greater amount is exhibited by those who wish to interfere with the liberties of the people, instead of allowing them to continue in the contented and happy way to which they have become accustomed.

Mr. BOYLE: The Minister's speech reminded me of the prophet who had honour save in his own country. In the district of Northam there is not one shopping centre where shops close on Saturday. Northam had Saturday closing for only so long as was provided by statute, namely, two years. Before the two years were up, the people were up, and at the referendum in Northam, where an affirmative vote for Saturday reopening could be carried only by the support of the workers, the voting was 1,300 in favour of reopening against 1,000 to continue closed.

Hon. P. D. Ferguson: I shall win my wager.

Mr. Hegney: Was it compulsory voting?

Mr. BOYLE: No. Amongst the towns that the Minister alleged had benefited was Goomalling. That is 30 miles north-east of Northam, and I would be safe in offering £5 for every Northam resident caught purchasing in a Goomalling shop. At Toodyay it did not make a difference of 1 per cent. From Northam to Coolgardie there is not one district that has Saturday closing. I urge the Minister first to convert his own district and the districts further east before attempting to lay down a common rule for the whole State.

Hon. P. D. Ferguson: They should convert the Minister.

Mr. BOYLE: In the Avon district not one shopping district observes Saturday closing. I have been approached by residents of every main centre to endeavour to preserve the Saturday afternoon shopping. Those people who visit the Eastern States are immediately struck by the fact that Adelaide, Melbourne and Sydney have late shopping nights. The Minister said that Meckering was a shining example of the farmers doing their shopping on Friday. He did not mention that that happened to be a stock sale day.

The Minister for Employment: Not every Friday.

Mr. BOYLE: Most of those farmers go to Northam on Saturday, a distance of only 23 miles.

The Minister for Employment: You are only guessing now.

Mr. BOYLE: I have spent more than one Saturday night in Meckering. For five years I averaged 7,000 to 8,000 miles a year in my journeys through the wheat belt, and there is not a town or hamlet where I have not stayed days on end.

The Minister for Employment: Not 5 per cent. of the Meckering farmers shop in Northam.

Mr. BOYLE: Meckering was a rather bad example for the Minister to choose.

The Minister for Employment: You have not weakened it. You have suggested that the farmers have sufficient spare time to go to Meckering on Friday and Northam on Saturday.

Mr. BOYLE: Does the Minister think that the youths of the country are so overwhelmed with misery that they do not seek some relaxation? One form of relaxation is foregathering in the shopping centres. It is about the only social activity in which they can indulge because it costs little. The Minister mentioned 65 out of 111 shopping centres that close on Saturday. How many of those centres are between Northam and the goldfields, or Northam and the northern districts behind Geraldton? The Minister referred to the Great Southern. Albany shops close at 1 o'clock and have no late shopping night. Bunbury shops probably do the same.

Mr. Withers: Bunbury shops are open on Saturday night.

Mr. BOYLE: In the eastern and north-eastern districts, I do not know of one town that has Saturday closing. This clause is a condemnation of the principle of the referendum.

The Minister for Employment: You mean the right to decide how the other fellow shall work to suit people's convenience.

Mr. BOYLE: It is sheer heresy for the Minister to condemn the referendum principle.

The Minister for Employment: You are referring to a district referendum.

Mr. BOYLE: The principle of the referendum is involved. The people who do the work in country shops are mostly the owners. Not a great number of assistants

are employed in the wheat belt and eastern districts. I admit that in the metropolitan area Saturday closing without a late night is justified. There the people live within a stone's-throw of the shops. In the wheat belt there are about 9,000 farmers whom the Royal Commission on Farmers' Disabilities placed at an average distance of 10 miles from a railway.

The Minister for Employment: A 10-minutes run.

Hon. C. G. Latham: That is the Minister's rate of speed. He ought to be fined.

Mr. BOYLE: Does the Minister mean physically run, or run in a car?

The Minister for Employment: In a truck.

Mr. BOYLE: Perhaps the Minister is not aware that the Agricultural Bank authorities charged with the distribution of the Federal bounty ruled that any farmer who owned a motor car could not participate in the bounty. Cars that had no tyres on which to run were included; the owners could not get the bounty. Therefore they would require more than 10 minutes to travel 10 miles. This provision has not been asked for; it is being foisted and forced upon the rural population. Had there been any demand for it, we, representing constituencies such as Northam, Avon, Yilgarn-Coolgardie, etc., would have been inundated with letters. On the contrary, I have had numerous requests from my own district to oppose this clause.

Mr. HEGNEY: When those things which members opposite are opposing so strongly to-night have been in vogue for a little while, they will wonder why they raised their voice against them. I would remind the Leader of the Opposition that when the transport legislation was before Parliament last year he urged that farmers should be given certain rights so that they might purchase their requirements in the city and take them home in their trucks. On this Bill he claimed that the farmer should have the right to buy his goods in his home town. With which voice is he speaking? In the early days shop assistants, especially at Christmas time, were frequently called upon to work nearly as late as midnight. It was extremely difficult to bring about a change in those circumstances, but to-day nobody is any worse off through the change. The Minister has shown that already more than half the country towns have adopted the principles

contained in these clauses. Years ago it was said that if we cut out the late shopping night in the city the workers would never be able to buy their requirements. That difficulty has been entirely overcome. The arguments used by members opposite are nothing if not inconsistent.

Mr. WITHERS: In Bunbury two referenda were held in connection with the late shopping night, and the proposal was turned down on both occasions. The voting, however, was taken in the shopping area and not throughout the electorate. I have here the copy of a motion carried by the Bunbury Chamber of Commerce, expressing sympathy with the 44-hour week but opposition to this clause. If I were to decide which view to take I would be in a dilemma. Going down the streets of Bunbury I meet one tradesman who is in favour of the Saturday half-holiday and another who wants the Wednesday half-holiday. The people there seem to be equally divided on the point. If this Bill is passed, the Saturday half-holiday will be universal and no tradesman will be able to complain about the shop next door keeping open. When going through the Nelson district some years ago I discovered that the tradespeople at Boyup Brook had the Saturday half-holiday. It is also in operation at Manjimup and Bridgetown—at the latter place it has operated for 17 or 18 years. Yet it is said country people cannot trade if there is to be a Saturday half-holiday. In Bunbury, Thursday is the market day. The clause will not inflict hardship on any country people. Albany is on all fours with Bunbury. Necessary purchases can be made anywhere before 1 p.m. on Saturday.

Hon. G. G. LATHAM: While spending a pleasant week-end at Bunbury, I was greatly struck by the amount of business done there in the shops on Saturday afternoon. I was told, in explanation, that a special train was run to Bunbury from Donnybrook on Saturday. Any business man who does not want to keep his shop open on Saturday afternoon can close it. Parliament is always passing legislation to prevent people doing legitimate things which they want to do, and to force them to do things which they have no wish to do. The Bill has been introduced by the Minister simply at the dictation of the Trades Hall.

The Minister for Employment: Nonsense!

Hon. C. G. LATHAM: Members express opinions on subjects of which they have no knowledge. The member for Middle Swan spoke about the Transport Co-ordination Act, for the purpose of charging me with inconsistency. However, that Act was passed three years ago, and has nothing to do with this subject. The Opposition believe in decentralisation. According to the Minister for Employment, his party also believe in decentralisation. However, they do not practise it. Let the people run their own businesses. We, knowing very little about business, attempt to force traders to do what we deem suitable. The Minister for Employment would like to have every single man marry a girl selected for him by the Minister. To curse a country, let its Parliament sit for long periods. Then, if the Parliament cannot find anything reasonable to do, it will pass legislation tying the people's hands. York and Northam shopkeepers, and even their employees, having tried Saturday afternoon closing were glad to revert to Saturday afternoon trading. Shop assistants are not poor weaklings, but strong, healthy persons able to dance all night. The people will soon tire of parliamentary control and devise some other system, if the passing of legislation of this kind continues.

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

Ayes	..	..	..	..	18
Noes	..	..	..	..	16

Majority for .. .. 2

#### AYES.

Mr. Coverley	Mr. Millington
Mr. Cross	Mr. Needham
Mr. Fox	Mr. Raphael
Mr. Hawke	Mr. F. C. L. Smith
Mr. Hegney	Mr. Stycants
Miss Holman	Mr. Tonkin
Mr. Hughes	Mr. Willcock
Mr. Lambert	Mr. Withers
Mr. Marshall	Mr. Nulsen

(Teller.)

#### NOES.

Mr. Boyle	Mr. North
Mrs. Cardell-Oliver	Mr. Patrick
Mr. Doust	Mr. Sampson
Mr. Ferguson	Mr. Seward
Mr. Hill	Mr. Shearn
Mr. Latham	Mr. Thorn
Mr. Mann	Mr. Warner
Mr. McLarty	Mr. Doney

(Teller.)

#### PAIRS.

AYES.	NOES.
Mr. Wilson	Mr. Brockman
Mr. Collier	Mr. Keenan
Mr. Troy	Mr. McDonald
Mr. Johnson	Mr. J. M. Smith
Mr. Munsie	Mr. Stubbs
Mr. Wise	Mr. Waits
Mr. Rodoreda	Mr. Welsh

Clause thus passed.

Clause 38—Repeal of Section 102 of the principal Act, and insertion of new section: Closing time of shops generally:

Mr. THORN: I move—

That progress be reported.

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

Ayes	..	..	..	..	17
Noes	..	..	..	..	17
					—
A tie	..	..	..	..	0
					—

# AYES.

Mr. Boyle	Mr. North
Mrs. Cardell-Oliver	Mr. Patrick
Mr. Doust	Mr. Sampson
Mr. Ferguson	Mr. Seward
Mr. Hill	Mr. Shearn
Mr. Hughes	Mr. Thorn
Mr. Latham	Mr. Warner
Mr. Mann	Mr. Doney
Mr. McLarty	

(Teller.)

# NOES.

Mr. Coverley	Mr. Needham
Mr. Cross	Mr. Raphael
Mr. Fox	Mr. F. C. L. Smith
Mr. Hawke	Mr. Styants
Mr. Hegney	Mr. Tonkin
Miss Holman	Mr. Willcock
Mr. Lambert	Mr. Withers
Mr. Marshall	Mr. Nulsen
Mr. Millington	

(Teller.)

# PAIRS.

AYES.	NOES.
Mr. Brockman	Mr. Wilson
Mr. Keenan	Mr. Collier
Mr. McDonald	Mr. Troy
Mr. J. M. Smith	Mr. Johnson
Mr. Stubbs	Mr. Munroe
Mr. Watts	Mr. Wise
Mr. Welsh	Mr. Rodoreda

The CHAIRMAN: The voting being equal, I give my vote with the Noes.

Motion thus negatived.

Hon. P. D. FERGUSON: I move an amendment—

That in line 8 "one" be struck out and the word "eight" inserted in lieu.

In the districts in which I am interested the practice is for shops to remain open on Saturdays until 8 p.m., and I desire that practice to continue.

Mr. THORN: I support the amendment. The clause as it stands will prevent shops from remaining open on Saturday evenings. We should allow people in the country we represent to decide their own late shopping night. The Government with its brutal majority continually force these hardships upon the people we represent, and I think there are occasions when Ministers might soften a little towards us.

The Minister for Justice: If "one" is struck out will you substitute "ten"?

Mr. THORN: No. We do not want the shops open till 10.

Mr. SAMPSON: If this is carried, it will be another nail in the coffin of the suburban storekeepers. There is a greater number of shops in the suburbs empty to-day than previously. The result of the passing of this clause will be to render more shops empty. It is bad in principle and will deprive a number of people of the opportunity of making a living.

Hon. C. G. LATHAM: I want to assure the Committee that we do not desire to keep shops open till 10, and if the Committee agree to strike out the word "one," we will not agree to any period later than eight o'clock. We are not adopting the view expressed just now by the Minister for Justice by way of interjection.

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

Ayes	..	..	..	..	15
Noes	..	..	..	..	19
					—

Majority against .. 4

# AYES.

Mr. Boyle	Mr. Patrick
Mrs. Cardell-Oliver	Mr. Sampson
Mr. Ferguson	Mr. Seward
Mr. Hill	Mr. Shearn
Mr. Latham	Mr. Thorn
Mr. Mann	Mr. Warner
Mr. McLarty	Mr. Doney
Mr. North	

(Teller.)

# NOES.

Mr. Coverley	Mr. Millington
Mr. Cross	Mr. Needham
Mr. Doust	Mr. Raphael
Mr. Fox	Mr. F. C. L. Smith
Mr. Hawke	Mr. Styants
Mr. Hegney	Mr. Tonkin
Miss Holman	Mr. Willcock
Mr. Hughes	Mr. Withers
Mr. Lambert	Mr. Nulsen
Mr. Marshall	

(Teller.)

Amendment thus negatived.

Mrs. CARDELL-OLIVER: I move—  
That progress be reported.

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

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

Majority against .. 1

# AYES.

Mr. Boyle	Mr. North
Mrs. Cardell-Oliver	Mr. Patrick
Mr. Doust	Mr. Sampson
Mr. Ferguson	Mr. Seward
Mr. Hill	Mr. Shearn
Mr. Hughes	Mr. Thorn
Mr. Latham	Mr. Warner
Mr. Mann	Mr. Doney
Mr. McLarty	

(Teller.)

## NOES.

Mr. Coverley  
Mr. Cross  
Mr. Fox  
Mr. Hawke  
Mr. Hegney  
Miss Holman  
Mr. Lambert  
Mr. Marshall  
Mr. Millington

Mr. Needham  
Mr. Panton  
Mr. Raphael  
Mr. F. C. L. Smith  
Mr. Styants  
Mr. Tonkin  
Mr. Willcock  
Mr. Withers  
Mr. Nulsen

(Teller.)

## PAIRS.

AYES.  
Mr. Brockmap  
Mr. Keenao  
Mr. McDonald  
Mr. J. M. Smith  
Mr. Stubbs  
Mr. Watts  
Mr. Welsh

NOES.  
Mr. Wilson  
Mr. Collier  
Mr. Troy  
Mr. Johnson  
Mr. Munroe  
Mr. Wise  
Mr. Redoreda

Motion thus negatived.

Clause put and passed.

Clause 39—Repeal of Section 102A of the principal Act and insertion of new section:

The MINISTER FOR EMPLOYMENT: I move an amendment—

That a further proviso be added to Subsection (1) of the proposed new Section 102A as follows:—

Provided further that a motor service station may on any day and at any hour—

- (a) maintain a parking place for vehicles if all goods offered for sale in or at the motor service station are screened or partitioned to the satisfaction of the Minister from access by the public at all times outside the hours of business as hereinbefore prescribed;
- (b) maintain a towing service for the purpose of recovering and safely housing in such parking place any vehicle which may be disabled or unable to proceed on its journey.

Add a further subsection after Subsection (2) of proposed new Section 102A and by re-numbering the remaining subsections in sequence:—

- (3.) Notwithstanding anything hereinbefore contained it shall not be unlawful for any person in charge of a motor service station to sell or dispose of any part or accessory of a mechanically propelled vehicle in any case of emergency at any time or on any day.

The clause sets out the hours of trading that shall be allowed to any motor service station. The amendment is in order that the station shall maintain a parking place and maintain a towing service, and in order also that accessories shall be available for motor trucks and other vehicles in any case of emergency.

Hon. C. G. LATHAM: This amendment constitutes a sop to those members of the Committee who are opposed to the clause. I was not aware of it when the Bill was in

the second reading stage, but the association that put this up to the Minister represents only a portion of the people engaged in this business. It is at the request of the association that the clause was inserted in the Bill. The amendment provides that the station shall maintain a parking place for vehicles and maintain a towing service. That means that a man must always be on the premises. If a man has to be on the premises all the time, why should he not be permitted to sell petrol and accessories at any hour? Does the Minister think they are going to keep a man there always in case of a breakdown, which may happen once a week? It is absurd. It is proposed that the Minister himself—that is what it means—shall go round all these garages to see that the stock is properly screened off. That alone breaks down the necessity for the clause. If this is not a paying business after certain hours, the station owners ought to close down at hours satisfactory to themselves.

Mr. North: Some do now.

Hon. C. G. LATHAM: Yes. Some say it does not pay after certain hours, but there are other stations in Perth that do a brisk business after those very hours that are said to be unproductive. It is essential that motorists should be able to get the necessary petrol and accessories to complete their journeys. The Minister comes along with these amendments put up by this association, who sent them to me and told me the Minister was good enough to put them up at their request.

The Minister for Employment: I will explain the position.

Hon. C. G. LATHAM: The Minister undertook to put them up. The circular states—

We are grateful to the Minister for having had the aforementioned Section 39 framed to comply with representations made by this association, but regret that we neglected to ask for the inclusion of provisions relevant to several important aspects. These have now been brought to the notice of Mr. Hawke who, we are certain, will submit same as the Bill progresses. Briefly they are as follows:—(a) Provision whereby parking accommodation will in no way be restricted; (b) No limitation to be placed on operation of after-hour break-down services.

The Minister has not given effect to the next one—

(c) Provision whereby the Royal Automobile Club shall not be precluded from maintaining its established service.

I doubt whether the Minister could interfere with a motorist who was a member of the club—

(d) Provision for the licensing, under special conditions, of a limited number of suppliers of accessories and spare parts should same be considered essential as a safeguard in case of emergency and urgent repairs or replacements to the vehicles.

The Minister is representing the views of only a small section of those engaged in the business.

Mr. Thorn: He is representing the big men.

Hon. C. G. LATHAM: He does not know whom he is representing. He is doing as he has been asked to do, and I hope he is inundated with similar requests in future, but that he will not bring them here. He should not make himself the mouthpiece of an interested section. The public require the service, and should receive consideration. If it is necessary to keep service stations open all night, the men in attendance should be paid, and their hours should be restricted, just as in hotels and other places that employ night staffs. A service station owner who cannot afford to pay men for that work should close his business at an hour satisfactory to him, but the public should be allowed to obtain supplies when required. When we considered a Bill to restrict the hours for chemists, provision was made for people to obtain medicines after hours. Already provision for service stations is made in the Act if the Minister cares to enforce it. Section 102A reads—

Notwithstanding any of the provisions of this Act, it shall be lawful for a shopkeeper or his assistant or representative at any time to sell petrol, benzine or other motor spirit, or any necessary part or accessory of a mechanically-propelled vehicle to travellers for the purpose of enabling them to continue any journey which they could not otherwise continue.

The Government have not attempted to enforce that section. We have no right to pass legislation to protect people who are so incompetent that they cannot protect themselves. If the Government gave effect to the amendment, there would be a man on the premises, and he might as well sell petrol and accessories; if they do not intend to give effect to it, what is the use of passing it?

Mr. LAMBERT: I am not altogether enamoured of the provision. In goldfields and country districts it will either be inoperative or create hardship. The amendment is as clumsily worded as the proposed

new section. If provision is made to sell parts in an emergency, there should be no crime in selling petrol or oil, or supplying water for a radiator. Before passing such a provision, we should inquire into its usefulness. Country garages are often run by families. Under the amendment, if a man were contemplating a 200-mile or 300-mile trip in the country, he would take the whole of his supplies from the metropolitan area, and thus business would be centralised in Perth. The policing of such legislation should be considered. How many more inspectors would the Minister need to ascertain whether Jones at Moorine Rock or Smith at Southern Cross had sold two gallons of petrol after hours?

Mr. Raphael: You should read the amendment.

Mr. LAMBERT: I know the hon. member has a good aviary, but he should not bring his parrots here.

The Minister for Employment: This would not affect Moorine Rock.

Mr. LAMBERT: But it could be included by proclamation. If a few city garages had sufficient influence with the Minister, they could get country garages closed. Nothing is so essential to the travelling public as are the country service stations. If this Bill is passed the petrol that is required by people going into the country districts will for the most part be purchased in the garages in the metropolitan area. I urge upon the Minister to investigate the position before he allows this clause to be passed. I do not know that the small garage keepers anticipated that legislation such as this would be brought down. Before it is passed the position should be properly appreciated by those who are most affected by it.

Mr. COVERLEY: I do not know of a country town of any importance that goes in for garage services at night at the present time. Most country owners of motor vehicles have sufficient forethought to fill up their tanks during the hours when the garages are open. Many of the garages in the metropolitan area are owned by the people who run them, and at the end of the day's work they frequently employ a lad to look after the casual clients who may wish to buy a few gallons of petrol. Some of these lads have got into trouble through having too much time on their hands, and one or two have staged an alleged robbery and such like episodes.



The big garages can afford to employ older men during the hours when most people have ceased work. Not much inconvenience would be caused to the general public if all these garages were closed at night, for owners of motor vehicles would soon get accustomed to buying their requirements during the day time.

Mr. LAMBERT: I agree that employees in garages should not be overworked.

Hon. C. G. Latham: They are all governed by an award.

Mr. LAMBERT: The Bill could provide that no employee who was in a garage situated a certain distance from the metropolitan area should work beyond certain hours. If the garage proprietor himself wished to work after those hours in supplying petrol to clients, he should be allowed to do so.

The Minister for Employment: Do you think Mr. Boan should be allowed to open his own shop after 6 p.m.?

Hon. P. D. Ferguson: You are not changing your mind, are you?

Mr. LAMBERT: I should like to meet the Minister's wishes as far as possible.

The CHAIRMAN: I must ask members to assist me in keeping order. I do not wish to do something I may be sorry for. Up to now I have not named any member, and I do not wish to do so. I must ask members to assist me so that the business of this Committee may be conducted according to the Standing Orders.

Mr. LAMBERT: If the Minister had the opportunity to reflect upon this clause I think he could draft one that would be more in keeping with general requirements and more acceptable to the Committee. Perhaps further consideration of this clause could be postponed.

The MINISTER FOR EMPLOYMENT: The member for Yilgarn-Coolgardie has adopted a remarkable attitude. He suggests that if the owner of a garage is prepared to keep his establishment open, and sell goods to the public after the ordinary closing time, he should not be interfered with.

Mr. Lambert: If he had no employees on the premises.

The MINISTER FOR EMPLOYMENT: If that were a good principle to apply in the case of garage proprietors, it could be applied equally to the butcher, the baker, and other tradesmen. Following that argument one would expect that a draper who

owned an establishment would be able to keep his premises open at any time provided he did not keep his employees at work. Obviously, there is no consistency and little logic in that proposal. The Leader of the Opposition, in one of his spasms of bluster and bluff, sought to mislead the Committee into believing that because a certain organisation has interested itself in the matter, has suggested that steps should be taken to create some measure of order out of the existing chaos regarding closing hours of motor service stations and garages, the organisation is responsible for the clause and for the amendments appearing on the Notice Paper.

Hon. P. D. Ferguson: The organisation said so.

The MINISTER FOR EMPLOYMENT: The organisation said nothing of the kind. Apparently the Leader of the Opposition feels that no organisation whatever should put forward any suggestions on any subject.

Hon. C. G. Latham: I think you should not accept the suggestions baldly.

The MINISTER FOR EMPLOYMENT: I have never accepted any of them baldly. The course I have adopted is, I imagine, the same as that adopted by the Leader of the Opposition when in office—that of giving consideration to proposals submitted and carrying into effect such as are approved. I do not think the hon. gentleman turned down suggestions flat because of the fact that some organisation submitted them to him. The organisation which approached me suggested that the present position was more or less chaotic because of the lack of a uniform closing hour. It also suggested that numerous service station proprietors and garage-keepers desired reasonable limitation of trading hours, but that voluntary closing would not answer, because it gave the unreasonable trader an advantage and caused loss of customers to the reasonable trader. The object of the clause is to create reasonable closing hours for this type of business. The amendments on the Notice Paper will provide for all the special emergency services required. A request for petrol, of course, cannot be made a matter of emergency. Every motorist calling for petrol at any hour will be able to show that his case is one of emergency. Suggestions with regard to legislation before Parliament should be encour-

aged. Naturally, such advice would not be accepted holus bolus.

Mr. NULSEN: I move—

That progress be reported.

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

Ayes .. .. .	18
Noes .. .. .	15
Majority for .. .	3

#### AYES.

Mr. Coverley	Mr. Millington
Mr. Cross	Mr. Needham
Mr. Doust	Mr. Raphael
Mr. Fox	Mr. F. C. L. Smith
Mr. Hawke	Mr. Styants
Mr. Hegney	Mr. Tonkin
Mr. Lambert	Mr. Willcock
Miss Holman	Mr. Withers
Mr. Marshall	Mr. Nulsen

(Teller.)

#### NOES.

Mr. Boyle	Mr. North
Mrs. Cardell-Oliver	Mr. Patrick
Mr. Ferguson	Mr. Sampson
Mr. Hill	Mr. Seward
Mr. Hughes	Mr. Shearn
Mr. Latham	Mr. Warner
Mr. Mann	Mr. Doney
Mr. McLarty	

(Teller.)

#### PAIRS.

AYES.	NOES.
Mr. Wilson	Mr. Brockman
Mr. Collier	Mr. Keenan
Mr. Troy	Mr. McDonald
Mr. Johnson	Mr. J. M. Smith
Mr. Munroe	Mr. Stubbs
Mr. Wise	Mr. Watts
Mr. Rodoreda	Mr. Welsh

Motion thus passed; progress reported.

*House adjourned at 10.59 p.m.*

## Legislative Council.

*Tuesday, 3rd November, 1936.*

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

### QUESTION—KANGAROO SKINS, ROYALTY.

Hon. H. SEDDON asked the Chief Secretary: 1, On what number of kangaroo skins did the Government receive royalty during the year ended the 30th September, 1936? 2, What was the total amount of such royalty?

The CHIEF SECRETARY replied: 1, 759,101. 2, £4,348 8s. 5d.

### QUESTION—GRASSHOPPER PEST.

Hon. G. B. WOOD asked the Chief Secretary: 1, Are the Government aware that the measures taken in the past few months to combat the grasshopper pest do not meet with the approval of the farmers most concerned? 2, Are the Government aware that the measures taken have been utterly futile to cope with the pest in an adequate manner? 3, Have the Government considered any future policy to deal with this pest in a more satisfactory manner than that which has been employed in the past?

The CHIEF SECRETARY replied: 1, No. 2, No. 3, Yes.

### ASSENT TO BILLS.

Message from the Lieutenant-Governor received and read notifying assent to the undermentioned Bills:—

- 1, Fremantle Literary Institute Mortgage.
- 2, Land Act Amendment.
- 3, Wool (Draft Allowance Prohibition).
- 4, Cue-Big Bell Railway.