

Legislative Council,

Tuesday, 3rd December, 1940.

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

ASSENT TO BILLS.

Messages from the Lieut.-Governor received and read notifying assent to the following Bills:—

- 1, Electoral Act Amendment (No. 1).
- 2, Police Act Amendment.
- 3, Feeding Stuffs Act Amendment.
- 4, McNess Housing Trust Act Amendment.
- 5, Mine Workers' Relief Act Amendment.
- 6, Royal Agricultural Society Act Amendment.
- 7, Road Closure.
- 8, Harbours and Jetties Act Amendment.
- 9, Civil Defence (Emergency Powers).

QUESTION—PERTH HOSPITAL.

Estimated Cost, etc.

Hon. Sir HAL COLEBATCH asked the Chief Secretary: 1, What is the estimated cost of the present work being carried out for the new Perth Public Hospital? 2, When will it be ready for occupation? 3, What will be the interest charges during building operations? 4, When completed, what will be the total annual interest and sinking fund charges? 5, How many beds

will the building accommodate? 6, What will be the cost of maintenance in operation and management, independent of interest and sinking fund? 7, To what extent will this represent increase on present cost? 8, What percentage of inmates pay for their accommodation and treatment? 9, What is the average weekly contribution of paying inmates per head?

The CHIEF SECRETARY replied: 1, £445,000. 2, Provided that no undue difficulty is experienced in obtaining materials, it is estimated that the structure will be ready for occupation within two years. 3, Four per cent. interest and 1 per cent. sinking fund on expenditure as incurred. 4, £22,250. The Lotteries Commission has undertaken to provide interest and sinking fund. 5, Two hundred and seventy-four. A very large percentage of the space provided in the first section is not devoted to bed accommodation, but is to be utilised for outpatients and special clinics, thus making the ratio of total cost to beds much higher in the first section than will be the case when the whole hospital has been completed. 6, No accurate estimate of future costs could be made at this stage. It has been the experience in the Eastern States that maintenance costs increase when an old hospital is reconstructed to modern standards. Improvements in service such as housing the patients in smaller wards, air-conditioning, mechanical ventilation, electric lifts, call systems, extensive refrigeration, steam and hot water services, represent additions to cost both in their operation and maintenance. 7, Impossible to state. 8, Approximately 40 per cent. make some payments towards the cost of their treatment. 9, During 1939-40 the average weekly contribution of those patients who contributed towards the cost of their treatment amounted to £2 9s. 6d. per week.

QUESTION—COMPANIES BILL.

Hon. H. SEEDON asked the Chief Secretary: In connection with the Bill to amend the Companies Act, will the Government arrange to print sufficient copies to meet the needs of those who are desirous of purchasing the same in order to study the Bill?

The CHIEF SECRETARY replied: Yes.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Read a third time and returned to the Assembly with an amendment.

BILL—FISHERIES ACT AMEND- MENT.

Assembly's Message.

Message from the Assembly notifying that it had agreed to amendments Nos. 1 to 3 and had agreed to amendment No. 4 subject to a further amendment now considered.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Council's amendment No. 4. Clause 19: Insert after the word "Minister" in line 29 the words "and in the manner prescribed."

Assembly's amendment to Council's amendment. Add to the amendment the words "by regulation."

Hon. SIR HAL COLEBATCH: I have no objection to the amendment. In adding the words "and in the manner prescribed," I had in mind that in accordance with the Interpretation Act it might mean in the manner prescribed by regulation, rule or by-law. The Assembly's further amendment will restrict it to regulation.

The CHIEF SECRETARY: This is not a very important amendment. Regulations will cover the various situations that may arise in connection with the sale of various articles confiscated. I move—

That the further amendment be agreed to.

Question put and passed; the Assembly's further amendment agreed to.

Resolution reported, the report adopted and a message accordingly returned to the Assembly.

BILL—STREET COLLECTIONS (REGULATION).

Second Reading.

Debate resumed from 28th November.

HON. J. NICHOLSON (Metropolitan) [4.45]: The Chief Secretary, in moving the second reading, explained the difficulty that

confronted the Government through the absence of legislation to afford control over street collections. The absence of regulation is felt not only in this State but also elsewhere. Members will appreciate, however, that the Bill seeks to go further than the title indicates. This is a Bill for an Act to regulate street collections, but the Bill seeks power to regulate collections not only in streets but also in places. To my mind, that would be a serious provision for this House to pass. Any complaints that might have been made regarding the multitude of collections made in the streets should not be advanced as reasons for preventing people who are trying to render some service in the present war from carrying on that service and doing whatever might be necessary in the public welfare. I do not confine my remarks to collections for patriotic purposes connected with the present war; I go further and regard the matter from the standpoint of local charities and institutions. Here we are asked to provide that the number of appeals shall be limited to fifty a year.

Hon. J. Cornell: That is too many.

Hon. J. NICHOLSON: This would destroy much of the effort that is exerted from time to time in that it would prevent anybody from making a collection without a permit in any place. For example, I might arrange with other persons to make a collection in some place such as the Esplanade or some other park, and I should not be restricted in making my collection in a place where I am not causing any inconvenience to pedestrians in the street. I rail to see that the inclusion of the word "place" should be agreed to.

Hon. J. J. Holmes: Do not you think there should be some control?

Hon. J. NICHOLSON: I am not disputing the proposal to grant a certain amount of control over street collections. That is a point I wish to emphasise. The title of the measure is a Bill for an Act to regulate street collections. A collection might be made in some place—

Hon. J. M. Macfarlane: Under a permit.

Hon. J. NICHOLSON:—and the widest possible interpretation has been put upon the term "place." Why should I be prevented from making a collection in any big, open space, say, in King's Park? Why

should I have to go through all the formality of making an application for a permit before being able to take up a collection in that place? If one were to stretch the definition and interpretation of "collection," it might even be rendered necessary for you, Mr. President, and other members who from time to time attend church, to see that the church authorities have first obtained permits to make collections. I call attention to that aspect for the reason that the Bill says that "collection" includes the collection of funds or the soliciting of funds; and we know that funds are actually solicited in a church itself.

Hon. J. J. Holmes: In a Scottish church that has to be done.

Hon. J. NICHOLSON: In Scottish churches the authorities make sure of a spirit of voluntariness and readiness which might be absent elsewhere. In any event, it seems to me that the Bill seeks to go a little further than is necessary. All that is needed is to give control over street collections. I would suggest that the limitation to which I have referred, of 50 per annum, would be quite inadequate. It covers, for example, all the local charitable institutions which find it necessary from time to time to make appeals. Take the many other activities which arise on an occasion and in a crisis like the present, and also those activities which are part of our regular life in connection with various efforts made from time to time. I contend that the limitation of 50 would, instead of working a benefit, do something calculated to destroy efforts which are essential, and which I feel sure it is the wish of every good citizen in our State to respond to. I do not intend to oppose the second reading, but I really think it might be worth while to refer the matter to a select committee to consider how far the Bill should go in relation to matters of this nature, and to call evidence—

Hon. H. S. W. Parker: Would not that step mean that the Bill would go out? A select committee could not report this week.

Hon. J. NICHOLSON: I do not think we are going to rise this week. In my opinion, the desire expressed in this morning's paper will not be realised. We are in no hurry. If the matter were referred to the people who are really vitally concerned in a Bill such as this, no harm would be done. Even if the Bill were not passed until next

session, there would still be the power which the police can exercise in regard to collections carried out on the streets. I am not opposing the second reading, but I make those suggestions to the Chief Secretary in the hope that he may see his way to concur in something being done in the direction I have indicated.

HON. SIR HAL COLEBATCH (Metropolitan) [4.55]: I shall support the second reading of the Bill, but I think there is just one direction in which the measure should be modified. I invite hon. members to consider three parts of the Bill as operating together. The definition of "collection" includes the selling or offering for sale. That is the first provision. The second provision is implied in the words "any public street or place." The Bill covers the offering for sale of any thing—not of buttons, but of any thing for sale, any work. The third provision is that the permits to be granted shall not exceed 50 in any one year. I have no objection whatever to a permit from the Chief Secretary, the Minister who will control this measure, being required in every case where there is offering for sale or anything else, in addition to street collections; and I have no objection to the number of street collections being limited to 50 in any one year. I do, however, see very grave danger in including in that limitation of 50 the offering for sale of goods in some place. I will give members one or two illustrations. There has been operating in Hay-street for many months a shop practically everything in which is given by charitably disposed people, and all the proceeds are for patriotic purposes. Obviously that establishment would have to close its doors as soon as the Bill passed, because no matter how willing the Chief Secretary might be to sanction its continuance, he would be prevented from doing so by this limitation of 50. There is another organisation which has been carrying on for some time in St. George's-terrace at the entrance to the Commercial Travellers' Club. That organisation has been carried on without the slightest inconvenience to anybody. Practically all the stuff sold there has been contributed free, and the work has been done free. Last Saturday was its last Saturday, and in a comparatively short space of time, without injury to anybody, the organisation has collected a total of £500.

Hon. J. J. Holmes: That may be revived.

Hon. Sir HAL COLEBATCH: Yes; but if the Bill passes in its present form there will be no opportunity of anything of the sort being revived. I have not the slightest objection to the Chief Secretary's consent being necessary to a revival of that kind. The only objection I offer to the Bill is that as it stands it links those three matters which I have mentioned; the offering for sale of any thing in any place, with a limitation of the total number of times that permission can be granted to 50 days a year. I think that if some of our legal friends would give consideration to the matter, the position might well be met by inserting a proviso that the granting of 50 permits per year should apply to street collections, and should not apply to selling or offering for sale any goods in some place other than a street.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West—in reply) [4.59]: When introducing the Bill I informed the House that there is no legislation in any State of the Commonwealth which has the effect that we desire to attain by this measure. I think I mentioned that the number of collections stated in the Bill, namely 50 per annum, was inserted as being a fair thing, and that personally I was not wedded to that particular number.

Hon. C. F. Baxter: Quite enough, too.

The CHIEF SECRETARY: I agree with the hon. member. I do not think any member can place an interpretation on the Bill similar to that which Mr. Nicholson endeavoured to put upon it. When street collections are taking place the collectors do not confine their operations to the streets; they go into all kinds of places and it is in respect of some of those places that it is necessary there should be some control. For instance, there would be no intention under the Bill of dealing with representative organisations which were conducting a meeting in some place. That is not the reason for the Bill, but at the same time, if the House desires to have some safeguard, shall I say, in that connection, I shall offer no objection. All I want is to have legislation which will give someone control over the street collections raised for patriotic or charitable purposes. I believe that the Bill will give the control that is required, and I believe, too, that it will meet

with the general approbation of the public. If members have any particular amendments to suggest, I shall be only too pleased to consider them. My desire is to have some legislation that will be of general use. Really there has been no criticism offered to the Bill, and there is no intention to interfere with any particular shop or premises such as have been referred to. There will be no interference with the sale of goods which, I understand, takes place in St. George's-terrace every week. There was no thought, when the Bill was prepared, of interfering with business of that kind, but I certainly consider that we should limit the street collections to 50 per annum.

Hon. J. Nicholson: I think the Bill will need to be recast.

The CHIEF SECRETARY: Not at all. We can draft a proviso that will meet the instances that have been referred to. The Bill provides that the Chief Secretary shall be the Minister responsible, and while I am not looking for that responsibility I am sure, that if it falls to my duty to deal with matters of this kind, I will certainly endeavour to exercise, shall I say, commonsense in the administration of the measure.

Question put and passed.

Bill read a second time.

BILL—MARGARINE.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the Council's amendments.

BILL—NATIVE ADMINISTRATION ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the Council's amendment.

BILL—RESERVES.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the Council's amendments.

BILL—COMMONWEALTH OIL REFINERIES LIMITED (PRIVATE).

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

BILL—LEGITIMATION ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to the Council's amendments.

BILL—MENTAL TREATMENT ACT AMENDMENT.

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [5.10] in moving the second reading said: The Bill makes provision whereby a certified insane person may be transferred for special treatment from a mental hospital to Heathcote reception home. Medical treatment of those unfortunate people who are mentally affected has now reached a stage by which it is possible to obtain beneficial results towards effecting the complete cure of the patient. With the object of giving this treatment to patients, the Government built hospital wards at Claremont and at Heathcote, but since the outbreak of war the Defence Department has taken over the Claremont wards. It is desired, therefore, to transfer the special treatment cases from Claremont Hospital to the Heathcote wards. It is not legally possible to do this for the reason that under the Medical Treatment Act it is provided that "any person suffering from mental or nervous disorder who has not been found, declared, or certified to be insane may be received into a hospital or reception home." It is therefore proposed by the Bill to amend the Act whereby the cases referred to may be transferred and properly treated for the express purpose of curing the complaint.

The effect of the passing of the Bill will not mean that patients will be permanently

transferred but that they will be at Heathcote for short periods and only for such special treatment as the superintendent may require. The taking over of the Claremont wards is one of the exigencies of war and it is unfortunate that as such it should have interfered with the treatment of some patients at the Claremont Hospital. It is hoped that the House will see the necessity for this measure and will pass it so that the authorities may be able to take the necessary steps to meet the situation which has unfortunately arisen. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time, and *passed*.

BILL—LOAN, £1,730,000.

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.15] in moving the second reading said: This is a Bill which is brought down each session for necessary authority to raise funds to carry out our programme of works for the current financial year. The details of these works are provided in the Loan Estimates, particulars of which will be given to members before I conclude. The Bill also seeks to provide further authority for advances to the Revenue Fund. The amount for which authority is required is made up as follows:—

	£
Works and Services	1,458,000
Advances to Revenue	272,000
Total	1,730,000

The Loan Council has restricted the borrowings of the various States to as low a figure as is possible in the circumstances, bearing in mind the fact that considerable

expenditure will be entailed by the Commonwealth for defence purposes. The estimates for this State have therefore been prepared accordingly. The Bill indicates an amount required for works which is less than the total of the estimates. This amount with certain unexpended balances will, however, provide sufficient to carry on until the end of 1941 when Parliament will again have the opportunity to authorise the raising of further funds.

Since 1929 the unfunded credit has accumulated to the extent of £5,977,311, at the 30th June, 1940. The estimated addition to this for the current year is £166,697, making a total of £6,144,008 at the 30th June, 1941. To finance this sum, authority has been given under the previous loan Acts for the raising of £5,873,000 for temporary advances to the Consolidated Revenue Fund, and this Bill includes a further sum of £272,000 for the same purpose, so that the amount thus authorised will be £6,145,000 which will just cover the anticipated total deficit.

Two loans were arranged by the Commonwealth during the year, the first in December, 1939, and the second in March, 1940. In the first loan, a sum of £12,000,000 was obtained from the Commonwealth Bank on favourable terms, viz., interest at $3\frac{1}{2}$ per cent., one-third of the loan being repayable in each of the years 1942, 1943, and 1944. Western Australia received £869,000 of this amount. The second loan was for an amount of £18,000,000 and was a public flotation, fully subscribed, the terms being $3\frac{3}{8}$ per cent. at par for five years, or at the option of the subscriber, $3\frac{5}{8}$ per cent. at par for 16 years. The Government has the option of redemption after 10 years. Of this £18,000,000, approximately £8,000,000 was raised for Commonwealth defence requirements, while £939,000 of the remainder was allotted to this State at $3\frac{3}{8}$ per cent. for £463,000, and $3\frac{5}{8}$ per cent. for £476,000.

In addition to these two loans, £181,540 was obtained from domestic raisings, £23,540 by means of counter sales, being proceeds from sinking funds, investments from municipalities, road boards and other bodies required by law to invest in Government stock, and £158,000 from the Commonwealth Savings Bank which, under

the Savings Bank Transfer Act, is obliged to make available to the State 70 per cent. of the increase in depositors' balances at the end of each quarter. The terms of a new loan of £28,000,000 have recently been announced and are the same as those of the War Loan floated last May, viz., $2\frac{3}{4}$ per cent. for five years or $3\frac{1}{4}$ per cent. for 10 to 16 years. Of this loan, £20,000,000 will be for war purposes, and the remainder—£8,000,000—will be allocated to the various States. Our share is £780,000, which should provide finance until well into next calendar year.

Clause 6 of the Bill authorises the re-appropriation of the unexpended balance of a previous authorisation which is not now required for the original purpose. The work referred to is the construction of the Point Samson Jetty at Roebourne, which has been completed, and it is proposed to utilise the surplus on the Fremantle Harbour Works. A comparison of the current year's loan estimates with last year's actual expenditure indicates an increase of £321,784. The figures summarised under eight headings are as follows:—

	Actual. 1939-40.	Estimated. 1940-41.
	£	£
Departmental	106,713	106,750
Railways and Tramways	99,239	302,000
Harbours and Rivers	47,845	102,250
Water Supply and Sewerage	785,942	924,500
Development of Goldfields and Mineral Resources	55,176	51,000
Development of Agriculture Roads and Bridges, Public Build- ings, etc.	206,790	168,500
Sundries	414,582	372,954
	42,887	55,004
	<u>£1,759,174</u>	<u>£2,080,958</u>

The figures quoted represent amounts to be charged to the respective years and do not represent the cash spent last year or to be spent this year. This year's figures include expenditure of last year in excess of loan authorisations, and this excess expenditure has been included for the purpose of obtaining the requisite authority. Similarly, the 1939-40 figures exclude amounts spent in the preceding year. Cash expenditure last year (1939-40) was £1,939,551, and this year's estimated figure of £1,778,000 indicates a reduction of £161,551.

Turning to the main items of estimated expenditure, I propose first of all to deal with the railways and tramways position. This year's figures indicate an increase of £202,761, the respective figures for last year and this year being £99,239 and £302,000.

Some of this increase represents expense to be incurred in connection with building requirements at the Midland Junction Workshops for the purpose of munition making. Building requirements at the workshops have been long overdue and have been held up owing to lack of funds. As soon as the Commonwealth decided to place an order for munitions in this State, the Premier took advantage of the opportunity of seeking Commonwealth assistance to build suitable additions bearing in mind State requirements after the war. The Commonwealth agreed to spend £15,000 for this purpose, the State Government's proportion being £35,000. The building will, therefore, cost £50,000, and the amount on the estimates will be £35,000. Rolling stock expenditure is set down at £33,000, while the balance of the railway estimates is chiefly for re-ballasting, deviations, duplications, re-grading, water supplies, strengthening of bridges, provision of coaling plants, and the balance of plant required for rolling stock.

The tramways estimate for 1940-41 is £20,000. The provision of a feeder cable to increase the voltage to speed up the Inglewood and Mt. Lawley services, and the supply of more buses to absorb the additional traffic due to petrol rationing, are items under this heading. It is expected that six petrol buses, which may be converted into gas producers, will be in commission by Christmas. Electricity requirements show an increase of £124,955. Last year's expenditure in the department concerned was £1,045 and this year's estimate is £126,000. Expenditure last year was on minor extensions. This year it is proposed to provide extensions to mains, a transmission line to Bassendean, switch house at the power station, an additional high tension switch gear, ring main feeders and step up transformers. Such work as I have outlined has been deferred for some years, but further delay in these matters would be dangerous.

In regard to Harbours and Rivers, there is an increased estimate of £54,405 on last year's figure of £47,845. The work last year consisted chiefly of the following:—Additions and improvements to North-West jetties: Fremantle Harbour Works; North Quay reconstruction and bell mouth dredging; improvements to harbours and rivers generally, principally Swan River reclamation, levelling and walling. Provision has been made for the following work to be done

this year:—Additions and improvements in the North-West; Wyndham jetty dredging, Derby jetty extension, rolling stock and other minor works. Fremantle Harbour Works: New slipway at North Quay, reconstruction of berths 9 and 10 and 132 feet extension. The main work to be undertaken is the provision of the new 2,000-ton slipway at Fremantle and the reconstruction and extension of the quays. Both of these projects have defence value, as well as being of use to the State. The Commonwealth Defence Department has requested that they be regarded as being urgent undertakings.

Water supply, sewerage and drainage and irrigation expenditure for last year was £785,942. This year's estimate is £924,500, an increase of £138,558. Town water supplies last year entailed the spending of £16,077. This year's estimate is £10,000. Last year the following works were undertaken:—Geraldton Water supply, improvements to town reticulation and boring at Wicherina; completion of catchment at Narrogin, and a new water supply at Serpentine. This year's expenditure will be utilised for improving town water supplies generally.

Dealing with metropolitan sewerage and drainage, I point out that last year the expenditure was £223,282 and this year the estimate is £107,000, a reduction of £116,282. It is proposed to continue this year such works as are necessary in connection with drainage and sewerage works in the metropolitan area. Turning to the metropolitan water supply: Last year's expenditure was £162,374 against an estimate for this year of £137,000, representing a decrease of £25,374. The principal undertakings last year were the continuation of work on the Canning Dam and the reconditioning of the hills main, the purchase of pipes for the extension of the 30-inch main to Maylands, and the commencement of the North Beach water supply. Provision has been made this year for the completion of the North Beach supply and the Floreat Park 15-inch steel main; the completion of the Canning Dam; improvements to reticulation in the metropolitan area; and the extension of the 30-inch steel main to Maylands in order to increase the water supply in the eastern suburbs. The Canning Dam is now completed, and the expenditure included in this year's figures relates to outstanding accounts.

In regard to the Goldfields water supply, the expenditure for last year was £163,065. The estimate for this year is £294,000 which indicates an increase of £130,935. The main works carried out last year consisted of enlarging the Cunderdin reservoir, the renovation of the main conduit, the purchase and laying of 30-inch pipes through Northam, the purchase of meters, and the cement lining and fabrication of pipes. This year it is proposed to complete the 30-inch main through Northam, and the Cunderdin reservoir. It is also proposed to continue the renovation of the main conduit and cement lining of the mains at Kalgoorlie and Boulder, and to construct a new storage reservoir of a capacity of 30 million gallons at Bulla Bulling. Provision is being made to link the Canning reservoir with Mundaring reservoir, for the purpose of providing an additional 2,000,000 gallons of water per day to the goldfields water system. This new line will be approximately 18 to 20 miles in length, and will cost between £60,000 and £70,000. Provided the necessary steel plates are forthcoming in the very near future, it is anticipated that the connecting link will be finished by next winter. A large part of the new line can be utilised for the reticulation of areas between Canning Dam and the far end of Belmont, part of Guildford and Midland Junction.

For water supplies in the agricultural areas, there is an estimated increase in expenditure of £147,654. Last year the expenditure was £217,346 and the estimate for this year is £365,000. Irrigation works, channel lining and drainage in the South-West; continuation of work on the Samson's Brook and Stirling reservoirs; provision of tanks in eastern agricultural areas, including roofing and improvements and boring and equipment of wells, were the main works entailed in last year's expenditure. This year's estimated expenditure includes the continuation of the work on Samson's Brook and Stirling reservoirs, irrigation works, channel lining at Collie, Waroona and Harvey, and improvements to irrigation, drainage and country water supplies generally.

Turning now to mining development. The estimate for this year shows a decrease of £4,176. Last year the expenditure was £55,176, and the estimate for 1940-41 is £51,000. Expenditure for last year was for

assistance to prospectors, loans under the Development of Mining Act, and additions and alterations to State Batteries. Provision has been made this year for work of a similar nature. Expenditure on assistance to prospectors was £37,739 during the year, and £168,217 has been so expended since the inception of the scheme. Repayments by those assisted total £7,430 and £30,633, respectively. That is, at least one-fifth of the amount advanced has been repaid by successful prospectors. An amount of £11,000 has been provided for transfer to a Treasury trust account, in order to permit of a greater amount being paid to prospectors for ore treated at the State batteries. In addition to the funds provided by the State for the development of mining, the Commonwealth made available an amount of £111,000 for the expansion of the goldmining industry with the object of encouraging an early increase in the gold output. With this object in view the money is being used principally to finance mines in the more advanced stages of development.

Hon. G. W. Miles: Is that sum for Western Australia only?

The CHIEF SECRETARY: Yes. On the development of Agriculture, Forestry, etc., the expenditure last year was £206,790, and the provision this year is £166,500, a decrease of £40,290. The expenditure on abattoirs last year was £3,029, and was for the erection of cattle sale yards at Robbs Jetty, and additions and improvements to the Midland Junction and Kalgoorlie Abattoirs. The provision this year is mainly for additions to the Midland Junction Abattoirs. The reconditioning of vacant Agricultural Bank holdings, land clearing at Woeroloo and Bundibup Mental Hospital Farm, and experimental work is again included in this year's estimates. The expenditure last year was £122,622 and the provision this year is £100,500 and is for work of a similar nature.

Under the heading of "Assistance to Settlers, Industries, etc.," an advance to pearlers and banana growers, and a loan to the Albany freezing works entailed the expenditure of £9,198 last year. This year £10,000 has been provided for assistance to industries, and it is hoped that some of the expenditure incurred will be for the development of secondary industries. Last year the expenditure on forestry was £71,082, the work consisting of reforestation of mallet and jarrah,

reforestation and forest settlements. To continue this work, £50,000 has been provided this year.

For roads and bridges, the expenditure last year was £325,000, which included £117,678 spent in 1938-39, and charged to Suspense as there was insufficient loan authorisation. The actual cash expenditure was, therefore, £207,322, of which £120,000 was for assistance to local authorities under the scheme whereby we provided the labour and they the material for road works. The provision this year is £38,000 to complete the work in hand at the 30th June last, and to meet outstanding commitments.

The expenditure last year on public buildings was £89,582. The principal works were:—New block at Claremont Hospital for the Insane and Point Heathcote Mental Receiving Home, Technical School new building, erection of and additions and improvements to schools generally, and provision for a new chemical laboratory. The provision this year is £72,000 and is for buildings generally, including the balance required to meet commitments on completed and partly completed works at the 30th June. For hospital buildings and equipment, the provision for 1940-41 is £259,291. This represents expenditure last year charged to Suspense, as there was not sufficient loan authorisation. The expenditure was incurred on the new Perth Hospital, including provision to carry on the work during the current year. The amount also includes a grant to the hospital fund of £61,000 to assist in meeting the cost of capital works undertaken last year and proposed new works. The hospital fund will pay interest and sinking fund on this money.

An amount of £9,707, including a reconp to Loan Suspense of £1,707, has been provided for water supplies on native stations, principally Moola Bulla Station, and the purchase and reconditioning of settlements, mainly that at Carrolup; also for additions and improvements to native hospitals. The expenditure last year on works of this nature was £8,294.

On State hotels and tourist resorts, the expenditure last year was £9,173, principally for the completion of work in connection with the new Cave House, and additional capital provided to the State hotels for the erection of a new hotel at Wongan Hills. The amount provided this year, including a reconp to Loan Suspense of

£20,338, is mainly for the completion of the Wongan Hills hotel. The amount provided, viz., £4,750, for State ferries is the balance required to meet the contract for a new boat. The expenditure last year was £1. On State vessels the expenditure of £3,000 last year was to meet the cost of additional refrigeration space on the M.V. "Kybra," and additions to the Fremantle office. This year the estimate is £418, merely for the purpose of recouping expenditure charged to Loan Suspense last year.

An amount of £5,000 comes under the heading of "State Gardens Board." As the State Gardens Board has no authority under its own Act to borrow outside, the requirements of the board to carry out certain capital works were financed by a loan from the Treasury, on which it will pay interest and sinking fund. I have briefly explained the main items of expenditure in the current year's loan programme. The various items involved have been stringently checked by the Government and responsible officers. As far as it is possible to do so, loan expenditure has been restricted to works of a reproductive nature. I have endeavoured to make a comparison between last year and the current year so that members may examine the items from the point of view of those in which they may be particularly interested. If there is any additional information that members would like to have: to the best of my ability I shall be only too pleased to supply it. If I should not be able to supply it immediately, I may be able to furnish it in the usual way, apart from discussing the matter in the House. I move—

That the Bill be now read a second time.

On motion by Hon. H. Seddon, debate adjourned.

BILL—TRAFFIC ACT AMENDMENT (No. 2).

First Reading.

Received from the Assembly and read a first time.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.46] in moving the second reading said: I feel sure that members are well aware of the position regarding traffic fees, particularly in view of the fact that

they have dealt with other Bills relating to that subject. On this occasion the Bill under consideration proposes that a fixed amount of £75,000 shall be paid to Consolidated Revenue out of the Traffic Trust Account for the current financial year ending the 30th June, 1941. In accordance with the proposals of another Bill which will amend the Main Roads Act, the amount thus diverted to Consolidated Revenue will be recouped to local authorities.

The subject matter of this Bill needs no elaboration on my part and I do not propose to weary members by reiteration regarding a question with which all are familiar. Earlier in the session I endeavoured to persuade the House by a full and lengthy explanation of the need, and the justification, of the Government to acquire a percentage of traffic fees for diversion to Consolidated Revenue. I then indicated the Government's desire to make up the leeway between revenue and expenditure for the current financial year. I also intimated that the assistance which the passing of that Bill would have given to the Government would merely be identical with that enjoyed by Governments in the Eastern States, the financial methods of which, like our own, are subject to review annually by the Commonwealth Grants Commission. In spite of what I regarded as irrefutable arguments put forward in favour of the proposal, the House summarily rejected the Bill. That the Government views this rejection with much concern, inasmuch as it is vital and essential in the interests of the State that we should finish up this year with a budget balanced as nearly as possible, is evidenced by its desire again to compromise in the manner indicated by the proposals in this Bill.

The measure differs from the Bill introduced in September in that it provides for a fixed sum of £75,000 to be paid to revenue, and not a percentage as was formerly proposed. The term is also different. Whereas the earlier Bill limited its operations to the terms of the Federal Aid Roads Agreement, this Bill is for a term of 12 months expiring on the 30th June, 1941. Members will therefore observe that the operations of the Bill are restricted to the current financial year, and if a re-enactment of its provisions is required by the Government in the future, it will be necessary to obtain the approval of Parliament.

I desire to point out that the whole of the £75,000 transferred to Consolidated Revenue will be recouped to local authorities by the provisions of a complementary measure, and that local authorities will still have the use of the surplus above the £75,000 which will be distributed under the present formula. The providing of £75,000 to Consolidated Revenue will have the effect of making available an equivalent amount of general loan funds for loan works of any description, such as water supplies, etc., and will not be restricted to expenditure on roads as is the position with Federal Aid Road money. During the debate on the previous Bill dealing with this matter, it was generally agreed that license fees should be utilised for the purpose of road construction, maintenance, traffic control and administration, and this contention is not being abrogated by the proposals of the Government. I do not propose to take up any further time on the matter. Members, as I said before, are already fully aware of the purport of the Bill. The Government contends that it is justly entitled to take this £75,000 into revenue and I suggest that local authorities should be prepared to acknowledge such a right, particularly when it is borne in mind that they will lose nothing by the passing of the Bill.

Hon. H. Tuckey: The money will be available for road construction only, and not for footpaths or other work.

The CHIEF SECRETARY: It will be available for road construction in the same way that money is available at present from the Federal Aid Roads Fund. In conclusion, I wish to impress upon members the need of the Government at this stage. I suggest to those who have taken up the cudgels on behalf of the local authorities that the time has arrived when we must have regard to the position of Government finance. I do not desire to go over the familiar arguments regarding the penalties inflicted upon the Government by the Commonwealth Grants Commission in respect of the expenditure of loan funds on what are regarded as non-reproductive works. Members are acquainted with the fact that the Government gave an undertaking to the Commonwealth Government that it would endeavor to the best of its ability to balance the Budget this year. The alloca-

tion of the £75,000 with which the Bill deals will help materially to that end. If the Government does not succeed in its legislative proposals on this occasion, the deficit will be correspondingly increased and, as members know, the deficit has to be financed from future loan funds. The repercussions in that event may prove somewhat serious to Western Australia. In view of all the assurances given by the Government, more particularly regarding the actual fact that the retention of the license fees by the local authorities will have a serious effect upon Government finance, I hope this House will agree to the Government's proposals. I need say no more at this juncture, and I hope members will assist the Government to the extent I have indicated. I move—

That the Bill be now read a second time.

Point of Order—Bill Set Aside.

Hon. C. F. Baxter: I ask for a ruling, Mr. President, as to whether the Bill is in order. Personally I consider it is not in order. Standing Order 120 reads—

Subject to Standing Order No. 178, no question or amendment shall be proposed which is the same in substance as any question or amendment which, during the same session, has been resolved in the affirmative or negative, unless the order, resolution or vote on such question or amendment has been rescinded. This standing order shall not be suspended.

I maintain that the provisions of the Bill, as explained by the Chief Secretary, are the same in substance as those of the measure that was rejected earlier in the current session.

The President: Does any other hon. member wish to speak to the point of order?

The Chief Secretary: I have considered the point raised by Mr. Baxter and naturally, before the measure was introduced, the Crown Law authorities were consulted. I am advised by them that the Bill is quite in order. The Crown Law authorities advise that the previous Bill, in the long title, provided for a variation temporarily in the apportioning of certain license fees payable under the Traffic Act, 1919-35, whereas the new Bill, in the long title, seeks to authorise the payment of a specific amount, namely, £75,000 from the Metropolitan Traffic Trust Account to Consolidated Revenue; further, that the previous Bill provided for annual payments out of the Met-

ropolitan Traffic Trust Account to Consolidated Revenue of 75 per cent. of the traffic fees for a period that was contingent upon the continuation of the Federal Aid Roads Agreement, whereas the new Bill provides that the payment of a specific amount of £75,000 out of the Metropolitan Traffic Trust Account to Consolidated Revenue is for one year only, the term expiring on the 30th June, 1941. For those reasons I contend the Bill is quite in order.

Hon. J. J. Holmes: At the moment I am not concerned about the Bill with which we may deal later, but I am concerned about our adherence to the standing orders. They were prepared and have been given effect to in order that we might reach finality with legislation. The understanding has always been that when a Bill has been defeated, a measure similar in substance cannot be introduced during the progress of the same session of Parliament. The previous Bill and the one now before the House, as I understand them, each propose to amend Section 13 of the principal Act. But for our standing orders, there would be no finality in dealing with legislation. If the Government introduced a Bill to-day and Parliament rejected it, another could be introduced to-morrow and could again be defeated. The Government could continue doing that sort of thing until finally it wore down Parliament and accomplished its end. The present Bill is the same in substance as that which was defeated earlier in the session and therefore I claim the measure is contrary to the standing orders.

Hon. V. Hamersley: I support the action taken in connection with this measure. Standing Order 120 distinctly lays down that, subject to Standing Order 178, no question or amendment shall be proposed which is the same in substance as any question or amendment which, during the same session, has been resolved in the affirmative or negative. I claim that this question is couched in much the same terms as a question that has been defeated in this Chamber. The vote taken on that question has not been rescinded, and we cannot deal with the same question twice in the same session.

Hon. J. Cornell: You, Mr. President, have chosen to invite a discussion preceding your own determination. I do not propose to give away any of my ammunition. Hon. members know exactly where we stand. You, Mr. President, have been asked to decide.

whether this Bill is in order. Standing Order 120 was in its present form in 1912, when a ruling was given with respect to a certain railway. The wording is exactly the same to-day as it was then. The two Bills now in question are very short, and if members will compare them, it will be found they are identical up to the stage when the money is to be taken from the trust fund. Then, in my opinion, comes the question of substance: the substance before the money is taken or after it is taken. The substance before the money is taken is vital; the substance afterwards is a subsidiary consideration, and that is for you, Mr. President, to decide.

The President: Does any other hon. member desire to state his views on this matter? If not, I wish to express my gratitude to Mr. Baxter because, with the traditional courtesy that exists in this House, he was good enough to tell me he was bringing forward this question. The result is that I have been at some pains to look up authorities with a view to endeavouring to clarify the position and give a judgment which, in my opinion, should be correct. I have therefore written out my views on the question. I am grateful also to those hon. members who have assisted me by the expression of their views. I am glad to notice how jealous members are of the maintenance of the standing orders. I assure them that, jealous as I believe and hope they always will be, I, too, am jealous regarding the maintenance of the standing orders.

I have carefully read this Bill, also the other Bill, dealing with traffic fees, that was rejected earlier this session. Both Bills provide for the appropriation of traffic licence fees. The Bill that was rejected specified that there should be paid to the board controlling King's Park such sum as the Minister should from year to year determine, but not exceeding £2,000. Of the fees remaining and other moneys it specified that there should be paid into the Consolidated Revenue for the general purposes of the State three-fourths in each year, and it provided that the remaining one-fourth should be distributed amongst certain local authorities. The duration of the Bill was limited to the continuance in operation of the Federal Aid Roads Agreement or any substitution or amendment of the agreement.

The Bill now before this Chamber is similar in its general purport, but with variations. It gives authority to pay the fixed sum of £75,000 from the Metropolitan Traffic Trust Account to the Consolidated Revenue Fund as a contribution towards interest and sinking fund on Loan moneys expended by the Government on roads. The balance of the fees and other moneys then remaining must be distributed amongst the local authorities, including King's Park. The duration of this Bill is limited to twelve months.

The question I have to answer is whether the two Bills are the same in substance. In order to answer that I have to ascertain the meaning of "same in substance" as given to those words by the Imperial Parliament which, as the Mother of Parliaments, is a guide to Parliamentary practice throughout the Parliaments of the Empire; in fact, throughout the Parliaments of the world. I find in "May's Parliamentary Practice," 12th edition, page 267, the following:—

The only means by which a negative vote can be revoked is by proposing another question similar in its general purport but with sufficient variation to constitute a new question, and the House would determine whether it were substantially the same question or not.

I have thus to ask whether these two Bills, similar in purport as they are, have, in the words of "May" "sufficient variation to constitute a new question." In order to interpret these words of "May"—"sufficient variation to constitute a new question"—various examples are given. "May," on page 268, states that "an address having been agreed to for discontinuing the collection and delivery of letters on Sunday and for inquiry into the subject, another address was agreed to some time afterwards for inquiry whether Sunday labour may not be reduced in the post office without completely putting an end to the collection and delivery of letters." There were thus two questions each dealing with Sunday labour regarding letters, similar in general purpose, but in the opinion of the Speaker of the Imperial Parliament, there was sufficient variation to constitute a new question. A still more striking example is given on page 270, where it is stated that on one occasion no fewer than five distinct motions were made upon the subject of opening letters at the post office under warrants from the Secretary of State. They all varied in form and matter so far as

to place them beyond restriction, but these are the words of "May"—"In purpose they were the same and the debates raised upon them embraced the same matters."

What has been said so far refers to motions, but "May," on page 272, makes reference to Bills. In this connection, that authority says—

A greater freedom is admitted in proposing questions in the case of Bills as the object of the different stages is to afford the opportunity for re-consideration and an entire Bill may be regarded as one question which is not decided until it is passed.

Another well-known recognised Parliamentary authority, Redlich, in his "Procedure of the House of Commons," page 37, supports Sir Erskine May's interpretation of the rule with reference to the submission of the same question, and he even goes so far as to say "literal adherence to the rule in the case of Bills would be intolerable."

This Bill is similar in its general purport to the one rejected, but I rule that it is in order, because it has "sufficient variation to constitute a new question."

Hon. C. F. Baxter: I very much regret that I am placed in the position, under the standing orders, of having to move to disagree with your ruling. In doing this, all I have in view is what you, Mr. President, have just stressed, namely, the protection of our standing orders. After all, a matter of this kind depends upon how the standing orders are construed. If on this occasion you are found to be right by the judgment of the House, then I am afraid we shall be so placed as to have but little control over Bills which have been introduced into this Chamber, and disposed of.

Hon. J. J. Holmes: We shall have established a dangerous precedent.

Hon. C. F. Baxter: To my mind, we shall have established an extremely dangerous and far-reaching precedent; there is no telling where it may end. Before getting into touch with you, Mr. President, I noticed in the paper on Friday morning that a Bill had been passed. Certain references were made to it. As a matter of fact, I say without fear or favour that had it not been for the encouragement given in a leading article of a newspaper, this Bill would not again have been revived and

we would not be faced with this trouble. The paper based its article on wrong premises. Immediately I read the article I came to the House and obtained a copy of the Bill that had been passed by another place, because the standing orders have been suspended and we have very little time to deal with these difficult questions. After comparing the two Bills, I informed you that I was going to ask for your ruling, when the present measure came before the House, upon its validity under the standing orders. You have given your ruling, with which unfortunately I cannot agree.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. C. F. Baxter: In giving your ruling, Mr. President, you said that the King's Park Board would receive a definite amount out of these funds, and that a certain sum would be paid into Consolidated Revenue. You also said that the duration of the two measures differed in that the operation of this Bill was restricted to a period of 12 months. To my mind that does not affect the position, for the simple reason that the standing order is definite. Standing Order 120 reads—

Subject to standing order No. 178, no question or amendment shall be proposed which is the same in substance as any question or amendment which, during the same session, has been resolved in the affirmative or negative, unless the order, resolution or vote on such question or amendment has been rescinded. This standing order shall not be suspended.

I do not think there is any doubt that the substance of the two Bills is alike. One has only to contrast Clause 3 of each measure. In No. 1 Bill Clause 3 began—

During the continuance of this Act and notwithstanding anything to the contrary contained in paragraph (c) of subsection (2) of section thirteen of the principal Act, the fees and moneys mentioned in the said paragraph (c) as available for appropriation from time to time shall be applied in the following manner, etc.

With the exception of a few words at the commencement, Clause 3 of the No. 2 Bill is similar. It begins—

Notwithstanding anything to the contrary contained in paragraph (c) of subsection (2) of section thirteen of the principal Act, that portion of the fees and other moneys standing to the credit of the Metropolitan Traffic Trust

Account during the year ending on the thirtieth day of June, one thousand nine hundred and forty-one, etc.

There is the same wording and that is the substance of the Bill. In short, the substance of the Bill is the amendment of Section 13 of the principal Act. The portion which the Bill seeks to amend is paragraph (c) of Subsection (2) of Section 13, which reads—

The remaining half of the net balance of the said fees shall, together with any moneys remaining unexpended out of the said first-mentioned half of the net balance of the said fees, be annually paid to and divided amongst the local authorities of the districts and sub-districts comprised in the metropolitan area and the board controlling Reserve A1720 (the King's Park), in such shares and proportions as the Minister may determine.

That is the substance of both Bills, and I cannot believe other than that this Bill is out of order because it is precisely the same in substance as the Bill that has been rejected by this House. We have had trouble in this respect before, and there are two references to which I shall allude. First of all, you, Mr. President, laid great stress upon the part that "May" would play in a question of this kind, but I contend that Standing Order 120 is clear and definite and needs no interpretation. "May," or any other authority, is resorted to in parliamentary practice only when the standing orders are not clear or have not been sufficiently amplified. I cannot see how "May" can possibly apply here and override our standing orders. As I have said, Standing Order 120 is definite and clear, and there is no reason whatever for referring to any other authority. If we are going to subordinate our standing orders to outside authorities, of what value will our standing orders be? Those standing orders have been framed and approved by Parliament, just as any other law is approved by Parliament, and they are set out for our guidance. Surely we are not going to decline to abide by our standing orders, which have stood the test of time, and appeal to "May"! There is not the slightest justification for consulting "May" in this matter.

Some members were present in the time when Mr. (afterwards Sir Walter) Kingsmill was a member of this House, and they knew the ability he possessed. He was an authority on standing orders and parliamentary practice. When a motion of a like

nature on the Esperance-Northwards Railway Bill came before the House—the then President, Hon. H. Briggs, had ruled the Bill out of order—Mr. Kingsmill made some interesting remarks. With all due deference to you, Mr. President, that Bill was on the same lines as the Bill now under discussion. Mr. Kingsmill said—

Parliamentary authorities are only admissible into a debate of this sort when they serve to elucidate the standing orders or when there are no standing orders dealing with the question. So far as I can see, this standing order No. 120 deals fully, amply, and to my mind satisfactorily with the question.

Later on in the same sitting Mr. M. L. Moss spoke to the question. Mr. Moss was one of the ablest men who have ever sat in this House. He was a legal practitioner, a constitutional authority and a sound public man in every sense. He said—

In the way the standing order is couched, there is a clear indication that if this Bill is the same question or an amendment of that which we have already dealt with, your duty is plain and clear. The hon. member has moved that your ruling should be disagreed with—

Hon. C. B. Williams: How many years ago was that?

Hon. C. F. Baxter: I am quoting from "Hansard" of the 13th December, 1912.

Hon. C. B. Williams: The standing orders have been altered since then.

Hon. C. F. Baxter: Mr. Moss continued—

That hon. member has moved that your ruling be disagreed with and the responsibility is thrown on the House. Mr. Kingsmill is perfectly right in his argument. "May's Parliamentary Practice" is not a guide to which we resort except where our standing orders are deficient, and then it is provided that the standing orders and rules which guide the House of Commons shall be the guide for this Chamber. Where there is a distinct standing order, it is incompetent for the House to refer to "May."

That was the opinion of one of the soundest authorities we have ever had in this Parliament. The Bill before the House is the same in substance as the No. 1 Bill because the object of both was to amend Section 13. Therefore, with all due respect to your ruling, Mr. President, I move—

That the House dissents from the President's ruling on the ground that the Bill is the same in substance and has a similar purpose as a Bill to amend the Traffic Act Amendment Act, 1940, rejected by this House, this session, on the second reading.

Hon. H. S. W. Parker: I support your ruling, Mr. President. It seems to me that the question really centres upon the meaning of the words "same substance." Whether this Bill is the same in substance as the No. 1 Bill is a question of fact. I quite agree with the well-known authorities quoted by Mr. Baxter that "May" is resorted to only to explain some deficiency in our standing orders. In "May," at page 286, I find the following reference:—

To rescind a negative vote except in the different stages of Bills is a proceeding of greater difficulty because the same question would have to be offered again. The only means, therefore, by which a negative vote can be revoked is by proposing another question, similar in its general purport to that which had been rejected but with sufficient variance to constitute a new question; and the House would determine whether it were substantially the same question or not.

The House decides whether it is substantially the same question or not. Is this substantially the same question?

Several members interjected.

Hon. H. S. W. Parker: I am not inviting members to answer the question.

Hon. C. B. Williams: Are you speaking as a member of the House or as a solicitor?

Hon. H. S. W. Parker: No. 1 Bill provided broadly that 75 per cent. of certain fees should be taken for the period of the war.

Hon. J. Nicholson: No.

Hon. C. B. Williams: You are speaking as a politician now.

Hon. H. S. W. Parker: Well, 75 per cent. of the fees should be taken indefinitely.

Hon. J. Nicholson: No.

Hon. H. S. W. Parker: Then how long was it?

Hon. J. Cornell: If you look at the Bill, you will see.

Hon. H. S. W. Parker: The fees were to be taken so long as the Federal aid road funds were made available. The period was indefinite.

Hon. C. F. Baxter: If you keep going, you will know what you are talking about.

Hon. H. S. W. Parker: That is more than I can say for the hon. member, because the longer he talked, the less I knew. For an indefinite period 75 per cent. of the fees was to be taken. This Bill is for a definite amount for a definite period. Let me bring the matter down to a simpler plane. Assume that a man were to be employed for some

work and that he were offered 75 per cent. of a fund as remuneration for an indefinite period, and he said, "No; I will not take that," and the other party then said, "Very well; instead of giving you 75 per cent. of a fund, we will give you a fixed amount for a definite period." Could it be said that that was the same proposal?

Members: Yes.

Hon. H. S. W. Parker: It is a matter of opinion. We are all entitled to exercise our judgment. I submit that this is not substantially the same. Seventy-five per cent. of an indefinite sum, or a definite sum, for a definite period may be a definite fixed sum for a lesser period.

Hon. L. Craig: The amounts are roughly the same.

Hon. H. S. W. Parker: That is a matter of conjecture. I think we can agree that for general purposes it is the same, or intended to be the same.

Hon. L. Craig: Therefore it is the same.

Hon. H. S. W. Parker: I submit that it is not the same in substance. What "May" has pointed out, is this, that if the House does make an error in rejecting a Bill—I am not for a moment suggesting that we did make an error in this instance—it may be most anxious—

Hon. J. Cornell: The hon. member made no error!

Hon. H. S. W. Parker: I trust Mr. Cornell will not make any more errors in committing a breach of the standing orders. I am not suggesting that any error was made in this instance, but suppose that a Bill is introduced into this Chamber and we do make what we believe to be an error in rejecting it, and the majority of members of the House desire that that error be rectified by the bringing-in of a new Bill, what is the position? We cannot bring in a new Bill substantially the same, of the same substance, and let it not be thought that substance and principle are the same.

Hon. C. F. Baxter: But the purport is.

Hon. H. S. W. Parker: We cannot bring in a Bill of the same substance; but what we can do is to bring in another Bill and alter the question, as "May" puts it, so that the question is different. That is a very good rule indeed, because then we can rectify an error that we have made. It is for that reason I am anxious to support the President's ruling in this instance. It is

not a question of the content of this Bill. We can deal with that content later. If the President's ruling is agreed to, when we come to the Bill we can deal with the Bill as we think fit. I am only going on the question now before the House. In my opinion this Bill is not the same in substance as the other one. It may be more or less the same principle, but it is not the same in substance; and for that reason I support the President's ruling.

Hon. J. Cornell: Let me preface what I wish to put forward by stating that every member of the House knows where I stand and how I vote on the principle involved in the Bill. But we are not now called upon to decide the principle contained in the Bill. We are called upon, having regard to your ruling, Mr. President, to determine whether or not the Bill now before us conflicts with Standing Order 120. First of all, to get a grasp of the question, we have to ask ourselves why Standing Order 120 was framed, and why it has stood for so many years—28 years to my knowledge—without amendment. My interpretation of Standing Order 120 is supported by the fact that it cannot be suspended. That definite object was that once a question or an amendment was disposed of in a session, that disposed of it for that session, and any attempt to revive it whether by way of amendment or by way of a Bill had to be determined on whether or not the substance of the new proposal was similar to the substance of the rejected proposal. I have listened to Mr. Parker—

Hon. H. S. W. Parker: Not patiently.

Hon. J. Cornell: I have lost all my faith in the hon. member as an advocate on this question. I join issue with you, Mr. President. I submit that you have based your ruling on the minor question, not on the major question of substance. Your ruling is that the Bill is not the same in substance because the amount of money it proposes to take is to be taken for a shorter period, and is to be taken in a lump sum instead of on a proportional basis as in the first proposal, and is going to be disposed of in a somewhat different manner. But we have to consider the matter so as to ascertain the substance and the citadel of the Bill. The citadel of the Bill is Section 13 of the Traffic Act. That is where the substance lies. If we take the two Bills, the rejected measure and the present measure, with the exception of the Title, which by the way has nothing

to do with the subject matter or substance of the Bill—take Clauses 1 and 2 with the exception that the present Bill is No. 2 while the other Bill was not numbered—we find the wording is identical. Turning to Clause 3 of both Bills we find that both the clauses definitely run for an indefinite period during the application of the Federal Aid Roads Act. This Bill, which is for one year, definitely amends the Traffic Act. That is the source from which the money is to be drawn. The paragraph to be amended reads as follows:—

The remaining half of the net balance of the said fees shall, together with any money remaining unexpended out of the said first-mentioned half of the net balance of the said fees, be annually paid and divided amongst the local authorities of the districts or sub-districts comprised in the metropolitan area, in such share and proportion as the administrator may determine.

Both Bills definitely amend that section. That is the fundamental of both Bills. There can be no argument whatever about that. One amendment takes three-quarters of the traffic fees. The other amendment takes £75,000.

Hon. G. W. Miles: Practically the same money.

Hon. J. Cornell: To my way of thinking, what is going to be done gets the shadow and not the substance. Both Bills strike at the source of the money that is intended to be taken from the identical quarter. That being so, I submit that the substance of this Bill is in essence the substance of the rejected Bill. Now it is for the House to decide whether this Bill is the same in substance as the rejected Bill, and I submit that to say that this Bill is not the same in substance as the rejected Bill is fallacious. To my way of reasoning, which may be weak, the Bill ought not to pass. That is how I view the situation. I have only one desire, and that is, in my humble thinking capacity, to endeavour to interpret Standing Order 120 as I believe it was intended to be interpreted, and not to refer to rulings and decisions of "May" going back to 1844. Our standing order is clear, definite and precise: and the two Bills themselves need no interpreter. They are both short, concise and to the point. It remains for members, in their own power of interpretation, definitely to decide, as I have done, whether or not the present Bill is in accordance with Standing Order 120. I think it is not.

Therefore, very reluctantly, I disagree with your ruling, Mr. President; but I think this is a question on which we all welcome the views of hon. members as to the interpretation of Standing Order 120.

Hon. Sir Hal Colebatch: I, like every other member of the Chamber, would in any circumstances find it distasteful to vote against your ruling, Mr. President. The simple course would be to accept that ruling and then to defeat the Bill; but, to my mind, if we did that we might as well strike the standing order out altogether. For I cannot imagine any Bill defeated in this House which could not be reintroduced if the present Bill is in order. The alterations in it are so trifling—in effect they do not exist at all—that the purport is the same. If it is in order to reintroduce a Bill simply by making in it trifling alterations such as these, then any Bill which in future we reject might be brought back to us again. I intend to support the motion.

Hon. G. Fraser: I intend to support your ruling, Mr. President, because I consider it sound. I cannot see where the proposal to introduce the Bill conflicts with Standing Order 120. Your ruling, Sir, was not a summing up given on the spur of the moment; it was prepared after due consideration extending over several days. Apart from the question of the money involved, I am satisfied that this Bill and the Bill that preceded it are not substantially the same. The money is there and will be derived from the one source, but from then on the two Bills are different. That is to say, that the application of the money is different in one Bill when compared with the other. One sets out definitely that the money shall go into Consolidated Revenue for general purposes. The other sets out that the £75,000 shall be a contribution towards interest and sinking fund on the loan expenditure on roads.

Hon. J. J. Holmes: But where does the £75,000 come from?

Hon. G. Fraser: I admit it comes from the one source. But suppose the hon. member had a sum of money stolen from him. Would that be the same as if it had been given to the man who took it? It came from the same source, but it went by different means. I contend that the President's ruling is sound. Of course the

standing orders are there for a purpose and we should see that that purpose is observed. I contend that the purpose has been observed and that the ruling is correct because the two Bills are entirely different except for the starting point—the sum of money. I intend to support the President's ruling.

Hon. G. B. Wood: I do not wish to cast a silent vote but I do desire to cast a considered vote. I went to the trouble of getting the two Bills and examining them carefully and I had to come to the conclusion that they were substantially the same. If they are not I maintain that the first Bill would have been amended and made exactly the same as the Bill now before us. The main point is where the money is coming from, not what is going to be done with it, and that is the bone of contention right through. I intend to support the motion to disagree with the ruling.

Hon. E. M. Heenan: I intend to support your ruling, Mr. President. The interpretation rests on the phrase "same in substance." There is a certain amount of ambiguity in those words and you, Sir, have had time to make research amongst the most reputable authorities. During the course of the debate I have heard no argument or opinion which has been so clearly and lucidly submitted as the reasons given by you, Sir, for your decision. The matter was put very fairly by you and I hope you will read those reasons again. The phrase "same in substance" has been quoted. May I ask members to take the two words "the same." We can substitute for those words, the word "identical." "The same" means "identical."

Hon. L. Craig: They mean "substantially the same."

Hon. E. M. Heenan. No; you can substitute "identical." The Bill before us is by no means identical with the previous Bill. There is a vital difference. The specified amount of £75,000 is mentioned in this Bill and a fixed period is stated. I submit that those are two very radical alterations. The question is of course one on which we cannot be dogmatic. Research has to be made and I think you, Mr. President, referred to the best authority in existence. As I have already said, your reasons were given in clear language which impressed me very much. I agree that the Bill is substantially different from the previous one and I intend to support your ruling.

Hon. W. J. Mann: I intend to disabuse my mind of any question of the relative value of the two Bills. I desire, if I can, to satisfy myself as to the correct interpretation of the words that have been quoted so much, "same in substance." I am impressed by the statements made by one hon. member that it should be unnecessary to appeal to any authority if the wording of our standing orders is sufficiently explicit. I want to cast a vote in a manner so that on any future occasion I shall be able to look back and say that the reason I gave was one that could not easily be mistaken. Like most hon. members, I have gone to the trouble of looking as far as I possibly could into the meaning of the term "same in substance" in a Parliamentary sense. To my mind "substance" means the essence, the essential nature. These terms in my judgment permit of little misunderstanding. There are other interpretations clearly pointing to the same conclusion. They indicate the main intent or purpose, the basis or foundation, that which underlies and that which gives a thing its distinctive character. Consequently I have to arrive at the conclusion that in my humble opinion the Government has been wrongly advised by its legal authorities and that actually the Bill is substantially the same as the previous one. Though I would prefer to vote the other way, I must support the motion to disagree with your ruling.

Hon. J. J. Holmes: I much regret that I am compelled to disagree with your ruling, Mr. President. Many of us have stood up for the rights and privileges of this House and the rights we possess under the standing orders. What I am afraid of is that if we slip on this Bill we shall be establishing a precedent which will be brought up against us at some future time. I have no doubt that every avenue has been probed to find a way to convince this House that a precedent exists for what is being done. So far as I am concerned, a precedent has not been established and it will not be established on this occasion. Standing Order 120 is definite and as Sir Hal Colebatch pointed out, if we allow a Bill of a similar nature to be introduced twice in the one session of Parliament other Bills might be brought back—not by this Government; there may be another Government in power—when the standing orders were suspended and everything had to be rushed

through. I do not suggest the present Government would do that, but some future Government might seize the opportunity to rush through, during the suspension of standing orders, a Bill that had been defeated in an earlier part of the same session. The wisdom of Standing Order 120 has stood the test of 30 years, and I hope this House will adhere to the principle set out therein.

Hon. J. Nicholson: Like other hon. members, I regard with the deepest respect any ruling pronounced from the Chair, but I feel sure that no one recognises more than you, Sir, the inherent right which members have in a Chamber such as this. It is good indeed for the sake of our Constitution and the welfare of our community, that we have in our standing orders a rule of such a distinctive character as that which has been referred to. I listened with deep earnestness to all the reasons that were furnished by you, Sir—and whilst I realised you inquired into the subject, with the closest scrutiny—I feel with regret that I cannot share your views or agree with the ruling pronounced by you. Likewise, I cannot agree with the opinions that have been expressed by certain hon. members in support of that ruling. The matter has been very thoroughly discussed, but to put it in as concrete a form as possible, I think it will be admitted that there is one simple question to be decided, and that is the question of the substance of the two Bills. Are they identical? In order to answer that question we must realise what the purpose or intention of the two Bills happens to be. Each Bill seeks to accomplish one definite object, and that is to divert from the revenues of certain municipalities the moneys received from traffic fees that they would otherwise be rightly entitled to and pay those fees into Consolidated Revenue. Both Bills seek to divert from those local authorities the right to receive their particular portion of those traffic fees. That being the case, I contend, irrespective of the fact that an attempt has been made to vary the duration of such diversion, there is no difference in the substance of the Bills. They both seek to accomplish one and the same definite purpose. That being so, I do not propose to debate the subject further beyond saying again that I regret I cannot agree with the ruling that has been pro-

nounced, and I support the motion moved by Mr. Baxter.

Hon. E. H. H. Hall: I am not in the slightest degree concerned with the creating of a precedent. The dead hand of time cannot be allowed to check us for ever and ever. I might alter an old saying to the effect that a man who never makes a mistake never did anything worth while and say that people who forever go on being afraid of creating a precedent—

Hon. J. Cornell: Rescind the standing order.

Hon. E. H. H. Hall: Need I remind Mr. Cornell, who is Chairman of Committees, that all interjections are highly disorderly? If we go on being afraid to create precedents, we will continue as we have continued too long being afraid to do anything very much worth while. After listening, Sir, to your reasoning and your quotations from men whose names are held in great respect so far as Constitutional usage is concerned, I was almost persuaded, but when I heard the speech of a legal member of this Chamber in support of your ruling, the scales fell from my eyes, and I saw that I was being led along the wrong track. Those members who have brought us back to earth, to this chart which regulates our comings and goings and our procedure, are, I consider, on the right track. The words of Standing Order 120 are "the same in substance." Despite Mr. Fraser's arguments, I contend that the Bill has one aim and object only, and that is to lift certain moneys from certain sources, and the Bill previously before the Chamber was turned down for that reason. Therefore, much as I regret having to do so, if the standing orders are to rule the conduct of this Chamber, I, with other members, must vote against your ruling.

The Chief Secretary: I have listened with a good deal of interest to the opinions of various members who have spoken to this motion, but I have not heard one argument or statement which, in my opinion, will seriously challenge the ruling you, Sir, have given. Naturally members have expressed their own opinions as to what is the meaning of those three words "same in substance." May I ask, first of all, if we are to endeavour to interpret those words in the general way in which they are usually referred to or whether we are to consider them from the point of view of their Parliamentary mean-

ing? I think we have to admit that seeing that the words are part of one of our standing orders, we must look for their meaning in a parliamentary sense. If we accept that point of view it is necessary that we should look to the parliamentary authorities, those particular authorities who are recognised not only by this Parliament but by every Parliament in the British Empire. So far as I know there is no more reliable authority than that quoted by the President. I suppose most of us have from time to time been sufficiently interested to read and study the rulings that have been given on many important questions in the Parliaments of the Commonwealth and almost invariably we have found that the authority quoted and accepted is "May." I think the President in his lucid way tonight gave us a very clear explanation of the meaning of those words, and he was supported very strongly by the authority he quoted. We can admit straight away that this Bill deals with traffic fees and that the previous Bill also dealt with traffic fees. Having admitted that, however, there is very little that one can say is the same in substance in the two Bills. I pointed out earlier that in the first place the title of this Bill—although we may not consider that is of very great importance—differs from that of the previous Bill. I also pointed out that this Bill has a duration of 12 months, whereas the previous Bill was for an indefinite period. This measure provides for the diversion of a very definite sum, namely, £75,000, whereas the previous Bill provided for a percentage, for an unknown or indefinite sum of money, which would vary from year to year. Mr. Fraser pointed out another, and perhaps more important way in which this Bill differs from the previous one, and that is as to what is to be done with the money if the Bill be agreed to. Under the previous Bill the proportion of traffic fees it was proposed to take into Consolidated Revenue, was to be used for any purpose at all. Clause 3 (b) of the previous Bill provided that the fees should be applied (amongst other things)—

To the payment into the Consolidated Revenue Fund for the general purposes of the State of a three-fourths part the amount of the said fees . . .

and so on. The words "to be used for the general purposes of the State" are included in the clause. This Bill provides in Clause 3 (a) that the £75,000, which is a

specified sum mentioned, has to be paid into Consolidated Revenue as a contribution towards the interest and sinking fund on loan moneys expended by the Government on roads. That is not a general purpose, but a specific purpose. To that extent it is entirely different from the previous Bill. I listened with interest to Mr. Cornell's remarks. He said Standing Order 120 was framed for a definite reason. You, Mr. President, gave definite reasons for the opinion you arrived at. That opinion was just as strong and logical as any opinion could be, dealing with the interpretation of two or three words, such as we are doing tonight. Mr. Heenan also dealt with the interpretation of the words "the same." We must come to the conclusion that this Bill is not the same in substance as the other. It cannot be argued that the two measures are identical. The actual provisions of the two Bills are as wide apart as are the poles. One is definite and specific and the other dealt with traffic fees in a most indefinite way. No matter how long we debate the question, we must come back to my earlier remarks, that this question has to be considered from the point of view of parliamentary practice. If we do that, we have no option but to accept the ruling, seeing that it is substantiated so strongly by "May." Mr. Baxter said members did not want a parliamentary authority to deal with the standing orders, and that they could understand the meaning of words. On other occasions the hon. member is anxious to fortify himself by the opinions of parliamentary authorities, particularly those expressed in "May." I can understand it would be difficult for him to find a parliamentary authority to substantiate the arguments he submitted. You, Mr. President, must have given careful consideration to this question—and for that our best thanks are due to you. As you have had the opportunity to consult the highest parliamentary authorities in the Empire, and have found that this Bill is not identical with the previous Bill, we should be doing wrong to disagree with your ruling. The whole procedure of Parliament is based upon what is known as parliamentary practice. That is laid down for every Parliament by authorities such as "May."

Hon. J. Cornell: These matters are invariably decided to-day on the strength of parties.

The Chief Secretary: That may be so sometimes, but on this occasion I hope the decision will be arrived at strictly in accordance with parliamentary practice. I am pleased that members are anxious that nothing shall be done to undermine the practice of the House or of Parliament generally, and I am not going to find fault with those who have expressed themselves in opposition to your ruling, Mr. President. If, however, members are to have any regard for the logic of the arguments, they can only vote in support of your ruling.

Hon. V. Hamersley: Of commonsense.

The Chief Secretary: Mr. Baxter quoted from the debates of 1912. I understand that on that occasion the President used the same arguments that have been used to-night.

Hon. J. Cornell: What did he do in 1923?

The Chief Secretary: Strange to say, Mr. Cornell seconded the motion then.

Hon. J. J. Holmes: We live and learn.

The Chief Secretary: I hope so. I marvel sometimes at the way in which some members seem to be able to satisfy themselves that a different set of circumstances exists one day compared with what exists on another. Standing Order 120 does not apply because this Bill is not the same in substance as the other.

Hon. H. Seddon: The previous decision of the House concerning this very standing order will be of considerable assistance in arriving at a decision to-night. Reference has been made to occasions on which Standing Order 120 has been invoked. The first occasion was referred to by Mr. Baxter in dealing with the Esperance-Northwards railway. At that time the President ruled the Bill out of order in accordance with Standing Order 120. The next occasion when the matter came up was in 1923. That was the first opportunity I had of listening to discussions in the House. At that time I think you, Mr. President, raised the question whether a Bill dealing with the Albany-Denmark railway was in order. In support of your remarks you referred to the previous occasion when the President had given a decision with regard to the Esperance-Northwards railway. In giving his decision the then President said that, influenced by the arguments of the Hon. J. W. Kirwan, he had decided that the Bill was out of order. The House then took the matter into its own hands, the Pre-

sident's ruling was disagreed with, and members went on to debate the Albany-Denmark Railway Bill. The issue boiled down to this, that the ruling had been in accordance with precedent, the idea being that Standing Order 120 existed to prevent decisions from being reversed. The House asserted itself and said it was going to decide what course it should adopt. It appears to me that the present occasion is one on which the House will have to take into its own hands the interpretation of Standing Order 120, and decide whether it will disagree with your ruling, or whether it will support the precedent established by a previous President, and indicate that the standing order is intended for the purpose of preventing a reversal of a decision. My opinion is that the Bill would not have been introduced had it not been for the loss of the previous one.

Hon. L. Craig: That is important.

Hon. H. Seddon: If we decide again to consider this Bill, we shall be reversing the decision that was given by the House on the previous occasion. On the grounds I have stated it is my intention to disagree with the ruling given.

Hon. G. W. Miles: It is with regret I have to disagree with your ruling, Mr. President. I am anxious that the Government should get this measure through. I voted for it on the last occasion, and voted for it last year also. I would vote for it again were it not for Standing Order 120. I think that standing order makes it clear that this Bill is the same in substance as the previous Bill, and for that reason I disagree with your ruling.

Hon. A. Thomson: I do not wish to cast a silent vote on this important matter although I regret having to disagree with your ruling, Mr. President. The ruling goes back to 1840, but the decision this House has to make has to be made in 1940. We have sufficient confidence in our own judgment to stand by our standing orders. Whilst a great deal has been said about "substance," I think it is a matter of a distinction without a difference. There is no gainsaying the fact that the money we are asked to vote to the Government must come from the very source that it was coming from in connection with the previous Bill. In supporting your ruling, Mr. President, one member said that if the

House made a mistake, it should be competent for the matter to be reconsidered and the measure to be reintroduced. I do not know where we would get to if that principle were adopted. We have our standing orders and we must abide by them. I have the greatest sympathy with the Government regarding its desire to obtain more funds. The Chief Secretary may say that the Bill is not the same in substance as the earlier measure, but I think he will have great difficulty in persuading those whose collections will be affected that that is really the position.

Hon. C. F. Baxter (in reply): There is little for me to answer in closing the debate. Those who have opposed my motion to disagree with your ruling, Mr. President, have tried to evade the point by suggesting that the substance of the Bill is quite different from that of the previous measure. I shall not waste time dealing with the considerations affected. After my long years of association with you, Sir, you will appreciate the fact that I did not move the motion to disagree with your ruling out of any disrespect to you. The observance of our standing orders is of paramount importance to me now as always. As I read Standing Order 120, the Bill is the same in substance as the previous Bill, and is therefore out of order. The Chief Secretary said that I made use of "May's Parliamentary Practice" when it suited me. I would not attempt to do so where our standing orders are quite clear, for then any reference to "May" would be unnecessary.

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

Ayes	..	..	..	..	16
Noes	..	..	..	..	9

Majority for 7

AYES.	
Hon. C. F. Baxter	Hon. G. W. Miles
Hon. Sir Hal Colebatch	Hon. J. Nicholson
Hon. J. Cornell	Hon. H. L. Roche
Hon. L. Craig	Hon. H. Seddon
Hon. E. H. R. Hall	Hon. A. Thomson
Hon. V. Hamersley	Hon. H. Tucker
Hon. J. J. Holmes	Hon. G. B. Wood
Hon. J. M. Macfarlane	Hon. W. J. Mann
	(Teller.)
NOES.	
Hon. J. M. Drew	Hon. T. Moore
Hon. G. Fraser	Hon. H. S. W. Parker
Hon. E. H. Gray	Hon. C. B. Williams
Hon. E. M. Heenan	Hon. W. R. Hall
Hon. W. H. Kilsen	(Teller.)

Question thus passed.

The PRESIDENT: This means that the Bill is out of order and must be set aside.

President's Personal Explanation.

The PRESIDENT: I think it is proper for me on this occasion to make a personal explanation. Hon. members were perfectly right in challenging my ruling on the Traffic Act Amendment Bill. I would have been extremely disappointed had they not challenged it, and I am very glad they did so and that the responsibility was not left to me. It is a most important matter. In what I did I endeavoured to interpret in a strict Parliamentary sense the meaning of the words "same in substance." In Australian authorities on the practice of Parliamentary procedure, including Blackmore, whom I regard as the most reliable, there appear references to occasions in Australian Parliaments—I could quote a dozen or even twenty instances—where the President or the Speaker, as the case may be, when asked whether or not a Bill was in order, had left the decision to the personal opinion of the members of the Chamber concerned. I could have followed the same course. In the instances I refer to, neither the President nor the Speaker expressed his personal view. On the other hand, as I was asked for my ruling, I regarded it as my bounden duty to give the Chamber the benefit of my opinion. Therefore I interpreted the words "same in substance" by the recognised meaning given to them by certain Parliamentary authorities. As the Chief Secretary has pointed out, it was not in the accepted sense of the term "same in substance" but in the parliamentary sense that I endeavoured to interpret them. As I have already said, it is well that the responsibility for this most important decision has been accepted by the Chamber rather than that it should be left to my individual opinion. I know the motion to disagree with my ruling was moved in pursuance of a very laudable idea existing in this House, an idea dear to the hearts of all members, as it is to me, and that is that there shall be close observance and strict interpretation of our standing orders. I hope that is the spirit that will long continue to animate members of this Chamber.

Members: Hear, hear!

BILL—BUSH FIRES ACT AMENDMENT.

Assembly's Message.

Message from the Assembly received and read notifying that it had agreed to amendment No. 2 made by the Council but had disagreed to amendments Nos. 1 and 3 to 10 inclusive.

BILL—EMPLOYMENT BROKERS ACT AMENDMENT.

Second Reading.

Debate resumed from the 28th November.

HON. C. F. BAXTER (East) [9.0]: I differ from the Minister in his statement to the House that this Bill is of an innocent nature and is not contentious. As a matter of fact, I do not think he could have brought in a more contentious or more extreme measure. Here we have a Bill for the consideration of the House that in the first place involves not only the liberty, but also the livelihood of a certain number of people in the State. Secondly, it attempts, by compulsion, to drive a large section of our people into one avenue when seeking employment. The Bill further proposes to do away with the sound system of licensing at present in operation—this is one of the most important features—and in its stead set up what I consider is an unsound system.

The Bill seeks to delete no fewer than ten sections of the Act. At one fell swoop ten sections are to be wiped out. Those sections make provision for the licensing of employment brokers. To become licensed, these people have to appear before a magistrate. In place of that, the Government desires to have the licensing done by a departmental officer controlled by a Minister. There may be grave danger in making that departure; in fact, I consider that there is. The Chief Inspector of Factories is to be the man to say who shall have a license and who shall not. Under the provisions of the Act which should be retained, certain formalities have to be observed and a proper method has to be adopted by employment brokers. They have to approach a magistrate, who can deal not only with the granting of licenses, but also with misdemeanours. In future, however, the Chief Inspector is to have power

to deal with licenses and misdemeanors. Such proposals can form no part of a democratic system, and yet the Government is supposed to be a democratic body. What would be the position under a departmental officer? Is the Minister in charge of the Bill biased? His own friends can go to the Department of Employment and, rightly or wrongly, get on his soft side and he gives them exactly what they want.

The Honorary Minister: That is uncalled for.

Hon. C. F. BAXTER: It is true. Let the Honorary Minister agree to the appointment of a select committee and then we shall see where he stands.

Hon. T. Moore: It is a good job that he has a soft heart. Many people have not.

Hon. C. F. BAXTER: The intention of the Bill is really to wipe out the employment brokers entirely. There can be no other reason for it. If the Bill is agreed to, will it facilitate employees' obtaining employment? We know that it will not. Will it guarantee that the employee will get a better class of employer? Of course not. Will it guarantee that the employer will be able to get good service? We know that it will not do anything of the kind. My objection is that the amendments proposed in this Bill will not improve the position; in fact, the measure represents a retrograde step. From the employment brokers one can get a much better selection than is available at the State Labour Bureau. It stands to reason that, from the private agencies, one can get personal attention and therefore must obtain better service than would be available from a department simply pushing the men through.

The Minister mentioned the number of cases in which money had been advanced for fares to men sent out to employment by private agencies. I am aware that that practice obtains. Often an employee leaves Perth to go to a position and never reaches it. When the money for the fare has been advanced by the State Labour Bureau, action can be taken through the police to obtain repayment. I quite agree that it is right to secure repayment in this way. But if an employment broker advances money for a fare, it is the employer's money, and the employer and the broker might never see the man again. That is why so much

money has been provided for fares by the State Labour Bureau.

When members peruse the schedule to the Bill, they will appreciate that it would not be possible for an employment broker to make a living under the scale of charges therein proposed. Consider the rent and other expenses that an employment broker has to bear. The Minister spoke about Melbourne, but what a different position prevails where the population numbers 1¾ millions against less than half a million here! No doubt employment brokers there can work under those rates because of the increased business offering. Under this schedule of charges only one thing could happen. Apparently the Government has only one object in view and it has made attempts previously to attain that object. This is to wipe out employment brokers and compel everybody seeking employment to go to the State Labour Bureau. Many employers and employees will not patronise the State Labour Bureau. They have nothing against it as a State institution, but they find they receive better attention from the employment brokers. I have no desire to reflect on the State Labour Bureau; I have had dealings with it and all of them were satisfactory. I would not think of discounting any of its work because I have found its service good. But a large number of employers and employees will not patronise the State bureau and they want to see the private brokers kept in business.

Why should this House adopt the attitude, "We will reduce the charges employment brokers are permitted to impose to a point where they will be unable to make a living. They will then have to go out of business and everybody desiring employment will be compelled to apply to the State Labour Bureau"? The element of compulsion is definitely present; people requiring employment will have to go to the State Labour Bureau. Further, nobody will be able to obtain a position through the State Labour Bureau unless he joins a union. That is the compulsion I refer to, and I ask members whether it is fair or right to impose such compulsion. We all know that it is not right. Yet, if we agree to this Bill, we shall be compelling all those people seeking employment to become members of unions. To those who go to the State Labour Bureau for employment we shall be saying in effect, "You have to pay into the funds of the

unions before you can get a job. You must subscribe to the 'Worker' newspaper and also contribute to the political funds of the Labour Party."

The Honorary Minister: The bureau is staffed by civil servants.

Hon. C. F. BAXTER: The Minister has had very good allies for enforcing those things in recent years. The Government has been singularly favoured in the manner civil servants have served it. The Labour bureau is in the same position as the Department of Employment. The civil servants have to carry out the directions given them by the Minister. They are servants and the Minister is paramount.

Let me mention another feature of the Bill. Clause 4, paragraph (d) enumerates the powers of the Chief Inspector. The Chief Inspector may refuse to grant a license or a transfer or renewal of a license, and may cancel a license on any of the grounds set forth. The first ground is that the applicant is not a fit and proper person to hold a license. That is a tremendous power to place in the hands of a civil servant. The next thing we will be asked will be to turn over the administration of the Licensing Act to some civil servant. This civil servant, the Chief Inspector, will deal not only with the livelihood but also with the character of the people engaged in business as employment brokers. He may refuse a license on the ground of fraud, imposition or extortion by the applicant. If this amendment is agreed to, the character of these people will have to be analysed by him, and I emphasise the point, by an officer of a Government department, not by a legally trained man or somebody who is responsible in a legal way. The responsibility will rest with an ordinary man who has probably risen from the position of office boy to that of Chief Inspector. He it is that will have the power to deal with employment brokers in this State. I cannot imagine members of this House agreeing to such power being given to the Chief Inspector.

It is astounding how many Bills we have session after session all having one tendency, namely to provide for further control by Ministers. All this work of dealing with licenses is to be taken out of the hands of the court and placed under the control of the Minister. Where is all this ministerial control to end? I concede that

in some instances ministerial control is a good thing, but the Minister should not seek control in this direction. It is not a matter involving ordinary Government administration. I am quite prepared at any time to support a Bill that will assist employers and employees; I am prepared to support any Bill that will lighten the load on the employee and assist him to get work, but I am not prepared to support a Bill of this sort which would interfere with the rights and liberty of one section of the people and compel another section to join unions, with which they might not be in sympathy, and find the money to do so. Therefore I shall vote against the second reading.

HON. G. B. WOOD (East) [9.13]: I agree with the previous speaker that this is a highly contentious measure. It is not stated in the Bill that every employee shall go to the State Labour Bureau, but the measure does set out a method that will drive employment brokers, who to-day are giving service to the public, out of business and will constitute the State Labour Bureau the only place where people in search of work can get a job. There is very little in the Bill that pleases me. However, I differ from Mr. Baxter regarding two matters, one of them being the new proposals for licensing employment brokers. I cannot see that any harm can result from adopting the licensing provisions of the Bill. True, this matter will be left to the Chief Inspector, but I point out that there will always be the right of appeal to the magistrate. I have consulted some of the employment brokers on this point, and they do not object to that proposal. At present they have to go to the court in order to get a license, and in some instances this is quite a lengthy business. If the matter of granting licenses is left to the Chief Inspector, then in the event of an applicant being dissatisfied, he will have the right of appeal to a magistrate. That is one good feature of the Bill. Another proposal that I welcome is the one providing that if an applicant for employment does not get a job, he shall not be required to pay. I regard that as a very sound provision. In Sydney applicants for employment have to pay so much to register, and after a man has had his name on

the register for a certain period, he is supposed to get his money back, but it is not always returned to him. Therefore, I support the proposals of the Government on the matter of licensing and also on the matter of no-job-no-charge.

Hon. W. J. Mann: What is the practice in this State?

Hon. G. B. WOOD: I understand that one or two of the employment brokers do make a charge whether a man gets a job or not, but that this is not the general practice. I have made careful inquiries on that point. Most of the employment brokers do not make a charge unless they find a job for the client. Possibly this Bill is based on the case of one broker who does that. I have no objection to that safeguard going into the Bill. However, there are so many undesirable features of the measure that I am not sure I shall support the second reading. Moreover, the Bill contains numerous dangerous provisions. It interferes with the rights of people who undoubtedly perform a useful service. Employment brokers have been in business for many years, and they would not be there now unless they performed services.

Hon. A. Thomson: Before they can get licenses, they must prove their reliability and competency.

Hon. G. B. WOOD: Certainly. If employment brokers were not entitled to charge what they do charge, they would soon have to go out of business. I myself have had considerable experience of employment brokers and also of the State Labour Bureau. The latter experience has not been quite happy. I had my name on the books of one employment broker for six weeks, and then rang up and asked, "Why don't you send up someone?" The reply was, "We have not had a suitable person to send." That is in favour of private employment brokers. They would not send a man who was not suitable. In another case a firm sent me a man who left after three days, and therefore it did not make a charge. If I applied to the State Labour Bureau, a man would come up on the next train, a man who was good, bad, or indifferent. I have asked persons at the State Labour Bureau whether they would take a job cutting suckers, and they laughed and said, "It's too hard." Private employment

brokers do in the main endeavour to look after employers and employees. I know one lady conducting such an office and she makes it her business to look after girls around Perth. She does not send them to undesirable employers. If a girl went to the State Labour Bureau, she would be sent to an employer whether he was a good or bad or indifferent employer. The State Labour Bureau does not take the same personal interest in employees as some of the private employment brokers do. I will stand on that statement. It cannot be contradicted.

The schedule to the Bill is a most amazing production. In the first place, I do not hold with the rates. If those rates were enforced, the employment brokers would be driven off the face of the earth. Where the rate of wage does not exceed 5s., the schedule provides that the employer shall pay 1s. 6d. and the employee 1s. 6d. An employee in receipt of only 5s. a week should not pay any fee whatever. Further, an employer prepared to pay only 5s. a week should be prepared, and I think would be prepared, to pay the whole fee. If he was not prepared, he ought to be made to pay it. As regards higher rates of pay, I suggest to the Minister that there should be a sliding scale of fees. Where the employee's wage is under 5s., or only 5s., the employer should pay the whole fee.

Hon. J. J. Holmes: Who works for 5s. a week?

Hon. G. B. WOOD: Where the wage is over 5s. up to 8s., the employer should pay the lot. The fee is only 4s. Similarly up to 14s. From over 14s. up to 34s. I consider that the employee should pay 1s. as against the employer's 5s. and 2s. as against the employer's 5s., and 3s. as against the employer's 5s. 6d. and 6s. 6d. At 35s. the employer and the employee should pay half each. However, to state in an Act of Parliament that an employee receiving less than 10s. a week should pay equal to what the employer pays is, in my opinion, asking too much. The percentage in the case of the lower-paid person works out higher than in the case of an employee receiving 35s.

Now I wish to know who has asked for this legislation? I am certain the employment brokers do not want it. Assuredly they have not asked for it for the sake of the licensing. Again, the employers have never asked for it, nor have the employees. This

I shall prove in a minute by petitions and letters which have reached me.

Why do people in search of work go to the employment brokers? Because they get service from those brokers. The fees proposed in the schedule are not enough in view of the great expense which employment brokers incur. One such broker told me that telephone charges alone cost him £48 a year. The Minister might reply that some of that amount is recoverable because of long distance charges. More than half of it, however, is for calls within the metropolitan area. The same employment broker spent £80 19s. on advertising for the 12 months, and since then advertising rates have gone up considerably.

Now I wish to read some petitions which were all produced in one day. The employees did not know this Bill would hang over so long. One petition reads—

We the undersigned employees desire it to be known that we have no wish to have any alteration made in our obtaining employment through the private employment bureaux. We are satisfied with the present conditions and prefer to pay existing fees. In seeking the aid of the private bureaux we feel we have more protection and there is always the remedy in our hands: if we are not satisfied we need not consult them.

That petition bears 15 signatures. The remedy, of course, would be to go along to the State Labour Bureau.

Hon. T. Moore: Are you sure the signatures are all signatures of employees?

Hon. G. B. WOOD: Yes.

Hon. T. Moore: And that they have obtained work through those offices?

Hon. G. B. WOOD: The people go to those offices, and that is where the signatures were obtained. Here is another petition, to the same effect, signed by nine employees.

Hon. G. Fraser: Petitions of that kind carry no weight.

Hon. G. W. WOOD: If there was a petition saying, "We all want to go to the State Labour Bureau," the hon. member would say it was all right.

Hon. T. Moore: Who collected those signatures?

Hon. G. B. WOOD: The unions take money from these people, too, for union fees.

Hon. T. Moore: They are not members of unions.

Hon. G. B. WOOD: Here is another petition—

We the undersigned employees desire it to be known—

Hon. T. Moore: The same wording.

Hon. G. B. WOOD: Not altogether.

Hon. A. Thomson: Say, "the same in substance."

Hon. G. B. WOOD: In conclusion let me state where these petitions were signed: Country Employment Exchange, Registry Employment Bureau, Licensed Victuallers', Clubs, Farmers' and General Employment Office, Darlington's Hotelkeepers Employment Exchange, and so forth. I will lay these papers on the Table of the House. There is nothing to hide. I have not counted the signatures on the petitions, but someone has done the work for me and states that the petitions bear a total of 155 signatures. A letter from an employment bureau reads—

I am enclosing a few signatures of workers who have been coming into the office over a period of some years. I can honestly state that not one employee whom I have come in contact with would prefer to deal with a Government bureau in seeking a position. As to employers you are in a position to judge that for yourself. If I had the time I feel sure I could have got the signatures of all the clients on our books proving their satisfaction.

That letter is from a lady I know quite well.

Hon. T. Moore: She might be a good employment broker. There are some very good ones.

Hon. G. B. WOOD: The hon. member wants to drive them all off the earth.

Hon. T. Moore: All the shady ones.

Hon. G. B. WOOD: Next, as regards satisfaction given to people in the city, I have several letters here showing that these employment brokers do render service. I quote an extract—

Enclosed is my cheque for 30s. I have added 10s. to your account as you have never charged me for Mrs. N.

Mrs. N. was probably someone who did not prove satisfactory.

Thanking you once again for all the great trouble you have taken on my behalf and for your many acts of kindness and courtesy, believe me, Yours sincerely.

Another letter states—

Many thanks for your marvellous patience and perseverance. It has been an uphill job and a thankless one. Had I been in your position I would have been in Claremont years ago.

I have many other letters, but am reading merely a few extracts. Here is another—

I am enclosing cheque 6s. 10d. being balance owing to you. I am delighted with Miss — and think my long wait well recompensed.

Had those persons made application for positions at the State Labour Bureau, they would have had a long wait. I do not intend to weary the House by reading further extracts, although I have many more letters. Mr. Fraser would probably say that they do not count.

Hon. G. Fraser: Why anticipate?

Hon. G. B. WOOD: In conclusion, I have six points I desire to make. The first is that no deserving unemployed is penalised through not being able to pay a fee. I know that is so, because I am aware that people have gone to private brokers and obtained situations, notwithstanding that they were unable to pay a fee. I know of a girl who suffering from hunger staggered into an employment broker's office. The broker sent her out for food and then got a job for her. The second point is that by far the greater majority of positions are allocated without the broker receiving even the smallest deposit; many times no fee at all is received, although the agency may have incurred considerable expense in securing a suitable person. The third point is that more often than not the agency has to wait weeks before any payment at all is made. Fourthly, positions are sometimes advertised half-a-dozen times or more with no result at all. Such advertisements are a complete loss. I know that from personal experience. I have seen an advertisement for a teamster for myself in the paper day after day; no worker has turned up and I have not been charged for the advertisement. I have had on occasions to wait for a month or more for an employee because the agency would not send me an undesirable one. Fifthly, if the private agencies were put out of business, most people would advertise in the Press and employers might have many undesirable persons applying who are well known to the agencies. Few employees carry references and it is difficult to judge by appearances. This is a particular danger to housewives, especially those with children. I can vouch for that from personal experience. The last point, and in my opinion the most important, is that no investigation seems to have been made at all as to whether

the new scale of charges is adequate to meet the increased expenses now incurred by private brokers. Could not some inquiries be made from reputable agencies in this respect? This appears to be analogous to the Profiteering Prevention Act Amendment Bill which was discussed in this Chamber some little time ago, when certain prices were laid down without taking into consideration the cost of production. Here the Government propose to fix charges without going into the costs of these business agencies. That is absolutely ruthless. The Government does not care what it costs the brokers to run their business. The Government says, "You shall charge only so-and-so."

Hon. A. Thomson: It is a polite way of putting them out of business.

Hon. G. B. WOOD: It is iniquitous. This is one of the worst Bills that has been introduced into the Chamber this year. It is a contentious Bill. As the member who has just interjected said, it is the Government's backdoor method of driving these brokers out of business. I do not like turning a measure down on the second reading, but there is so little in the Bill that meets with my approval that I feel I must vote against the second reading.

HON. W. J. MANN (South-West) [9.34]: I have not much to say on this Bill; I do not see a great deal of virtue in it, but the Government may have more information with regard to it than I. Unlike the previous speaker, I have not had to make use of employment brokers' services; but if all the stories I have heard about their extortion, imposition and fraud are correct, then they are a pretty bad lot. I do not, however, altogether accept all those stories. Among the agents there are surely some reputable persons, for the good and sufficient reason given by the Minister the other night when introducing the measure. He said that large numbers of workers and employers preferred to use the private agencies. I am yet open to conviction that the Bill is necessary. It contains one or two provisions to which I cannot subscribe. I do not favor conferring upon the Chief Inspector almost autocratic powers. I notice the measure proposes that he may determine how far and how often a person may engage in this business. The Chief Inspector would thus become almost a law

unto himself. He could decide whether or not in a particular locality there was an opening for an employment broker's office. I do not know that he is quite the proper person to be given that authority. After all, he is an employee of the State, which is engaged in this particular business; and, while I would not say that his motives would be questionable, it would be preferable to leave the question of licensing in the hands of a court, so that evidence could be taken, investigated and weighed, and a decision arrived at on the actual facts. I am prepared to allow the direction of my vote on the second reading to stand over until the Honorary Minister has replied to the debate. If the Bill passes the second reading, then I will be prepared to support amendments to strike out those portions that I have spoken of regarding the powers proposed to be given to the Chief Inspector.

HON. J. CORNELL (South) [9.36]: For upwards of 50 years this question of employment brokers—at one time they were referred to as registry offices—has been more or less a bone of contention. I have never advertised for help, household or otherwise. In my early years I had but little recourse to registry offices; but my experience of them was anything but satisfactory or edifying. I remember that in the bad old days—some 44 years ago—there was in William-street an old robber by the name of May, who conducted a registry office.

Hon. L. Craig: Was he related to May of May's "Parliamentary Practice"?

Hon. J. CORNELL: No. I applied to him for a job. He had advertised a position for a farm hand at Parker's Road. You, Mr. President, know Parker's Road. Fancy Parker's Road being the centre of a farming community 44 years ago! May said to me, "You are unfortunate, you are a bit too late. We gave the job to a man this morning and he left by the Kalgoorlie express to-night." About 48 hours later I was walking in William-street and saw that a brick had been thrown through May's plate-glass window. It had been thrown by the man who had gone for the farm hand's job at Parker's Road. To my knowledge, the man jumped the rattler and

returned to Perth. He did not find any work awaiting him when he arrived at Parker's Road. I could give members other instances, but I understand that more sympathetic persons are to-day controlling private employment offices. All my sympathy, all my heart, throughout my life has gone out to the person, whether man or woman, who wants work and cannot get it.

Hon. A. Thomson: Hear, hear!

Hon. J. CORNELL: Long before I became a member of Parliament, I found it harder to tramp around the Golden Mile looking for work than to do work. We should therefore approach this question from a sympathetic angle. Some people in this business have been given a bad name, but that happens in any class of business.

Hon. L. Craig: Hear, hear!

Hon. J. CORNELL: The field of exploitation in this business is anything but limited. My experience is that the person who is not anxious to loaf on the State but desires to obtain employment is often the person who is exploited. It is a satire on our civilisation that persons willing to work have to pay for the privilege of obtaining work. The State assists a necessitous widow with children; it should also assist necessitous persons seeking employment. If a person obtains employment through an advertisement inserted in the "Situations Vacant" column of a newspaper, he should not be asked to pay a fee; but if he obtains employment as a result of an advertisement inserted under the column "Situations Wanted," he ought to pay for the job. I think that is but fair. I am not aware whether the State Labour Bureau does the job it ought to do. My experience of Government institutions is largely my experience of the army. The sergeant major roars at the men when they do not do the job they ought to do; he does not extend to them the sympathetic consideration that should be extended to them. I will support the second reading in the hope that some improvement will be made. Any vote of mine will certainly be in the direction of supporting the people running these concerns who have a real Christian tinge of mind and are prepared to do the right and generous thing. On the other hand we should

hold out no quarter to people who endeavour to batten on the necessities of people seeking work. Unless the State Labour Bureau is subject to a good deal of gingering up, and seeks to put itself in the other chap's place, it will not give to people what the Honorary Minister will tell us they might expect to get from it. I recollect having heard—and I believe it is the gospel truth—that a member of another place who is a great believer in State institutions secured the services, through the State Labour Bureau, of a man to work on his farm. The man was there for two days but was a wash-out, so the member cut his loss and "tramped" the man. He then asked the State Labour Bureau to send him another man. About three days later the same chap that he had "tramped" arrived on the farm again. There is a fundamental difference between the State Labour Bureau and private institutions. The officers of the State Labour Bureau are assured of their salaries and of their tenure of office. They cannot be dismissed unless there is first a departmental inquiry; consequently they can be lackadaisical and can lack the human touch that is required from such officers. Those controlling private offices, however, have to bear in mind that those offices provide them with their livelihood. If they extended to their clients the same treatment as is sometimes meted out by officers of the State Labour Bureau, their business would not be very brisk. That is the fundamental difference between the private employment agencies and the State Labour Bureau. If the State Labour Bureau were what it should be, there would be no need for any other agency. But until the sergeant-major attitude is abolished from the State Labour Bureau and a more human touch is established, we shall not be able to get on without private labour bureaux. The people we should consider are the unfortunates who have to seek work and I reiterate that I do not think it is Christlike or fair that people willing to work should pay for the privilege.

HON. G. FRASER (West) [9.49]: Had I any doubt as to whether I should support the Bill, the remarks of Mr. Wood would have dispelled them. His speech convinced me that the principles in this Bill are correct.

Hon. C. F. Baxter: You did not need convincing. You had to vote in favour of it.

Hon. G. FRASER: Mr. Wood had no objection to licensing.

The PRESIDENT: The hon. member should address the Chair.

Hon. G. FRASER: I am sorry, Sir. In the first place, Mr. Wood agreed with one of the big principles in the Bill, namely, that of licensing. If I heard him correctly, he was also agreeable to charges being made.

Hon. T. Moore: He was not against the Bill.

Hon. G. B. Wood: On a point of order. I have been grossly misrepresented. I made it clear that although I suggested a sliding scale of rates, I did not recognise the basis of these rates. I hope the hon. member will withdraw what he said.

The PRESIDENT: I am sure the hon. member will accept Mr. Wood's explanation.

Hon. G. FRASER: I said the hon. member suggested a schedule. I did not say he favoured this one. The hon. member misunderstood me. The principle to which he agreed, inasmuch as he submitted an alternative schedule, was one of the main principles in the Bill. The hon. member has endorsed—

Hon. G. B. Wood: I did not recognise the basis of this schedule.

Hon. G. FRASER: All I said about the hon. member's attitude was that he had no objection to a schedule—not to this schedule.

Hon. J. J. Holmes: Can we not finish with the schedule now?

Hon. G. FRASER: I do not know whether the hon. member intends to speak on this measure, but I think I am entitled to say a few words. If he does not want to listen, he can go outside. I have listened to the hon. member very often, but I have never told him it was time he sat down.

Hon. J. J. Holmes: I did not say that.

Hon. G. FRASER: That is the only interpretation I can place upon the hon. member's interjection. Mr. Wood convinced me that I should vote for this measure because, according to his speech, the principles of the Bill are good. He endorsed them.

Hon. G. B. Wood: There are 12 clauses, and I approved of two.

Hon. G. FRASER: If the hon. member believes that the principles of licensing and the establishment of a schedule are good, he should vote for the measure. Then, if

he is not satisfied with the proposed schedule, he would have an opportunity in Committee to alter it to his liking. I am surprised the hon. member should make use of petitions. All members know how much weight we attach to petitions. They are so much waste paper, particularly when they are obtained under such conditions. I assume that in this instance each office had a petition, and when a client appeared, he was asked to sign. Who would refuse to sign a petition in such circumstances? I would like to know what chance he would have of obtaining a job if he did refuse to sign.

Hon. G. B. Wood: I would like you to see the employers' names on some of these petitions.

Hon. G. FRASER: Nobody in these days attaches any importance to petitions because of the way in which the signatures are obtained, and I am surprised that the hon. member brought them into the House to substantiate his case. I think that most people engaged in this business intend to render the best service they can, but my sympathies are with the persons looking for employment and not with the brokers. Generally the person who goes to an employment office does so because it is impossible for him to obtain a job without assistance.

Hon. L. Craig: Do not you think that a person who helps a man to obtain employment should receive compensation?

Hon. G. FRASER: I am not objecting to the brokers receiving compensation, but a schedule should be fixed.

Member: Nobody has objected to that.

Hon. G. FRASER: Most hon. members appear to be objecting to the Bill, but those who have spoken against it have convinced me that its principles are right. There has been no objection to a schedule but only to the schedule proposed.

Hon. G. B. Wood: How can we lay down a schedule when we do not know the cost of running the business?

Hon. G. FRASER: I think some idea could be gained. Inquiries could be made, and a reasonable schedule formulated.

Hon. A. Thomson: Do you think the Government made inquiries before it drew up this schedule?

The Honorary Minister: It made extensive inquiries.

Hon. G. FRASER: I do not think the Government would introduce such a Bill without doing so. The person going to an employment broker for a job should be protected in the amount he is charged. I think the usual charge is half the first week's wages.

Hon. G. B. Wood: And everyone is satisfied.

Hon. G. FRASER: They have to be; there is no option.

Hon. G. B. Wood: There is an option—the State Labour Bureau.

Hon. G. FRASER: From which they would obtain services free of charge. But there are so many agencies operating. Some of the others, I think, do not make any charge, such as the Pastoral Labour Bureau, but the wages paid in those circumstances are usually very small. Generally such agencies cater for females and bush workers.

Hon. G. B. Wood: They can advertise for a job in the "West Australian" for 1s. 6d.

Hon. G. FRASER: People earning low wages should receive some protection. A stipulated amount should be charged. Half the first week's wages is too much for an employee to pay. The employer should pay more.

Hon. A. Thomson: What do you think is a reasonable charge?

Hon. G. FRASER: That can be discussed in Committee. We agree on the principle, and we should pass the second reading.

Hon. G. B. Wood: Who are "We"?

Hon. G. FRASER: The House generally. The hon. member himself has not made up his mind how he is going to vote. The last words he used before sitting down were that he did not know whether he would vote for or against the Bill.

Hon. G. B. Wood: I can see two good points in it.

The PRESIDENT: Order!

Hon. G. FRASER: The two good principles are those the hon. member enumerated, namely, licensing, and the charging of a fixed rate to people looking for work. The second reading ought to be carried and if the Bill is not entirely suitable, it could be amended in Committee. The principles should be endorsed. I have every sympathy for the person who has to go round looking for employment.

Hon. G. B. Wood: We all have.

Hon. G. FRASER: One bad feature to-day is that there are too many employment agencies, and the poor devil looking for a job—

Hon. A. Thomson: There are only 16 in the State.

Hon. G. FRASER: A person looking for employment can only be at one agency at one time and while he is travelling from one place to another, the job he is seeking is quite likely to be taken. I would prefer the establishment of a central bureau at which all jobs could be made available. A person who goes to an employment broker is one who is unable to find work for himself and I agree that the individual assisting him to find employment should receive remuneration. I cannot see the force of the argument that this Bill is a method of getting rid of employment brokers. To me it appears to put them on a proper footing.

Hon. G. B. Wood: What is in the mind of the sponsor of the Bill?

Hon. G. FRASER: I do not know who sponsored the Bill and I do not know what is in his mind.

Hon. G. B. Wood: I do.

Hon. G. FRASER: I think the principles of the Bill are such as we can agree to and I hope the second reading will be carried.

HON. A. THOMSON (South-East) [9.58]: Like other members I have the deepest sympathy with those who have to look for employment. I can speak feelingly of my own search for employment in my earlier days. When I was a young man in Victoria there was no sustenance in days of depression and no basic wage, but somehow I think that the people of those years were made of better stuff. The idea seems to have developed that the unemployed working on main road work are the Government's permanent unemployed staff. That seems to be a contradiction but that is the position. Many of them, when they started work, were very raw. They were not physically fit to give the services expected of them, and they had to tackle work they had never undertaken previously. To-day many of those men have become valuable servants to the State as well as to the Main Roads Board. We see men handling tractors and graders who when they first started did not, as ex-clerks, know the business end of a shovel. Quite a large

number of them have been, unfortunately, driven to look to the Government for work. No one who has occupied the position now held by the Honorary Minister has ever shown greater sympathy for the unemployed. I regret that at a time when we are facing a considerable amount of unemployment this Bill should have been introduced. It may not be the intention of the Government to drive private employment brokers out of existence, but there is a flavour about the measure that gives rise to that suspicion. The fees provided in the schedule are impossible of application. Brokers have to pay rent, electric light, telephone and advertising charges, and wages to their staffs. They also have to earn a living for themselves out of their activities as go-betweens. I point out that no person is compelled to go to one of these places of employment. He can always go to the State Labor Bureau and pay no fee whatever. I have always held the view that the employer should be the one to pay if he is seeking the services of an employment broker.

Hon. L. Craig: He does pay.

Hon. A. THOMSON: He should be the only one to pay.

Hon. G. B. Wood: That would not work.

Hon. A. THOMSON: It seems to have worked out quite well in the past. The Bill proposes to make the Chief Inspector the sole licensing authority.

Hon. T. Moore: That could be altered in Committee.

Hon. A. THOMSON: That would mean deleting Clauses 3, 4 and 5, thus striking out the main substance of the Bill. The time is not opportune for the introduction of this measure. The Honorary Minister said that strict inquiries had been made concerning the charges set out in the schedule. The considered opinion of the Government is that they are fair and reasonable, and would enable the private employment broker to pay rates, taxes, rent, and still make a living. I have looked through the annual report of the State Labour Bureau, the Public Accounts, and also the Estimates. I defy any member to show what the State Labour Bureau is costing for each individual for whom employment has been found. We are told that certain services are rendered without charge. In my view the bureau is far from being free to those

who apply to it. From the Public Accounts for 1940-41, page 26, I find an item of £5,551 representing State Labour Bureau, incidentals. On page 53 of the Estimates I find reference to a clerk in charge of the bureau at a salary of £406. On the Estimates this year a sum of £13,750 is provided for unemployment relief and the State Labour Bureau. If we take the salary of the clerk, and the incidentals associated with the State Labour Bureau we arrive at a total of £5,552. If we add together all the figures we can find we can only trace a total of £5,506. The report of the bureau contains no statement as to costs. I am not criticising that department; it has done excellent work, and it has found engagements for 5,169 persons.

Hon. J. J. Holmes: At a cost of about £1 each.

Hon. A. THOMSON: According to the information I have discovered, the cost is £1 1s. 6d. per individual. I expect the cost is twice that amount. One clerk in Perth could not do the whole of the work entailed. The bureau opens at 10 and closes at 3, and probably does not open on Saturday.

The Honorary Minister: It opens at 9 and closes at 5.

Hon. A. THOMSON: The private employment brokers do not keep Government hours. The highest fee provided in the schedule for the employee is 5s. and for the employer 10s., making a total of 15s. I find from the figures that it is costing the State Labour Bureau 6s. 6d. per individual more than the highest total the Government will allow to be charged through a private broker's establishment.

Hon. H. S. W. Parker: The amount may be even more.

Hon. A. THOMSON: It must be greater than that. The report of the bureau gives no evidence to show what the costs are.

The Honorary Minister: The cost is considerable.

Hon. A. THOMSON: I am sure it exceeds the figure I have given. My criticism of the schedule is, therefore, not ungenerous. I have reasonable grounds for saying that apparently the Government desires to abolish private employment brokers. I do not like people being put out of business. The Act already gives sufficient power to deal with the licensing of these people. I could not imagine the police allowing anyone who

is guilty of the acts specified in the existing legislation to obtain a license. According to the Bill the Chief Inspector will have power to refuse a license or to renew one. If an employer changes his address he must notify that official, who may decline to transfer a license, and may cancel a license on several grounds. True, the applicant may appeal to the court, but under the Act no applicant can get a license unless he is a fit and proper person to hold one. Reference is made in the Bill to such things as fraud, extortion, immoral purposes, etc. The Chief Inspector may declare that the reasonable requirements of the district do not warrant the granting of a license. I do not like the idea of placing so much control in the hands of that official. I prefer that the business should be controlled under the existing legislation, which means that an applicant must appear before a resident magistrate before he can obtain a license. I regret that the Bill has been introduced at this stage of the session. I do not doubt the sincerity of the Minister. There is room for both the State Labour Bureau and for the employment brokers. Each performs a useful purpose in the interest of those desiring the respective services rendered. If we agree to the Bill, we will accept something that seems to represent an endeavour to wipe out the private employment brokers. When we realise that the Bill would make it practically impossible for 16 employment brokers to carry on—that is the number involved—

The Honorary Minister: There are 30.

Hon. A. THOMSON: Even if there are 30 employment brokers and they comply with the law as it stands to-day, we should not agree to a step that will deprive them of their means of livelihood. I regard it as my duty to vote against the second reading of the Bill.

HON. L. CRAIG (South-West) [10.16]: The Bill has some merit, and because of that we should agree to the second reading. It contains much that is objectionable, but if it has one or two clauses that are desirable, we should support the measure for that reason alone.

Hon. A. Thomson: What are the reasonable provisions?

Hon. L. CRAIG: One is that which will fix the fees to be charged by the employment brokers. There are other clauses dealing

with smaller matters. Let us admit that the private employment brokers are doing good work, and are rendering an essential service, one quite as essential as that rendered by land and estate agents, for instance, whose remuneration for services are fixed already. In the same way, the remuneration of employment brokers should be fixed. As Mr. Thomson pointed out, no one is compelled to go to the employment brokers. We have been told that the State Labour Bureau is a much improved institution; it is probably carrying out excellent work. The State Insurance Office is catering for those who wish to effect their insurance through a Government institution, and is therefore doing a good job. No one in his wildest dreams would claim that all private insurance companies should be dispensed with.

Hon. G. B. Wood: Does the Government fix the premiums charged by private insurance companies?

Hon. L. CRAIG: I believe the associated companies fix the premiums.

Hon. G. B. Wood: Not the Government?

Hon. L. CRAIG: It is not done by the Government. As Mr. Cornell remarked, it is not nice to think that, in certain circumstances, men are compelled to pay for their employment.

Hon. V. Hamersley: Why not?

Hon. L. CRAIG: If a man is hard up and wants work, some means should be provided to enable him to get work. That facility is available at the State Labour Bureau. There are certain classes of employers and employees who believe they can secure better service and better jobs through the medium of personal attention that only the private employment brokers are able to give.

Hon. A. Thomson: It is their job.

Hon. L. CRAIG: The incentive is there, and there is the personal touch that is not available at an institution such as the State Labour Bureau. Private employment brokers get to know employers and their requirements, what sort of employers they are, and consequently what sort of employees would suit them. They get to know what sort of employers would suit certain types of employees. These little things count appreciably when it comes to finding employment for people. I think it would be a great mistake to abolish this necessary service.

Hon. V. Hamersley: That is what the Bill seeks to do.

Hon. L. CRAIG: I have no doubt the Government would like the State Labour Bureau to earn such a reputation that no one would patronise the private employment brokers, who would consequently be eliminated. The Government can still work towards that end and if the services rendered by the State Labour Bureau reach the standard I have indicated, the elimination of the private employment brokers will follow automatically. No one will pay for a job if he can secure it for nothing.

Hon. V. Hamersley: And every one will have to join a union.

Hon. L. CRAIG: If the State Labour Bureau should become so efficient and develop the personal touch, the business of the private employment brokers will decline until the stage is reached when their revenue will not be sufficient to enable them to carry on. We might just as well try to close all shops, commission agencies and so on, which at present are rendering services for which they are paid. I agree that the schedule does not provide sufficiently generous returns.

Hon. G. B. Wood: How would you arrive at an equitable schedule?

Hon. L. CRAIG: How do we arrive at anything that is equitable?

Hon. G. B. Wood: What do you suggest?

Hon. L. CRAIG: I suggest we should discuss that matter when we are in Committee. I believe we can arrive at reasonable fees. We know what charges are levied in Victoria and in other States; and how private employment brokers are still operating there. If the Bill has any merit at all, do not let us throw it out forthwith.

Hon. V. Hamersley: The Bill is not as acceptable as the principal Act.

Hon. L. CRAIG: But it has merits.

The PRESIDENT: Order! I think this discussion could take place more fittingly in Committee.

Hon. L. CRAIG: I am glad to hear you say that, Mr. President, because you suggest the Bill will reach the Committee stage. I hope it will. If the Bill has any merit at all, we have no right to throw it out incontinently.

Hon. A. Thomson: We have on the statute-book already an Act providing a better method—apart from the schedule.

Hon. L. CRAIG: But under the Act, the employment brokers can charge an unlimited fee, which I think undesirable. The hon. member would not allow any agent to sell his farm or buy a house for him if that man could charge an unlimited fee.

The PRESIDENT: This conversational discussion is quite out of order.

Hon. L. CRAIG: And certainly should take place in Committee. I support the second reading of the Bill because it has some merit.

HON. T. MOORE (Central) [10.25]: My remarks will be brief. Mr. Wood asked how an equitable schedule could be arrived at. The strange part of it all is that Mr. Wood was able to submit the private employment brokers' point of view in a complete manner, but had he desired to be fair and unbiassed, he could have assisted us in the discussion of the fees that should be fixed. I am surprised at his attitude.

Hon. G. B. Wood: Only a select committee could do that.

Hon. T. MOORE: Nothing of the sort. Members of this Chamber are capable of deciding what would be fair charges to levy. We know what fees are charged at present, namely, half the first week's wages. In Committee we could discuss whether that is fair. I do not think it is. If a married man is sent to a position in the country, how would it be possible for him and his family to live on half wages for the first week? Do members consider that fair?

The Honorary Minister: He might not have any wages at all.

Hon. T. MOORE: The position is quite wrong. I was pleased to hear members say that the Bill has some merit and deserves consideration.

Hon. G. B. Wood: I said that.

Hon. T. MOORE: But the hon. member damned the Bill with faint praise and proceeded to submit the case on behalf of private employment brokers. Unfortunately he did not complete the presentation, and left the other side in the air. Mr. Wood should have presented the complete case, and we would not now be arguing as to whether the schedule is right or wrong. I listened with interest to Mr. Cornell's remarks. He said that in the past there had been complaints about the employment brokers doing certain things.

Hon. L. Craig: And we have heard complaints about the State Labour Bureau.

Hon. T. MOORE: We have heard complaints about all these people but, as Mr. Cornell pointed out, those days are past, and now the private employment brokers do not act along those objectionable lines. On the other hand, we know there are always black sheep in the community.

Hon. L. Craig: Even in Parliament.

Hon. T. MOORE: I agree wholeheartedly with the hon. member. I consider it only fair that the second reading should be agreed to and the Bill considered in Committee. We can then discuss the fairness or otherwise of the fees to be charged. In my opinion, an employee should not be called upon to pay for the right to earn a living wage. In many instances people who go to the employment brokers are not those who will receive the basic wage, although some in that category are required to do so, and these would include hotel and restaurant employees. For the most part, women are dealt with by the private employment brokers, and those people receive very low wages. The least they should receive is full wages for every week they work.

HON. J. J. HOLMES (North) [10.28]: I have followed the debate closely, and have endeavoured to ascertain the necessity for the introduction of the Bill at this stage. We have been told that the methods of the private employment brokers are altogether different from what they used to be. They conduct their businesses on a higher standard, treat their clients better, and in every way their businesses are improved. Then we are told that there has been a marked improvement in the operations of the State Labour Bureau. Everything apparently is going splendidly, and then someone comes along and thinks it is time to make trouble. Hence the introduction of the Bill. That is the conclusion I have arrived at. Mr. Fraser said the Bill embodied two important principles, the first being that the Chief Inspector of Factories would register employment brokers rather than a magistrate as heretofore. The other important part of the Bill was the schedule. While Mr. Thomson was speaking, Mr. Moore interjected, "If it is a matter of the Chief Inspector instead of the magistrate, then we can alter that in Committee." It is all very mystifying. Then we hear of what a monstrous thing it is to

charge these people half their first week's wages—

Hon. T. Moore: For the right to work in this country.

Hon. J. J. HOLMES: Yet the party that Mr. Moore represents will not give a man employment at all unless he first undertakes to pay 25s. a week to a union.

Hon. T. Moore: Not a week.

Hon. J. J. HOLMES: No, per annum. I am becoming mystified. I have not heard anything more nonsensical. Some members are not satisfied that the works of this country should be undertaken by men who had to become unionists before they could get a job; they would prevent other men, who perhaps are not of the same political opinion, to pay 25s. a year before they could start on a job. They want the right to rope in all the outside employees, many of whom would probably rather be in Karrakatta than subscribe to a union. They want to compel these men to come in and register for employment at the State bureau. That is not set forth in the Bill, but the schedule is designed to get rid of employment brokers. The Minister knows that the employment brokers cannot live on the rate set out in the schedule, and this is a back-handed way of abolishing private employment agencies. We have been told how dreadful it is for people to have to pay fees in order to get employment. I agree with that, but it would be more dreadful if a woman or boy on getting a job at 5s. a week had to pay the person who found the job 1s. 6d. as provided in the Schedule to the Bill.

Hon. T. Moore: What would have to be paid now?

Hon. J. J. HOLMES: Years ago men had to hump the bluey and tramp mile after mile in order to get a job. That sort of thing has been rendered unnecessary in a great measure by the employment brokers. They have brought employers and employees together and have given useful service. With those facts before me, I must vote against the second reading, because I am satisfied that the Bill is designed to close up employment brokers, force all applicants for employment into the State Labour Bureau, and also compel employees, no matter what their political opinions may be, to subscribe 25s. a year to the unions and thus swell the funds of the unions.

HON. W. R. HALL (North-East) [10.33]: I have made up my mind to support the second reading. In my opinion the measure is quite satisfactory in principle, though some amendment may be needed in Committee. I believe there are too many employment brokers in Western Australia, particularly in the metropolitan area. The Minister told us there were 15 in the metropolitan area, but I should say that the number was about 30. I have a circular signed by either 13 or 15 employment brokers—I cannot vouch for the number—but there are others whose names do not appear on the circular. I am satisfied that some of those employment brokers are undesirable persons and, to my way of thinking, they should be controlled by the Government. Let me mention a specific case. An employment broker in the metropolitan area took practically the last 25s. a woman had for getting her a job, and when she arrived at the place, the job was not there. I know that this is a fact because I gave the woman a lift to the goldfields. It is a downright shame that a person hard up as she was should have to go to an employment broker to get a job and be left with nothing to carry on with.

Hon. G. B. Wood: Why did not she go to the State Labour Bureau?

Hon. W. R. HALL: I am not a representative of the employment brokers' union as some hon. gentlemen are. I am trying to put the case of an unemployed person seeking work. At the same time, I am trying to be fair to employment brokers who, if I had my way, would be wiped out of existence. I do not beat about the bush.

Hon. L. Craig: Now we know where you stand.

Hon. W. R. HALL: That is so. Let me refer to another case. A young man applied to an employment broker for a job in the North-West. He did not have enough money to pay the employment broker, who wanted about £4 for guaranteeing the job. The young man came to me, and I found that three bondsmen were required before the broker would give the man the job. Amongst employment brokers there are respectable people, but some are undesirable, and I could name one or two of them. If this business was controlled by the Government, I should not like to see anyone thrown out of work. Still I am satisfied that more

reasonable fees could be charged those who seek work through these agencies. I would prefer to see the whole business controlled by the State Labour Bureau. However, that cannot be brought about this session, judging by the remarks that have been made by various members, but some action should be taken to tighten up conditions so that unfortunate people who have to go to employment brokers may be assured of getting a fair deal.

HON. J. NICHOLSON (Metropolitan) [10.37]: But for the remarkable candour of Mr. W. R. Hall, and the declaration he made with regard to private employment brokers, I certainly would not have risen to speak on this Bill. I feel, however, that what he has said is deserving of some reply. The hon. member spoke of having given a woman a lift to Kalgoolie and said she had been charged fees by an employment broker and had not been provided with a job; and he thought the broker should be made to suffer. I should like to inform Mr. W. R. Hall that if he had taken appropriate steps—

Hon. W. R. Hall: I did, too.

Hon. J. NICHOLSON: Then the hon. member could not have been able to substantiate the charge he has made in this House, because there is sufficient provision in the parent Act to provide a remedy in such cases. One member has directed attention to Section 9 of the Act. For the information of Mr. W. R. Hall, I should like to quote the effect of it so that he can at least try to assist the authorities to remedy abuses in cases where he is able to support his allegations against employment brokers. When an employment broker approaches a court for a license, full provision is made in Section 9 for objections to be lodged. The objection might be based on the ground that the applicant is not a fit and proper person to hold a license, or objection might be taken on the ground of fraud, imposition or extortion, or that the business is conducted for immoral purposes, or that there has been a non-observance of the Act. An objector would have to present evidence in support of his contentions, and it would remain for the court to decide whether the allegations were true.

Hon. W. R. Hall: On a point of order, I hope the hon. member is not inferring that the statements I have made are not true.

Hon. J. NICHOLSON: I have not said whether they were true or untrue. I have merely pointed out that if the hon. member had a complaint against any employment broker, the proper course is not merely to mention the matter in this Chamber but to bring the facts before the notice of the court. If he could support his statement by evidence, the court would consider whether the broker was a fit and proper person to hold a license. If the court, after inquiry, decided that the applicant was not a fit and proper person, the license would be refused.

The parent Act contains various other provisions for the protection of the public. Section 25 stipulates that any employment broker who knowingly by any false statement or representation induces any servant to enter into an engagement is liable to a fine not exceeding £50. or to imprisonment with or without hard labour for a period not exceeding six months. There are other provisions, but I shall not weary the House by reading them. Members will realise, however, that the provisions in the existing Act are stringent. The passing of such a measure as the one before us would merely result in the private employment brokers ceasing to function. The Government may be desirous of wiping out the employment brokers. I think Mr. W. R. Hall indicated that he would be prepared to help the Government to do so, and I regret that he has taken up the attitude he has adopted. I think it an unfair attitude because the employment broker is surely entitled to some consideration. Mr. Craig mentioned that the land agents' scale of charges had been fixed by statute. So far as I can recall, it is not fixed by Act of Parliament but is fixed by the Land Agents' Association. The employment broker, under the existing law, is compelled to exhibit his scale of charges, and there is no better means of keeping charges down than free competition. That is the best possible method. Therefore I hope sincerely that the measure will not receive the support of this House.

HON. V. HAMERSLEY (East) [10.46]: I personally view the existing Act as a particularly good one, and am surprised that it is thought necessary to bring down this amending measure. I assume that the remarks made by Mr. W. R. Hall have given the show away. The desire of the Government, which will be achieved if the measure passes, is to wipe out private employment brokers. I would look upon that as a calamity. We know that many employees are temperamental, and that many employers are temperamental. It is the employment broker who has to find out these traits in the character of the employer and the employee, and see whether by playing an intellectual game of chess he cannot get these pawns into their appropriate places. A great many employees seem to have an aversion to the monopoly the Government desires to put over all of them. They do not desire to fall into the trap set for them. They protect the employment brokers by saying that they do not desire too much favour to be given to the State Labour Bureau. There are reasons on the side both of the employer and the employee for not going to the Government for the services they require. I assume that from past experience they have found that the people who conduct private employment agencies in many instances are people who have gone through the same experiences as many employees have had. In other words, they have been employees and know the difficulties which many employees are up against when taking employment, whether in the city, in country towns, or in the agricultural or pastoral areas. I do not agree with Mr. Craig and Mr. Cornell that employment brokers' charges are objected to. The impression is abroad that employees should not be asked to pay anything for obtaining work.

Hon. L. Craig: I did not even hint that.

Hon. V. HAMERSLEY: Is the hon. member prepared to accept the schedule to the Bill?

Hon. L. Craig: No.

Hon. V. HAMERSLEY: Then I apologise. I thought the hon. member had slipped.

The PRESIDENT: The hon. member must address himself to the Chair, and not to any individual member.

Hon. V. HAMERSLEY: I was trying to make a correct statement. Mr. Cornell said that people seeking work should not be asked to pay anything for obtaining the service they desired. I do not believe any employee in Western Australia desires to get anything for nothing. Everybody is prepared to pay for a service rendered. Undoubtedly private employment brokers give a wonderful service. My own experience as an employer, extending over many years, has convinced me that they do look after the interests of the employees and are very particular as to where they send employees. They have a black list of employers. There are many employers to whom they will not send a man unless they know the characteristics of the person going out and the characteristics of the proposed employer. Employers recognise that they do not want the type of employee sent to them by certain agents. Mr. W. R. Hall stated that there were too many agents. I am quite satisfied that many employers like to pick and choose. They want numerous opportunities, because there are so many callings that the employment brokers do not understand thoroughly. It is only by experience and by years of service those brokers find that different portions of the State require different treatment, a different class of employee according to the type of work to be done. Personally I would deplore anything that would detract from the employment brokers, or result in losing the good service they do to this country. To me it appears that the present Act makes a reasonable arrangement for the charging of fees, both to employer and employee. The schedule to the Bill, however, is a farce. That schedule would take a long time to thrash out, because we would have to get in touch with people to determine what would be satisfactory to them. Personally I think we shall do well to leave things as they are.

A select committee could obtain the necessary information, but there is no time for such an inquiry at this stage of the session. The measure has been brought down at a late stage, and we had better put it off for another year. No harm will be done by that, and meantime further inquiries could be made. The Government seems to desire the creation of a monopoly in the engagement of all country employees. Mr. Holmes

is probably not far wrong when he says the Government wants to get control of all employees in the country. What the reason for that is I do not know. I am not enamoured of the Bill, and I shall vote against the second reading.

HON. E. H. H. HALL (Central) [10.52]: Like Mr. Nicholson, I did not intend to contribute to this already lengthy debate. However, I wish to reply to certain words let fall by Mr. W. R. Hall, who said he wanted this matter to be under Government control. The hon. member apparently forgot for the moment that there is already an Act controlling the matter. I welcome the opportunity to express my sincere regard for the very conscientious interest the Honorary Minister takes in the matter. I have had a good deal to do with Mr. Gray since he assumed the position of Assistant Minister for Employment. The hon. gentleman would have a good deal to do with this measure. I have had occasion to interview him in connection with matters affecting the State Labour Bureau, and have received kind assistance from him. I have no doubt whatever that Mr. Gray is quite sincere in introducing the Bill as an endeavour to assist the people mentioned by Mr. Cornell. I am willing to aid Mr. Gray as much as I can. However, I certainly shall not vote for anything of the kind suggested by Mr. W. R. Hall, who expressed himself as in favour of doing away with private employment brokers altogether. I would remind the hon. member that I understand one of the planks of the Labour platform to be the abolition of monopolies. I have reason to know that many employment brokers render good service both to employers and to employees. Therefore I cannot vote for any measure intended to do away with people furnishing such a service. I shall support the second reading, but like other members shall in Committee vote against certain clauses, which in my opinion should be eliminated.

THE HONORARY MINISTER (Hon. E. H. Gray—West—in reply) [10.56]: Mr. Baxter set a very bad example when speaking on the second reading of this Bill. He made two grossly incorrect statements. The first was that I had a hard side and a soft side, according to the class of people I was

dealing with. That is a deliberate misrepresentation of fact.

Hon. J. Cornell: The Honorary Minister has no hard side.

THE HONORARY MINISTER: I ask Mr. Baxter to produce the man or the woman brought to my attention by any member of Parliament or any member of the public with regard to sustenance who did not get the same even treatment, utterly irrespective of political party complexion. This piece of legislation has nothing whatever to do with relief work. The second mis-statement made by Mr. Baxter was that the Government insisted on persons joining a union before they could get jobs at the State Labour Bureau. That also is a gross misrepresentation. No man is asked to join a union either when he goes on sustenance or when he goes to the State Labour Bureau. The hon. member knows that is untrue.

THE PRESIDENT: Order! The hon. member must not say that an hon. member knows that a statement is untrue. I must ask him to withdraw the remark.

THE HONORARY MINISTER: I will qualify that statement by saying that the hon. member's feeling against the Bill caused him to outrun his judgment and that he forgot what he was saying. The object of the Bill is to tighten up existing legislation. After close inquiry the conclusion has been reached that drastic alterations are necessary. The first is required in connection with the licensing system, and the Bill makes it much simpler and easier for bona fide employment brokers to become licensed. This Bill was brought down late in the session because of the illness of the Minister for Labour. As members know, he was laid up for a long time. But nobody had more to do with the preparation of this measure than I; it went before Cabinet with my recommendation and I accept full responsibility for it. The main arguments against the Bill appear to be directed against the licensing provisions. These, in my opinion, would be an improvement. Chiefly, however, the arguments were directed against the proposed fees to be charged by employment brokers. I quoted the population of each State, and compared Victoria with Western Australia. Our ratio of private employment brokers is equal to that of Victoria. Perhaps I could quote a fairer

comparison in South Australia. The South Australian schedule provides for the same charges to employees as are set out in our Bill, but the fees payable by the employers are higher. There is a general increase of 2s. 6d. to the employer. I suggest the House take the advice of Mr. Craig and allow the Bill to go to Committee. If the Committee thinks our schedule should not be agreed to, then we could copy the South Australian schedule. I have had a great deal to do with the State Labour Bureau for the past two years, and my personal opinion is that a charge of half-wages to an employee is far too high. That is the reason for bringing this Bill down. The present charge to employees is excessive and unfair and ought not be tolerated in these times. I do not wish members to gain the impression that I consider our private employment brokers are scoundrels. I have no such opinion; but it is necessary to tighten up this legislation in order to prevent exploitation. I know that Mr. W. R. Hall's experience is true, as it is the experience others have had.

Hon. V. Hamersley: If the workers get their jobs free, how are they exploited?

The HONORARY MINISTER: We must prevent exploitation by private employment brokers. That does not apply to a bureau like the Pastoral Labour Bureau, which charges no fees to employees. Our legislation would not affect that bureau. The Licensed Victuallers' Association charges no fees to employees, and it would not be affected by this legislation. This Bill is aimed at preventing persons from getting a license, opening a small office, carrying on business, and then charging fees which we consider to be too high for unskilled farm hands and domestic servants to pay. We have, I contend, made great advances in our methods in the three branches of our service. Mr. Wood asked who wanted the services. I reply it has been the desire in every civilised country in the world of late to tighten up legislation governing labour exchanges. I ask the House to carry the second reading.

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

Ayes	..	..	..	11
Noes	..	..	..	11
				—
A tie	..	..	..	0

AYES.	
Hon. J. Cornell	Hon. E. M. Heenan
Hon. L. Craig	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. W. J. Mann
Hon. G. Fraser	Hon. T. Moore
Hon. E. H. Gray	Hon. E. H. H. Hall
Hon. W. R. Hall	(Teller.)
NOES.	
Hon. C. F. Baxter	Hon. H. L. Roche
Hon. Sir Hal Colebatch	Hon. H. Seddon
Hon. V. Hamersley	Hon. A. Thomson
Hon. J. J. Holmes	Hon. G. B. Wood
Hon. G. W. Miles	Hon. H. S. W. Parker
Hon. J. Nicholson	(Teller.)

AYE.	PAIR.	No.
Hon. C. B. Williams		Hon. J. M. Macfarlane

The PRESIDENT: It is competent for the President to vote either in accordance with his personal views or in accordance with the more usually accepted Parliamentary practice; and in this instance I shall vote in accordance with the usual Parliamentary practice, which is to vote with the ayes, to permit of further consideration being given to the Bill.

Question thus passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Amendment of Section 3:

Hon. J. NICHOLSON: This clause makes drastic alterations in the existing Act. If passed, it will change the whole system of licensing.

Hon. V. Hamersley: That is the trouble.

Hon. J. NICHOLSON: By passing Clause 3 we shall give complete authority to the Chief Inspector to act as a licensing authority for employment brokers. That in my opinion would be wrong. A licensing court has advantages that no chief inspector could possibly have, and I do not believe in vesting in a single officer—no matter who he may be—the power to grant or refuse licenses. The whole clause is bad. There is no need to delete the words “for reward” in paragraph (c). If a man is employed through an employment broker he is employed for reward. The same applies to paragraph (f), which proposes to delete the same words from the definition of “servant.” A servant would be employed for reward, and the words should remain in the Act.

The HONORARY MINISTER: I fully explained the alteration proposed in this legislation during the second reading. Sec-

tions 4 to 13 of the principal Act are repealed, the present system of licensing being abolished and the legislation of the Eastern States substituted. It has been proved that the present method of licensing is cumbersome and costly.

Hon. J. Nicholson: For only 30 brokers?

The HONORARY MINISTER: The same principle operates in the Bread Act.

Hon. J. Nicholson: But there are more bakers than there are employment brokers.

The HONORARY MINISTER: We consider that this is a big improvement on the existing legislation because the Chief Inspector of Factories polices the Act.

Hon. V. Hamersley: But he is a partisan.

The HONORARY MINISTER: He is no more a partisan than a magistrate would be. Moreover, if he makes a mistake the broker can appeal to the magistrate. I had no idea these provisions would be opposed.

Hon. H. S. W. Parker: What is the meaning of paragraph (c)?

The HONORARY MINISTER: Its purpose is to widen the Act and to include independent contractors. The present legislation covers only a servant on weekly wages and does not include people seeking work under a contract of service or under a contract for service. If the paragraph is agreed to, men who take a contract, say, for well-sinking, will be included, and the employment brokers will be bound by a schedule of fees, instead of being able to charge from £7 to £15.

Hon. V. HAMERSLEY: If we delete the definition of "district" we will get away from control by a magistrate of a magisterial district to whom an employment broker goes for a license at present. It is better for brokers to obtain a license from a magistrate who from the police can secure information as to what sort of places they are conducting. They should not have to go to a partisan to obtain a license for a business they have been building up for the past 30 years, a partisan who may have only just got his appointment and wants to make himself important. It is a mistake to take away their right to obtain registration from the court.

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

Ayes	9
Noes	12
Majority against ..	3

AYES.

Hon. J. M. Drew
Hon. G. Fraser
Hon. E. H. Gray
Hon. W. R. Hall
Hon. V. Hamersley

Hon. E. M. Heenan
Hon. W. H. Kilson
Hon. T. Moore
Hon. G. B. Wood
(Teller.)

NOES.

Hon. C. F. Baxter
Hon. Sir Hal Colebatch
Hon. L. Crat
Hon. V. Hamersley
Hon. J. J. Holmes
Hon. W. J. Mann

Hon. G. W. Miles
Hon. J. Nicholson
Hon. H. S. W. Parker
Hon. H. Seddon
Hon. A. Thomson
Hon. H. L. Roche
(Teller.)

PAIR.

AVE.
Hon. C. B. Williams

NO.
Hon. J. M. Macfarlane

Clause thus negatived.

Clause 4—Repeal of Sections 4 to 13 and new sections:

The CHAIRMAN: This appears to me to be consequential on Clause 3. However, I will put it to the vote.

Clause put and negatived.

Clause 5—Amendment of Section 14 of the principal Act:

Hon. J. NICHOLSON: It appears to me that the words proposed to be struck out from Section 14 should be retained, and that consequently the Committee should vote against the clause.

Hon. L. CRAIG: If we are going to adopt a schedule, the fees will be fixed, and in that event the words in question are not necessary.

Hon. C. F. BAXTER: The clause refers to registrations and records, and has nothing to do with the schedule of fees.

Hon. A. THOMSON: If it is intended to police the Act, it will be necessary for the employment brokers to keep records setting out the names of the employers and employees, the fees paid, etc.

The CHAIRMAN: The next clause will deal with the scale of fees to be charged.

Clause put and passed.

Clause 6—Amendment of Section 15 of the principal Act. Repeal and new section:

Hon. A. THOMSON: Why is it necessary to repeal Section 15, which seems to cover all requirements?

The HONORARY MINISTER: The entire clause deals with the schedule at the back of the Bill, and every line of it is necessary.

Hon. G. B. WOOD: We do not yet know that the Sixth Schedule will be agreed to. The clause will, however, prevent brokers

from charging a preliminary fee for services that may not be rendered. That is a very desirable amendment of the Act.

The CHAIRMAN: I do not know that the Committee will be able to increase the charges set out in the schedule.

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

Ayes	..	..	..	10
Noes	..	..	..	11
				—
Majority against	..			1
				—

AYES.

Hon. J. M. Drew	Hon. E. M. Heenan
Hon. G. Fraser	Hon. W. H. Kitson
Hon. E. H. Gray	Hon. T. Moore
Hon. E. H. H. Hall	Hon. G. B. Wood
Hon. W. R. Hall	Hon. W. J. Mann
	(Teller.)

NOES.

Hon. C. F. Baxter	Hon. J. Nicholson
Hon. Sir Hal Colebatch	Hon. H. S. W. Parker
Hon. L. Craig	Hon. H. L. Rothe
Hon. V. Hamersley	Hon. H. Seddon
Hon. J. J. Holmes	Hon. A. Thomson
Hon. G. W. Miles	(Teller.)

PAIR.

AYE.	No.
Hon. C. B. Williams	Hon. J. M. Macfarlane

Clause thus negatived.

Clause 7—Amendment of Section 23 of the principal Act:

Hon. J. NICHOLSON: The words "or justices" must now be retained, and the clause, therefore, will have to be struck out.

The CHAIRMAN: Perhaps the Honorary Minister is going to report progress at this stage.

Clause put and negatived.

Clause 8—Repeat of Section 25 and new section:

Hon. J. NICHOLSON: The clause requires more consideration than we are prepared to extend to it this evening. Under it an employment broker will be compelled to keep books and documents for six months.

The Chief Secretary: That would be a terrible hardship!

Hon. J. NICHOLSON: He will have to keep letters and other documents. That means that he will have to keep a lot of scrap paper that will be quite useless after the business of engaging a man is finalised. Then the clause refers to permission being given to inspectors to carry out certain

duties. The reference to the Chief Inspector is out of place. That officer is not mentioned in the parent Act.

Hon. A. Thomson: Yes, in Section 9.

Hon. J. NICHOLSON: The clause may contain other matters that employment brokers will find impossible to carry out in their entirety.

The HONORARY MINISTER: Every business man keeps records, and this provision will not adversely affect bona fide employment brokers, but only the crooks. We have many instances of records being deliberately destroyed.

Hon. C. F. Baxter: Report progress and give us an opportunity to look into this clause, which appears to have some merit.

The HONORARY MINISTER: The provision is quite clear.

Hon. L. CRAIG: The clause is reasonable. It merely asks licensed brokers to adopt ordinary business methods. That is not out of the way. We would stultify ourselves if we rejected such a clause. Why insist on brokers being licensed, and then allow them to destroy records? If members are not prepared to agree to the clause, let them throw out the Bill altogether.

Hon. A. THOMSON: I cannot see why Section 25 should be repealed, because I think it contains protective provisions in the interests of the employees and provides for a heavier penalty than is mentioned in the proposed new section.

The Honorary Minister: The protective provision is incorporated in the proposed new section.

Hon. A. THOMSON: I think the section in the Act is better.

Hon. G. B. WOOD: The clause is desirable and will impose no hardship on accredited brokers.

Progress reported.

BILL—ELECTORAL ACT AMENDMENT (No. 3).

Received from the Assembly and, on motion by Sir Hal Colebatch, read a first time.

BILL—COMPANIES.*Assembly's Message.*

Message from the Assembly received and read notifying that it had agreed to refer the Bill to a select committee of four members and requesting the Council to appoint a select committee with the same number of members, with power to confer with the members of the Assembly.

House adjourned at 11.56 p.m.

Legislative Assembly.

Tuesday, 3rd December, 1940.

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

QUESTION—AGRICULTURE.*Junior Farmer Movement.*

Mr. SAMPSON asked the Minister for Agriculture: 1, Bearing in mind the success achieved by the New Zealand Government by the appointment of a permanent officer of the Agricultural Department to control the Junior Farmer Movement of the Dominion, has he considered the question of appointing an officer of the Agricultural Department to develop this movement in Western Australia and ensure leisure-time training for the youth in the farming industry? 2, If not, will he consider the appointment of such an officer?

The MINISTER FOR AGRICULTURE replied: 1 and 2, This matter is under the control of the Education Department. An officer of this department is executive officer of the Junior Farmers' Federation and he arranges with teachers in various centres to assist the different clubs. Co-operation of the Agricultural Department exists and technical officers deliver lectures to members of the various clubs when requested.

QUESTION—RAILWAYS.*Special Rates.*

Mr. HILL asked the Minister for Railways: Is the Western Australian Government Railways administration the only important railway administration in Australia that refuses to grant special railway rates:—1, to meet interstate competition; 2, to meet road or shipping competition; 3, to secure traffic; and 4, to encourage industry?

The MINISTER FOR RAILWAYS replied: 1, 2, 3, 4, Consistent with business principles, the Railway Administration takes all possible steps to meet competition and secure traffic.

QUESTION—PETROL RATIONING.*Tickets for January.*

Mr. CROSS (without notice) asked the Minister for Works: 1, Has he seen a paragraph in to-day's "West Australian" relative to January petrol ration tickets, in which the Chairman of the State Liquid Fuel Control Board (Mr. R. L. Millen) is reported to have stated yesterday that instructions had been received from the Commonwealth Liquid Fuel Control Board that only persons with traffic licenses covering January would be able to obtain January petrol ration tickets this month? 2, Is he aware that post offices will not issue petrol rationing tickets after December 14th until January 4th? 3, Is he aware that cars licensed for the first half of this year cannot be re-licensed until December 15? 4, Does he know whether arrangements can be made for cars not yet re-licensed for the second half year to receive petrol ration tickets between the 14th December and the 4th January?

The MINISTER FOR WORKS replied: All I can say is that the State Transport