

# Legislative Assembly

Thursday, 22nd August, 1957.

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

## QUESTIONS.

### RAILWAYS.

(a) *Week-end Shunting on Wharves, Wages, etc.*

Mr. HEARMAN asked the Minister representing the Minister for Railways:

Referring to Question No. 8 of the 13th August last, concerning week-end shunting charges for rail trucks on wharves, can he say—

- (1) What are the salaries and wages referred to in answer No. (3) (b) (i) and what is the amount of money involved?

- (2) What are the salaries and wages referred to in answer No. (3) (b) (ii) and what is the amount involved?

The MINISTER FOR TRANSPORT replied:

(1) Normally the staff brought on specially (after 12 noon Saturday) at, say, Bunbury for a period of eight hours would be a locomotive driver, fireman, wharf foreman, head shunter and shunter. The total amount payable by the ship's agent in such a case would be £11 13s. 4d.

(2) On the same basis—

Sundays—£46 13s. 4d.

Public holidays—£23 6s. 8d.

(b) *Operational Cost per Ton Mile...*

Mr. HEARMAN asked the Minister representing the Minister for Railways:

Can he say what the cost of operation of the W.A.G.R. per ton mile was for the year 1955-56?

The MINISTER FOR TRANSPORT replied:

The assessed cost of operation is 5.16d. per ton mile.

(c) *Resignation of ex-Assistant Commissioner Clarke.*

Hon. D. BRAND (without notice) asked the Premier:

Has Executive Council accepted the resignation of Assistant Commissioner Clarke and have there been any further developments?

The PREMIER replied:

Yes. The resignation was accepted by the Lieut-Governor-in-Executive Council this morning. I understand that ex-Commissioner Clarke was arrested today.

### DEPARTMENT OF AGRICULTURE.

#### *Film-making Equipment.*

Mr. W. A. MANNING asked the Minister for Agriculture:

(1) Is there equipment for film-making in the Department of Agriculture?

(2) Is this work handled by the Department of Agriculture or the visual education branch of the Education Department?

(3) To what extent have films been produced depicting Western Australian experience and experiments in agricultural practices?

(4) Are these used to any extent in this State and in other States?

The MINISTER replied:

(1) There is a 16 m.m. camera but no other film-making equipment.

(2) The visual education branch of the Education Department is responsible for major film-making activities for all Government departments. It is advised by

the Government films committee on which the Department of Agriculture has two representatives.

(3) Films produced by the visual education branch for the Department of Agriculture are—

Sheep rearing technique.  
Fruit fly.  
Destiny of wheat.  
*Paspalum vaginatum*.

Others in course of preparation or projected are—

Kimberley research station.  
Light land development.  
Dairy farm management.  
Land settlement.  
Argentine ants.

In addition, the Western Australian scenes in "Potash Grows Better Pastures" were selected by departmental officers and photographed by the visual education section for Potash (Australasia) Limited.

(4) Since the acquisition of mobile film units, the Department of Agriculture has held 1,116 film evenings in agricultural districts to an attendance of over 48,000 people. These screenings are based mainly on films of agricultural interest, produced in Australia and overseas and available at relatively low cost, and some have been sent to the Eastern States.

#### ROAD TRANSPORT.

##### *Permits for Building Materials.*

Mr. W. A. MANNING asked the Minister for Transport:

(1) Is it usual for a road transport permit to be granted to metropolitan building, or other, contractors for the conveyance of materials to the country?

(2) Under what conditions would such permit be given?

The MINISTER replied:

(1) It is usual to grant licences to building and other contractors to transport their tools of trade and equipment such as scaffolding to and from jobs and a limited quantity of materials in conjunction with that transport. Otherwise permits are not granted except where existing services are inadequate for the particular transport.

(2) The quantity of materials under the licences referred to is limited to 10 hundredweight at any one time. Permits are granted for some commodities the nature of which the Railway Department finds difficulty in handling or for which no rail facilities exist.

#### FISHERIES.

##### *Establishment of Trawling Industry, Albany.*

Mr. HALL asked the Minister for Fisheries:

(1) In view of the fact that trawling in the Great Australian Bight was pioneered from Albany, and data made available to the Commonwealth, plus the fact

that the fishing grounds close to Albany were cultivated by the Albany Trawling Co. and to further Albany's claim as No. 1 priority for establishing the trawling industry in this State, and as there is a snap freezing plant and fish cannery at Albany already, will he again press Albany's claim for the establishment of the trawling industry?

(2) Will he also discuss the possibility of trawling from Adelaide end of the Bight, unloading at Albany, then trawling from Albany and unloading at Adelaide, thus avoiding a non-paying return trip?

The MINISTER replied:

(1) The Government will continue to press for the recognition of Albany as the operating port of the new trawler.

(2) This aspect has already been given consideration.

#### NATIVE WELFARE.

##### *Death of Native, Warburton Reserve, Identification.*

Mr. GRAYDEN asked the Minister for Native Welfare:

(1) Will he point out where (in the relevant issue of Votes and Proceedings) in answer to my questions on the 15th August, I was told that "It was suggested that the native whose body was found on the Warburton Range Reserve may have been murdered" (as per reply to question No. 17 on Tuesday, the 20th August)?

(2) Is he aware that in reply to question No. 22 on Thursday, the 15th August, it was stated unequivocally that the native whose body was found on the Warburton Reserve earlier this year "was well known to the missionaries," and yet in reply to question No. 17 on Tuesday, the 20th August, it was stated unequivocally that "It has not been claimed by any person or authority that identity of the body was firmly established"?

(3) What is the explanation for the discrepancy?

The MINISTER replied:

(1) It was considered that the affirmative reply to the hon. member's question automatically informed him of the suggestion that the native whose body was found may have been murdered.

(2) The question was a difficult one to answer because the inference was that the department in Perth would know what was in the minds of the Rev. Trudinger, and natives who "advanced the murder theory," who are hundreds of miles away. The reply was an honest attempt to provide the hon. member with an answer to his difficult question. Naturally the department's file is not yet complete on the subject and investigations are being continued. If the hon. member is in possession of any information not yet available to me, perhaps he will be good enough to inform the House of it.

(3) The only discrepancy appears to be in the inference being drawn by the hon. member from my attempts to answer his questions in accordance with the contents of the department's file. He examined the complete file in the commissioner's office on Tuesday of this week and consequently knows that no one in the department has claimed to have positively identified the deceased native.

### DRAINAGE.

#### *Financial Arrangements, Metropolitan Area.*

Mr. HALL asked the Minister for Housing:

(1) What is the financial arrangement for the drainage of Bentley Park, in the State Housing Commission area?

(2) What amount of money has the Government made available for the drainage of State housing areas in the metropolitan area?

The MINISTER replied:

(1) The drainage of the Bentley area is being carried out by the Metropolitan Water Supply, Sewerage and Drainage Department from its own funds.

(2) Nil.

### LA PORTE INDUSTRIES, LTD.

#### *Tabling of Files.*

Mr. ROBERTS asked the Premier:

In view of my question on the 20th August, 1957, will he ascertain, at the earliest possible date, if the directors of La Porte Industries, Ltd., London, and La Porte Chemicals (Aust.) Pty. Ltd., Sydney, are agreeable to the laying on the Table of the House of all departmental files dealing with the negotiations between them and the Government, in regard to the establishment of their industry in Bunbury?

The PREMIER replied:

The two companies will be contacted to obtain their views.

### HEALTH.

#### *(a) Dental Scheme for Pensioners, and Minister's Attitude.*

Mr. ROSS HUTCHINSON asked the Minister for Health:

Why is it that he will not agree to assist pensioners immediately, through a subsidised dental scheme, as the proposal to establish country dental clinics and/or equip mobile dental units would appear—

- (a) to disregard the present-day needs of pensioners;
- (b) to have serious economic disadvantages; and
- (c) to have an uncertain and limited application?

The PREMIER (for the Minister for Health) replied:

As I have already indicated, pensioners from all parts of the State are being provided for at the Perth Dental Hospital but numbers are restricted because the service is limited.

The intention is to expand these services so as to provide for all needy pensioners as expeditiously as possible.

The decision made arises from an examination of similar services overseas.

The disadvantages referred to by the hon. member are not anticipated.

#### *(b) Assistance for Country Pensioners.*

Mr. ROSS HUTCHINSON asked the Minister for Health:

(1) With reference to his answer to my question on Thursday, the 15th August, which related to dental assistance for country pensioners, and in which he stated that a decision had not been reached "owing to the high charges of country dentists," is it not a fact that proposals have been submitted completely independent of dentists' charges?

(2) Is not his statement regarding these so-called high charges entirely unfounded as country dentists' fees have not been submitted, but that the Commonwealth Treasury scale has been the basis submitted for discussion?

(3) Is he not aware that for many years some country dentists have treated pensioners free of charge, or have made substantial allowances, and that the slur of high charges is deeply resented?

The PREMIER (for the Minister for Health) replied:

(1) Yes.

(2) The rates submitted by the Dental Association for pensioners are £26 5s. for upper and lower dentures and £14 14s. for either upper or lower dentures. These, I understand, are the same rates applying to repatriation cases under the Commonwealth Repatriation Act.

(3) I am aware of the generosity of some dentists in regard to their treatment of pensioners and at no time has there been any slur by me, implied or intended.

### CHASE SYNDICATE, ESPERANCE.

#### *Press Statement re Duplication of Project.*

Mr. COURT asked the Minister for Lands:

On the 16th July, 1957, in a Press report of the Minister's speech to the R.S.L. annual congress, reference was made to an attempt to duplicate the Chase Syndicate, Esperance project. Has any progress been made, and with what results?

The MINISTER replied:

The land classification referred to in the Press report will be undertaken later in the year after the end of the main winter period. Large areas have already been covered by aerial photography, and plans based on them for use in field reconnaissance and classification are being prepared in the department. The classifications are essential before it can be ascertained whether the land is suitable for settlement.

### WATER SUPPLIES.

#### (a) Extension to Hall's Creek.

Mr. RHATIGAN asked the Minister for Water Supplies:

What action is contemplated by the Public Works Department to ensure an adequate water supply to the residents of Hall's Creek?

The MINISTER replied:

The sinking and testing of an 8 in. bore is proposed this financial year with a view to equipping in the next financial year.

#### (b) Town and Country Schemes.

Hon. D. BRAND asked the Minister for Water Supplies:

(1) What town water supplies were—

(a) completed;

(b) commenced;

since the 30th June, 1956?

(2) What money has been spent on country water supplies outside of comprehensive water schemes since the 30th June, 1956?

The MINISTER replied:

(1) (a) Cranbrook;

Mt. Barker;

Denham (Shark Bay).

(b) Lake Grace;

Dumbleyung (reticulation only; headworks completed May, 1952).

Williams.

(2) Capital expenditure, excluding irrigation works: £981,800.

### EDUCATION.

#### Kalamunda School Accommodation.

Mr. OWEN asked the Minister for Education:

As classroom accommodation at the Kalamunda school is extremely unsatisfactory, will he state when additional classrooms will be provided?

The MINISTER replied:

It is hoped that two additional classrooms will be provided at the Kalamunda school during the present financial year.

### UNEMPLOYMENT.

#### Position on Goldfields.

Mr. EVANS asked the Premier:

(1) With regard to my question without notice on Thursday, the 15th August, has he obtained the figures required?

(2) If so, is he now in a position to answer my questions re unemployment and financial aid relative to the Goldfields?

The PREMIER replied:

Yes. The latest figures show that 66 males and 17 females are receiving unemployment benefits, whilst 32 males and three females have undetermined claims.

Special grants by the State Government are made available through the Child Welfare Department and applications by qualified persons can be made at any of the department's offices.

### CEMENT.

#### Government Tenders.

Hon. D. BRAND asked the Minister for Works:

(1) When did the Government last call tenders for cement supplies?

(2) How many tenders were received, and what was the price quoted?

(3) What tonnage was ordered, and at what price per ton?

The MINISTER replied:

(1) Tenders for 12 months' supply closed on the 3rd January, 1957.

(2) One tender only.

(a) Delivered metropolitan area in 4-ply bags, £12 12s. per ton less 2½ per cent. 30 days.

(b) F.o.r. Rivervale or Spearwood in 5-ply bags, £11 12s. per ton less 2½ per cent. 30 days.

(3) No contract has been let.

Supplies are ordered from time to time as required at the prices set out in answer to No. (2).

### BITUMEN.

#### Government Purchases.

Hon. D. BRAND asked the Minister for Works:

(1) What is the price per ton of—

(a) bulk bitumen,

(b) drum,

paid by the Main Roads Board?

(2) What is the total tonnage purchased from the local refinery?

(3) What is the estimated total financial saving for the Main Roads Department as a result of local production of bitumen?

The MINISTER replied:

(1) (a) Bulk bitumen—For free delivery in metropolitan area, £22 12s. 6d. per ton; country areas, £21 2s. 6d. per ton.  
(b) Drum — Metropolitan and country areas, £30 16s. per ton.

(2) Total tonnage purchased by Main Roads Department:

	Tons.	Tons.
1955-56—		
Bulk ....	3,103	
Drum ....	3,735	
	<hr/> 6,838	6,838
1956-57—		
Bulk ....	4,101	
Drum ....	1,187	
	<hr/> 6,288	6,288
1957-58 (to the 31st July)—		
Bulk ....	68	
Drum ....	330	
	<hr/> 398	398
Total ....		<hr/> 13,524
		<hr/> £
(3) 1955-56 ....		62,965
1956-57 ....		88,528
1957-58 to the 31st July		1,115
		<hr/> £152,608

These figures are based upon the price paid for imported bitumen by the department in 1953-54.

(Note: For corrected replies, see page 1054.)

#### METROPOLITAN PASSENGER TRANSPORT TRUST.

##### Government Decision.

Mr. COURT (without notice) asked the Minister for Transport:

(1) Has the Government arrived at a firm decision for its proposal in respect of a metropolitan passenger transport trust?

(2) If so, when does he expect to introduce legislation?

(3) How soon is it planned that the trust will be operative, assuming the measure is approved by Parliament?

The MINISTER replied:

(1) No final decision has yet been made.

(2) This session.

(3) As soon as possible.

#### BILLS (2)—THIRD READING.

1. Public Service.

2. Traffic Act Amendment.

Transmitted to the Council.

#### BILL—STATE TRANSPORT CO-ORDINATION ACT AMENDMENT (No. 2).

##### Message.

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

##### Second Reading.

**THE MINISTER FOR TRANSPORT**  
(Hon. H. E. Graham—East Perth) [2.33]  
in moving the second reading said: I would like members to please see pages 870 to 879 of Hansard No. 7, 1957. When the Leader of the Country Party raised a point of order, I had explained the provisions of the Bill with the exception of one—and that is a minor one—which I think would excite nobody since it merely seeks to bring the measurement of vehicles in line with the R.A.C. formula rather than the Dendy-Marshall formula and, accordingly, to make it apply with the same formula as that agreed to by Parliament last session when the Traffic Act was amended.

I am aware that since, shall I call it, the abortive introduction of the measure last week there has been some comment and criticism as was to be anticipated. I think the Leader of the Opposition was delightfully naive in respect of this. He said he was going to fight against the Bill even though he admitted he had not seen it. Generally speaking, the purpose of the Bill is to allow the farmers still to retain concessions and privileges far in excess of those enjoyed by any other section of the community.

Experience has shown—apart from the factors operating when the legislation was first introduced, namely, the sad economic plight of the farming community as a whole as against their comparatively better position today—that what was sought to be done at that time has, by the effluxion of time and by practice, almost been completely reversed. The intention at the time was to allow the producer to bring his produce to the market, whether it be to the metropolitan area or to major country centres, or indeed anywhere, to transport his produce to its destination and then to enable him to bring home a few personal effects which, I suppose, seemed reasonable enough.

But, as I have already said, it has applied in the opposite direction. In so many cases, virtually nothing is being brought to the city or town but the vehicle is making a journey for the purpose of taking certain highly priced freighted goods back to the farm. As I have indicated, whilst a farmer is permitted to bring a token load, perhaps weighing a few lbs. to the metropolitan area, he can, on the return journey, take away many tons in his truck.

But the people in the metropolitan area or in the country towns are not permitted to take these tons of goods to the country with a view to bringing something back to their homes! So it will be seen that the farmers have been given a privilege to bring their goods to market because of a certain set of circumstances, and now that privilege is being used for an entirely different purpose.

Mr. Bovell: Your vendetta against the farmers is becoming legendary.

The MINISTER FOR TRANSPORT: Anything that is said by the member for Vasse should, I think, be ignored by other members because he gives expression to such irresponsible statements that I feel if members reflected on them, that would also be their considered opinion. There is no need for me to traverse all I said earlier, namely, that there is confronting Western Australia a most serious situation in connection with the railways. I am not here at the moment to parade various steps the Government has taken, is taking, or is contemplating, as being necessarily ideal or a perfect remedy or approach to the situation. Suffice to say that this is such a tremendous and such a worrying problem that the Government, after a great deal of thought and consultation, has resolved that certain steps shall be taken; that they must be taken in the interests of Western Australia.

Mr. Wild: Is it your intention to do anything with the metropolitan railway transport?

The MINISTER FOR TRANSPORT: Yes, very definitely, and part of that, of course, is tied up with the proposal to establish a metropolitan transport trust.

Mr. Wild: I am speaking of the railways.

The MINISTER FOR TRANSPORT: I repeat that even the metropolitan passenger rail service is bound up with the proposed trust of which I have made mention.

Mr. Ackland: Are you going to let their purchases be taken back to certain suburbs?

The Premier: It is a pity they did not take you back to a certain suburb and leave you there.

The MINISTER FOR TRANSPORT: I was hopeful that there would have been a more responsible approach to this entire railway question. The matter of the metropolitan people transporting themselves or their goods several miles by their own form of transport is something of course that can be done by people from one end of the State to the other, but, as I have already mentioned this afternoon, the people of the metropolitan area—those who are in business—cannot do that sort of thing in respect

of the goods they produce or the goods they require as can the farming community.

Mr. I. W. Manning: On what did you base your belief that there is a great deal of bringing a little load down and taking a big load back?

The MINISTER FOR TRANSPORT: Anyone with eyes would be aware of it, and I venture to say that even the member for Harvey would be aware of it.

Mr. I. W. Manning: I do not agree.

The MINISTER FOR TRANSPORT: I do not want one of these yes-no discussions about this matter. All I can say is that the member for Harvey has not a very great idea of what is going on. As a matter of fact, I think we can be perfectly honest for a moment as practically all of us in this Chamber can say a great deal about people near and far in connection with this matter.

Mr. I. W. Manning: I do not think you can.

The SPEAKER: Order!

The MINISTER FOR TRANSPORT: I did not think the member for Harvey could think.

Mr. Bovell: It is pleasing to know that he does not think along the same lines as you do.

The MINISTER FOR TRANSPORT: Whether these people carry those goods in one direction or in both directions, there is still considerable validity in the proposition being submitted, but we have a transport system which particular members of the Opposition have been making us believe is absolutely indispensable to the welfare of the community, particularly the farmers and persons in the country generally.

Hon. D. Brand: Not only members of the Opposition; they have come from the members for Murchison, Boulder, Kalgoorlie and a few others.

The MINISTER FOR TRANSPORT: Let us be accommodating and say many people have been claiming that. Strangely enough, it would appear that some persons who have been emphasising the necessity of the rail system are now seeking to prevent steps being taken to enable the railway system to operate more economically and to ensure that it continues.

Mr. I. W. Manning: You close the railways people want to use and try to make us use the ones we don't want to.

The MINISTER FOR TRANSPORT: That remark might be all right in a kindergarten debating society but it does not seem to have regard for the statistics, facts and figures that have been quoted ad infinitum and laid upon the Table of the House both this session and last session.

Mr. Court: You must admit that for a man who cannot think, that was not a bad interjection.

The Premier: A kindergarten kid could not swallow it.

Mr. Roberts: It is giving the railways a monopoly.

The MINISTER FOR TRANSPORT: It is bringing one section of the community more into conformity with others, who comprise the overwhelming majority of the people of Western Australia, for the purpose of preserving a State asset and for the purpose of preserving the State on account of the terrific financial impact our railway system is having upon it. Mr. Speaker, are we to sit idly by whilst the financial position of the railway system continues to deteriorate or are we to be satisfied we are doing our job by merely repeating—what has been repeated to my knowledge for a generation—that what is required is greater efficiency in the railway set-up?

Mr. Ackland: That is what you are not doing, and you are not bringing about greater efficiency.

The MINISTER FOR TRANSPORT: For six years there was a Government in office of another political colour which gave a set-up which produced lots of things, but I would say efficiency was low in the priority list. I think the Opposition is aware of the fact, notwithstanding the admonitions of the Leader of the Country Party, that we are doing something more than microscopically, and this Government is facing up to the railway position and taking certain steps. All cannot be taken within the first few weeks, but changes and reforms are being carried out, undertaken or contemplated.

Mr. Ackland: You started at the wrong end.

The MINISTER FOR TRANSPORT: For political reasons, whatever steps were taken would be going about it in the wrong way in the eyes of the member for Moore.

The Premier: He wants to start with the fetters.

The MINISTER FOR TRANSPORT: Certain other steps are being taken and, no doubt, it would give satisfaction to the member for Moore to know that railway employees in a certain centre passed a motion of censure on the Minister for Transport because some efficiency officers of the Railway Department have gone to that country centre for the purpose of seeing whether some reorganisation could take place. It is not intended to run off for shelter in connection with this matter. It is intended after the fullest inquiries and investigations to approach these matters by taking action.

Whether the criticism is coming from members of the Chamber or from other sources, the Government is pursuing that course in the interests of the State. After

all, to me as an individual or to my party political platform, does it really make any difference whether farmers do this or that? They can loop the loop with politics. The steps being taken are for the purpose of preserving the State. I ask members on the other side of the House this: If the trend which has been developing over the past ten years—that is, in the postwar years—in regard to motor transport, which has become freely available, continues and no Government shows any courage or disposition to face up to the task, where will the State of Western Australia be?

Perhaps we have reached the stage where, if members of the Opposition do not like the provisions of this Bill, we may well take steps to have a referendum in certain places to ascertain from people their answer to the query: "What is your choice, road transport or rail transport"?, because there is simply not sufficient business offering for both forms of transport.

Mr. Potter: And that would suit the cum-cocky cum-cartage contractor.

The MINISTER FOR TRANSPORT: I do not know who it would suit, but we simply are unable to continue the way we have been going. I think I should conclude by repeating the point that if the conditions laid down in the Bill are agreed to by Parliament, the farmers will still be a favoured section of the community so far as exemptions are concerned.

Mr. I. W. Manning: It is time you got out of the kindergarten and talked some sense.

The MINISTER FOR TRANSPORT: I suppose one should completely ignore the member for Harvey.

The SPEAKER: Order!

The MINISTER FOR TRANSPORT: All I can do is point out to him the facts of the situation but, unfortunately, I cannot ram them into his head. If he will have some regard for the Act in existence at the present moment—the parent Act that has been in existence since 1933—he will see that there is a transport advantage under this Act which gives special concessions to primary producers and a few others such as beekeepers, etc., and he will see, if he has the statute in one hand and the Bill in the other, that the primary producers still have concessions which apply to no other section of the community.

Mr. I. W. Manning: I can think of a lot more.

The Minister for Lands: Why don't you be realistic about it?

The MINISTER FOR TRANSPORT: It is not possible to make progress in a week. The member for Harvey apparently imagined that some particular harm or wrong was to be done to the farmers. Now,

slowly, he has admitted that there will still be, with the amendments, far greater concessions available to the primary producers than are available to any other section of the community in Western Australia.

Hon. D. Brand: Far less concessions than they enjoy at the present time.

The MINISTER FOR TRANSPORT: That is so, but concessions were placed there at a certain time and for a particular purpose, and were placed there, in any event, when road transport was not the threat that it is now to the railway system, and accordingly the railway system was not then in the parlous financial condition that it is today.

Mr. Wild: You would not say that road transport is a threat today. Is it not a fait accompli?

The MINISTER FOR TRANSPORT: That is so.

Mr. Wild: Therefore we must recognise it.

The MINISTER FOR TRANSPORT: That is so; it has been recognised, but I remember that in the last few weeks quite a number of people opposite me at the moment would not recognise that.

Mr. Wild: They would recognise it if you gave the alternative transport you said you would.

The MINISTER FOR TRANSPORT: Let us not fall out about that. In other words, it is recognised. The member for Dale has said that road transport is an alternative form of transport which is supplanting the rail system. He admits that.

Mr. Wild: He must.

The MINISTER FOR TRANSPORT: I wonder how many of his colleagues, several weeks ago, admitted that. The general bone of contention at that stage was that if the railways were removed, those people would be left without transport.

Mr. Court: We have never denied the role of road transport.

Mr. Wild: If you gave them the alternative we would be happy, but you have not. They cannot be left out on a limb.

The MINISTER FOR TRANSPORT: Nothing has been done to stop road transport from operating in those sections.

Mr. Roberts: Only those sections.

The MINISTER FOR TRANSPORT: That is so; because they were the only ones affected.

Mr. Bovell: But at additional cost to the user.

The MINISTER FOR TRANSPORT: Of course. It is usual for a person to pay 2s. for an article if that is the cost of it, as

I said the other night, perhaps a little facetiously. If it cost 2s. to transport an article somewhere in the country, who does the member for Vasse think should pay it? The member for Katanning was going to supply the answer a little later and I then opined I would not hear about it a little later. He could not answer it, or would not.

Mr. Bovell: That is not the question but that by altering a transport system from one type to another, you alter the economic position of the people in a given district; and that is what you have done by taking away the railways without going thoroughly into the question.

The MINISTER FOR TRANSPORT: That is so.

The Premier: Private enterprise will not give service at half-cost as the Government does.

Mr. Bovell: Not the Government, but the whole of the people of the State.

The Premier: That is the Government.

Mr. Bovell: That is what the Government would like to be; that is what Hitler was in Germany.

The MINISTER FOR TRANSPORT: If the Government is not all the people of the State, it is acting on behalf of the people of the State.

Mr. Roberts: So are we.

The MINISTER FOR TRANSPORT: Yes, but play-acting, whereas the Government, of course, has certain responsibilities. I notice that we have once again skirted around this question. If there is an additional freight charge, whose responsibility is it to meet the cost?

The Premier: Even the member for Vasse has gone quiet.

The MINISTER FOR TRANSPORT: And for very good reasons. Something that I overlooked but would like to mention is that if there are some—and I am looking more immediately at those opposite me now—who feel that this would be creating the monopoly idea and therefore the amendments are something in opposition to road hauliers that is not so because the exemptions which are being withdrawn apply to farmers with their own vehicles, and therefore the matter of haulage contractors does not come into it. I think that my remarks both last week and this week have given some idea of the contents of the Bill and my views in connection with it. I move—

That the Bill be now read a second time.

HON. A. F. WATTS (Stirling) [2.55]: I do not propose to ask that the debate be adjourned but to deal with the matter now because we have had the advantage of having the Bill for just one week today.

At the outset I would like to say that it is my opinion that the Minister, by what he has said in connection with the introduction of the measure, stands condemned by his own words. He has evidenced to us as clearly as possible that the department has not been able to police the provisions of the State Transport Co-ordination Act, 1933-56. He has disclosed to us, if the statements he has made are founded on fact—and I have no means of contradicting that—that the provisions of the Act have been broken on many occasions to the knowledge, apparently, of the Transport Board; that many tons—I think he went so far as to say thousands of tons—have been carried contrary to the State Transport Co-ordination Act upon the roads of this State in the last few years, and that in consequence, to use his own words, the railways have lost very much revenue.

Yet, having admitted that the department has been entirely unable to police the existing provisions which, if they were policed, would undoubtedly, in the Minister's own language, have contributed many thousands of tons of transport to the railways, he comes before us with this measure heavily restricting the provisions that have been in the State Transport Co-ordination Act for many years, expecting us to believe that he is going to be able to police these greatly increased restrictions.

The Minister for Transport: All of the fuel that has been hauled has been carried under the exemption; in other words, it has been done quite legally.

Hon. A. F. WATTS: Let me pursue my story. It is not only fuel. The Minister mentioned other things. The Minister now brings down this Bill and expects to be able to police the wider or more definite restrictions that will be imposed if the measure is passed by Parliament.

To begin with, it seems to me that this makes the Bill undesirable. Let us first of all, if the Minister's theory is a sound one, devote time and attention—or departmental time and attention—to ensuring, to a greater extent, that the provisions of the existing law are carried into effect. We could then, perhaps, go a little further. In those circumstances, it might even be possible to obtain some general agreement to an inquiry into the provisions of the existing legislation, such inquiry to be conducted by members of Parliament by way of a select committee.

This could be done to ascertain whether there was any sort of proposition that could be brought under notice and passed into legislation to enable something reasonable to be done by the various sections of the community and also, where requisite, by the Railway Department itself. But, of course, we have had no opportunity of doing that; we have had no opportunity of discussing the matter.

We were told by the Minister that if we did not pass the Bill, we had no regard for the State of Western Australia; we had no sense of responsibility. Well, I challenge both those statements. We have great regard for the State of Western Australia, and I believe most of us on this side of the House have from time to time evidenced a great degree of responsibility. But we are not going to subscribe to proposals which we do not regard as justified and which we doubt, in any circumstances, will achieve the results that the Minister has in mind and which, in all the conditions that surround us at present, are gravely unjust to a very large section of this community upon whom, to a great extent, the prosperity of all of us depends.

Mr. Bovell: Hear, hear!

Hon. A. F. WATTS: I am not going to offer any support to this measure in its present form, and I hope in a few minutes, at least to be able to demonstrate some reason why it should have received further and better consideration before it was introduced and whereby it is likely to do as much damage to Western Australia as the Minister thinks it will do good—because that is my opinion. But before I go on with that, I would like to say that there is no doubt whatever in my mind that the introduction of this measure arises entirely from the decision of the Government to close 342 miles of railway lines in this State.

The Premier: That is not correct in any respect.

Hon. A. F. WATTS: I hope to be able to bring forward some evidence at least to justify, in the absence of any evidence to the contrary, a conclusion of that nature. At the moment, I have no evidence to the contrary and I am therefore entitled to my opinion on the evidence so far as I have it.

The Premier: I hope that the hon. member will accept my assurance that there is no justification for it.

Hon. A. F. WATTS: I will accept the Premier's assurance and I shall proceed to explain why I formed a contrary opinion. On the 5th April there was an article in "The West Australian" headed "Railway Union may quit A.L.P." and it goes on to say—

Western Australia's biggest railway union—the West Australian Amalgamated Society of Railway Employees—is strongly opposed to the Government's proposed discontinuance of 800 miles of railway line. A number of branches want consideration to be given to withdrawing the union's affiliation with the Australian Labour Party.

The Premier: They only use the rail closures as an excuse for their submission.

Hon. A. P. WATTS: As I said, I can only go on the facts that are before me and explain to the Premier why I reached the conclusion which I earlier stated.

The Premier: But they are not facts.

Hon. A. P. WATTS: They have not been contradicted and they were appearing at regular intervals in the daily Press, prior to the beginning of this month. On the 16th March there was another article in "The West Australian," the heading of which read—

Opinion Against Rail Cut Plans Mounting.

and it went on to state—

Deputations to the Premier (Mr. Hawke) must have brought forcibly home to the Government some of the difficulties inherent in the proposal.

The next cutting I have is dated the 16th April and it reads, in the heading—

Government is Firm on Railway Lopping:

This one deals with some of the specific matters which I first introduced and goes on to say—

Combined railway union representatives were left yesterday without any hope that the Government would change its mind about discontinuing 842 miles of rail services. The union representatives waited on the Premier (Mr. Hawke), the Deputy Premier (Mr. Tonkin), the Minister for Transport (Mr. Graham) and the Minister for Railways (Mr. Strickland) and expressed their strong opposition to the suspension of the services. They were accompanied by officers of the State executive of the Australian Labour Party. After talks lasting two hours, the Government still stood firm by its decision. Mr. Hawke said later that he felt the discussion had cleared the air considerably. The union representatives will report to their various executives and the West Australian Society of Railway Employees will proceed with its arrangements for next Tuesday's conference of State branches to decide whether the union will disaffiliate from the A.L.P.

Then we come to the next one, which is dated the 24th April, in the same newspaper, and the paragraph is headed, "No Decision by Union" and it goes on to state—

A State-wide conference of delegates of the West Australian Amalgamated Society of Railway Employees at the Perth Trades Hall throughout yesterday reached no decision on the Government's determination to close 842 miles of rail services. Strong opposition was voiced by a number of the 23 delegates against the discontinuance of the lines but no motion was carried. The

union will decide its further attitude after the Premier (Mr. Hawke) has addressed the conference today.

On the 31st May, we find this article—

Government to Tighten Road Transport.

The State Government will soon consider amending the Transport Act to ensure that a greater proportion of goods is carried by rail. This step will be taken because of the serious financial position of the railways and their importance to the State. The Premier (Mr. Hawke) said this yesterday to representatives of three railway unions.

Whether the railway unions in question have entirely changed their minds, notwithstanding all that, is not quite certain because in "The Farmers' Weekly" of July, this year, some considerable time after that deputation, we find that the secretary of the railway union, Mr. Gough, replied to Mr. Traine, the secretary of the Farmers' Union, as follows:—

In regard to your request whether this union would approve of its members signing a petition for the restoration of services on such railway lines as have at this stage been closed, and for the maintenance of the services on other lines listed for future closure, I am directed by my executive to advise that it fully approves of the aims of the petition and recommends to its members that they record their protest by signing the petition.

I would also inform you that at a recent special conference of the union called for the purpose, by unanimous resolution the proposed closures were strongly condemned.

For the purpose of issue and return of the petitions it is suggested that you forward them, with advice, direct to the union branch secretaries.

A copy of this letter may be forwarded to branch secretaries, who are requested to assist in every possible way towards the success of the petition.

Might I suggest that you advise the secretaries that it will not be confined to members only.

So that even after the assurances given in regard to this legislation we now have before us, we find that there is still the same element of dissatisfaction in that railway union of which Mr. Gough is secretary. In the course of his remarks, the Minister indicated that what he called the concessions to primary producers were originally instigated by a Labour Government in 1933. That is not exactly so. If one looks at the Traffic Act of 1930, introduced, I understand, into this House by the then Minister for Works, Hon. J.

Lindsay, one will find in it certain provisions requiring licence fees for the carriage of goods on a list of roads which are enumerated—they being principally what we now call the main roads of the State and include the Perth-Bunbury-rd., the Bunbury-Bridgetown-rd., the Perth-Albany-rd., the Albany-Denmark-rd., the Perth-Cranbrook-rd. via Northam and York, the Perth-Merredin-rd., the Northam-Merredin-rd., and so on.

In Section 5 of that Act is to be found a series of exemptions to which the section shall not apply and a subsection contains practically all the exemptions or concessions, or whatever one likes to call them that are to be found in the schedule to the State Transport Co-ordination Act which this Bill seeks to amend. They are almost verbatim with those that are contained in that Act and I shall not weary the House by reading them because they are available for anybody to read. They were included in the Traffic Act Amendment Act, 1930, and were submitted to Parliament some three years before the State Transport Co-ordination Act was introduced into this House.

The original State Transport Co-ordination Act, which was introduced into this House when the Government changed to one formed from the party of our friends opposite, did not contain as introduced anything like the provisions which are included in the State Transport Co-ordination Act at present. In the main those provisions were inserted as a result of debates in this House and in another place. The principal one, of course, was that which is contained in Clause 3 of the First Schedule to the State Transport Co-ordination Act, which was for the carriage of livestock, poultry, fruit, vegetables, dairy produce or other perishable commodities or wheat—and oats as it is now—from the place where they are produced to any other place, and for the carriage on the return journey of any farmers' requisites for domestic use or for use in producing the commodities named therein, and not intended for sale, in the vehicle owned by the producer.

This important clause, which is now under discussion, was not in the State Transport Co-ordination Act as introduced in this House in 1933 and was, therefore, not the product of the originator of the Bill. It followed very closely the provisions inserted, in regard to main roads restrictions, by Hon. J. Lindsay in 1930, which read—

The carrying of livestock, poultry, fruit, vegetables, dairy produce or other perishable commodities from the place where they are produced to any other place, and for the carriage of on the return journey any farmers' requisites for domestic use or for use in producing the commodities named therein, and not intended for sale.

That was how it read at that time. It was inserted as a result of an amendment moved in this House and endorsed in another place. I thought it was highly desirable to correct the Minister in so far as the statement that he made needed correction. I have no doubt whatsoever, despite the Minister's answer to the member for Moore yesterday afternoon, that even if the earnings of the railways were doubled by the charging of additional freight or the production of more revenue, they would still fall far short of outgoings because the handling of additional business would create more expenditure.

I would suggest to the Minister that he should go to the Commissioner of Railways and ask him if that is not a statement of fact. He should ask him if he, Mr. Hall, has not reported that on more than one occasion to Ministers of the Crown in the eight or nine years that he has been Commissioner of Railways, because I have the liveliest recollection of reports from that gentleman being received during the time I was in the Ministry and to my detriment—as I feel sure it is to the Minister for Transport—because I used to handle in this House the affairs of the Minister for Railways.

If the Minister went to Mr. Hall, I am convinced he would find that the statement would be on all fours, parallel or similar to that made by that gentleman. In my view, it is a problem of the greatest magnitude which cannot be successfully handled—as things are—simply by bringing down legislation of this character which we have before us today. I do not propose to attempt to say the way it should be handled.

Already I have said that I am convinced that it would require an inquiry by the best of brains that could be mustered in this House in order to do the reasonable thing, but I am satisfied, in the light not only of what I can recollect, but also of what I can see at present, that a measure of this nature—and I have given one or two reasons for saying this already—is not going to achieve the results that are desired and in many aspects I think it is going to be unfair to many sections of the community.

I honestly do not think that the Minister knows quite what will be the result in some cases. One or two items in regard to that I propose later to bring to his notice so that at least he will be able to give consideration to them if only to form a point of view. I would like now to turn more specifically to some of the provisions in the Bill. I have no objection—if that were the only proposal in the measure—to the Main Roads Commissioner being substituted for the Commissioner of Police as being the local authority in respect of this measure.

The Premier: That brings you a fair distance our way.

Hon. A. F. WATTS: No, it does not. It only envisages the substitution of persons and, to a degree, I look with greater pleasure on the Commissioner of the Main Roads Department—in the peculiar circumstances—to govern this matter than I could on the Commissioner of Police, although I have not the slightest disrespect for the latter. This does seem a matter for the Main Roads Department and I have no objection to the proposal.

I want to say something about public vehicles. If one looks at the State Transport Co-ordination Act one will find that a public vehicle is defined as follows:—

Any vehicle which must be licensed under this Act.

The question arises: When must a vehicle be licensed so that it will become a public vehicle? As I see the position, under the parent Act, which will still govern the matter, such vehicle must be licensed as soon as it can be proved that it has carried goods that are not exempt. So the provisions in the Bill which are designed to provide power to stop, search, question and so forth, the proprietor of any vehicle are, so far as I can see, framed to make him license it as a public vehicle if it is found, at the time of the stoppage, inspection and search, that it is carrying any goods which are not the subject of an exemption.

It would not matter very much, from the legal point of view, whether those goods were in quantity or not. I can imagine a circumstance in which a farmer, lawfully carrying, under the proposed amendment to the schedule, livestock to some place where he wants to go and also carrying on his vehicle a drum of petrol to finance him in fuel, as it were, on his going and coming journeys. That would be contraband as far as the law will be if this Bill is passed. In consequence, he could then, on stoppage, inspection and search, be classed as the proprietor of a public vehicle because he would be a person who would have a vehicle for which a licence ought to be issued under this Act in accordance with the definition of public vehicle.

Then what is going to happen to him? He becomes liable to the charges contained in the Second Schedule to this Act. A licence under the State Transport Co-ordination Act, if his vehicle exceeds two tons but does not exceed three tons will cost him £28 10s., plus the difference by substituting "R.A.C." for the words "Dendy Marshall," which would make the licence presumably about £40 in all. If his vehicle exceeds three but not four tons, he would be liable to pay a licence fee of £40 10s. plus the difference involved by substituting "R.A.C." for "Dendy Marshall" which would make it about £60 in all, and so on down through the list.

I have quoted only a vehicle which an ordinary citizen or farmer might use. I am satisfied in my own mind that the proposed amendment to Section 49 of the principal Act is designed to do nothing but ensure that that power is placed in the hands of the State Transport Co-ordination Board.

The Minister for Transport: You are wrong!

Hon. A. F. WATTS: It will enable the board to do it.

The Minister for Transport: No.

Hon. A. F. WATTS: There is no question about that in the same way as the Minister made an observation a short time ago about kindergartens. They are both equally clear. I regard it as a most unsatisfactory and indeed dangerous provision to have in any legislation. Then, of course, there follows the provision where the driver and the owner will both be liable for the penalties that are provided under the amended Section 52 of the principal Act and the provision that the driver, if he can plead that he believes the public vehicle was operating in accordance with the licence, can be acquitted of the charge.

There is no provision, however, whereby the owner of the vehicle, not being a party to the proceedings, would be entitled to an acquittal if he had no knowledge of what the person driving the vehicle might be carrying, which would also be a very reasonable proposal. I have nothing to say about the provision of bus shelters. If we are going to have a law to govern them, that is an innocuous and reasonable clause to have in the measure.

The Bill proposes to strike out Clause (1) of the First Schedule in the principal Act. That clause, as it stands at present, reads as follows:—

The carriage of produce of farms or forests or farming requisites or requisites for the production of timber between any farm or forest and the railway station or town nearest to such farm or forest.

The clause to be substituted for that is to be as follows:—

The carriage of produce of any property being a farm or a pastoral property, and of requisites for use on the property, between the property and—

- (a) the nearest town; or
- (b) the trans-shipment point nearest in accessibility to the property.

For the purpose of this clause "trans-shipment point" means a point on any railway or on any regular road transport service operating pursuant to tenders called under the provisions of this Act at or to which goods may be consigned for transport.

If this amendment is put into operation an anomalous situation could arise especially when so many railway lines have been closed.

I might interpolate here that had these railway lines not been closed by the Government, I think that I, and those associated with me, would have been willing to participate in any inquiry which might be directed towards doing what I said earlier on, namely, the reasonable thing in regard to the provisions of the State Transport Co-ordination Act especially so far as those things are necessary to ensure that the existing provisions of the Act are most faithfully adhered to.

But in the face of the fact that all these railway lines have been closed—despite such opposition as we have been able to offer—that action has now affected—as we have said almost ad nauseam—persons who in the main are living furthest from the best conditions and amenities and frequently under the most pioneering conditions. Therefore, we do not feel disposed to support this measure and as we have no opportunity of doing what I suggested, of course, that is to be completely discounted. The Government has made up its mind; it has produced this measure and it seeks to pass it. I hope it does not do so, but I wish to make myself plain in regard to the attitude which I took up. At some of these places where the railway line has been closed, the only organised transport service—if there is any at all—would be in regard to the transport of wheat and superphosphate.

So far as wheat and superphosphate are concerned, the person will need to take his load to the transport point on the recognised transport route. So far as the other provision is concerned, he will need to take it to the nearest rail head. In some places he will have to take it to rail heads, because they are the nearest ones, in the opposite direction from what he would normally go because it will so happen that such rail heads will be the nearest ones to his property. If he does not go there, he is liable to be penalised, and, in my view, also liable to be asked to licence his vehicle as a public vehicle. That is the position in regard to this point.

Very similar arguments in some cases at least will apply to the provisions substituted for Clause 2 which deals with the carriage of timber. Now we come to the provision which repeals Clause 3 of the First Schedule of the State Transport Co-ordination Act, which, as everyone knows, provided for the carriage of certain things, including wheat and oats, from the place where they were produced to any other places, and the carriage on the return journey of the requisites for production. It is true there was nothing in the statement which specified how much a person had to carry on the forward journey or indeed on the return journey either, but on the forward journey it was more important.

It is true that the opportunity has been taken completely within the law, as I understand it, for persons to carry very small quantities on the forward journey and fairly substantial quantities, at times, on the return journey. I venture to suggest from very long experience in the country districts, but particularly in those districts that are furthest removed from the big centres of population, to wit, the metropolitan area, there has been a very limited use of the exemption provided in that particular paragraph. In those places particularly, it is a long journey taking considerable time, and, excepting in some circumstances, is not regarded as profitable.

Nearer to the metropolitan area with which I am less well acquainted, there may have been very considerable use of it because the circumstances are entirely opposite. I suggest that is a matter which would be better known to the Transport Board. It was with that object in view to find out what the Transport Board knew of this matter, that I asked a question of the Minister yesterday and sought subsequently, by a question without notice, to make sure that the views he had expressed were not only his own, but those of the chairman of the Transport Board. As will be known, I asked him whether he would lay on the Table of the House a report from the chairman of the Transport Board giving his estimate of the goods carried by road in the last two years, excluding quantities carried to or from places not served by railway, which would, as a consequence of amendments to the law, have been diverted to rail transport.

Of course, the hon. gentleman stated that neither he nor the chairman of the Transport Board was able to do so. Therefore, it is obviously impossible for any reliable information to be given to us as to what quantities in the whole are carried under the exemptions which are contained in the Act, as against those that would be carried under the exemptions provided in the Bill if it were to come into force, always remembering that it would be necessary to exclude from that equation, I suggest, the particulars of the goods, if one knew them, that had been carried lawfully by road, not as the result of anything in the State Transport Co-ordination Act schedule, or any exemptions contained therein, but as a result of exemptions granted by the Transport Board itself under the powers conferred upon it, because it had reached the conclusion that the proper way to carry the goods was by road.

There is nothing in the Bill to indicate that the powers of the Transport Board to grant those exemptions is to be restricted. The provisions of the principal Act giving the Transport Board power to grant those exemptions, additional to the ones contained in the schedules and fixed

by statute, are still there. In consequence, there is no knowing to what extent the Transport Board may be of the opinion that exemptions should not be granted. The only difference it will make is that applications will have to be made to the Transport Board more frequently, or in a greater number of cases if the people carried out the law, additional fees will be collected by the Transport Board and additional expenses will be incurred by the persons who want to have the goods carted.

I can still see a great number of exemptions, hitherto granted by the Transport Board, being carried on unless there is some means by which the Transport Board can be directed by the Minister not to do so. I have not the means to ascertain whether that is in his mind. There is nothing in the Bill to suggest it is. There is no alteration of any kind to the powers of the Transport Board in regard to this matter. So, on one other point it is virtually impossible to form even a "guestimate" of what extra traffic will result, or what extra revenue will be derived by the Railway Department if the provisions in this Bill came into operation.

Let us go back to the paragraph now proposed to be substituted for Clause 3 of the First Schedule. It says—

The carriage by a primary producer in his own vehicle of the following goods which have been produced on a property of which he is the owner or lessee, namely, livestock, poultry, fruit, vegetables, or other perishable farm produce including dairy produce.

It is a very limited list in comparison with the original section, paragraph or schedule.

The Minister for Transport: Only wheat is taken out.

Hon. A. F. WATTS: Actually wheat and oats have been taken out. That is quite important, but most important of all is the inability to carry goods on the return journey.

The Minister for Transport: I agree it is very important.

Hon. A. F. WATTS: Very important in a different way, not as the Minister understands.

The Minister for Transport: I can agree with you, too.

Hon. A. F. WATTS: The situation is going to be this: I consider, and I have some information which tends to support the idea, that the carriage of livestock by road, quite apart from the provisions contained in the schedule and the general exemptions given by the Transport Board, has been satisfactory to a great number of farmers going to Midland Junction because of their ability to backload with requisites. Now, if we take away from them

that ability to backload with requisites, a great deal more livestock will come by train. I think that will be quite clear.

I go that far with the Minister. But I would like to know what is going to happen at Midland Junction when that takes place. I would like to know what is going to happen to the meat supplies for the metropolitan area, because it is a well-known fact that were it not for road transport coming in substantial quantities to the Midland Junction markets today, the handling of livestock and the supply of meat to the metropolitan area would be extremely difficult, if not entirely impracticable.

Now the Minister will say that the road cartage of livestock is still available. It is. If I know anything of the people who have been granted the exemption, and if the Minister fondly imagines that they are going to travel 200 or 300 miles to bring livestock to Midland Junction and go back completely empty, he is entirely mistaken. The effect will be felt by the Abattoirs Board within six months of the Bill becoming an Act. I shall leave the matter at that for the moment.

Turning to the question of oats, I believe that this item has frequently been carried on the forward journey and in considerable quantities. It has been carried on the forward journey in order that it might be sold to produce merchants in the city of Perth. I understand that some farmers prefer very much to sell for cash in that way, rather than to put the oats through the voluntary oats pool which is conducted, as everyone knows. The net result, so far as I know, will not be any encouragement to bring the oats forward because once again the farmer has to go back empty.

In the circumstances any additional profit made, or expected to be made, out of the sale of oats to produce merchants will probably cease because the back journey will be an expensive one with no consequent reward. As a result, I suggest it will not be sold to the produce merchants. They will suffer, and more particularly the manufacturers in Perth who use oats for various purposes—human food, stock feed, poultry feed—will have to pay more for the oats because they will have to purchase it at the pool price, and not at the price the produce merchants have been accustomed to pay for it.

The SPEAKER: Order! The hon. member's time has expired.

On motion by Mr. Wild, time extended.

*Sitting suspended from 3.43 to 4.5 p.m.*

Hon. A. F. WATTS: I will now return to the next amendment, which deals with the repeal and substitution of Clause 3A of the First Schedule. An examination of the two proposals will disclose that it is proposed to prevent the aparlant from carrying the product of his industry, while

not preventing him from carrying the appliances that are necessary in order that that product may be produced. I should say that is the meanest part of the Bill. I will leave to anyone else who is better acquainted with the industry than I to deal more substantially with it than I propose to do, but I venture to suggest that the quantity of freight to be obtained by the railways from the carriage of honey is not going to be very substantial and that very great inconvenience, at least, will be imposed on the apiarists in connection with their industry. Next I come to the provision to delete Clause 4 and I think this is more objectionable. It is proposed to delete the provision for the carriage of grain in a vehicle owned by the producer of such grain to a flour mill for the purpose of being gristed, milled or treated and the carriage from such mill of flour, meal, bran, pollard or offal received in exchange for such grain for use on the farm where the grain was produced. It is true that at one stage in the history of this State there was a considerable amount of that being done, but today the amount is comparatively small.

When one considers the distance from farms in most places where wheat is grown, to the mills, one must realise that the application of this deletion in some cases could be somewhat ridiculous. It might be a matter of carrying the grain 40 miles as against six or ten miles to the nearest trans-shipment point as defined by the legislation, leaving the railways to carry it a distance of 25, 30 or 40 miles at the outside, and quite apart from the fact that I object to the deletion of the clause on general grounds, I suggest that it is just one of those pinpricks which it is not necessary to impose on a very small section of the community, and particularly as in no circumstances, I would suggest, can it work any appreciable good for the Railway Department.

We come then to the last but one of these deletions, namely, the deletion of paragraph (d) of Clause 6A of the schedule, preventing furniture being carried from the vendor to the residence of the purchaser. I am unable to conceive of the reason for this proposal. It is still going to allow furniture to be carried from residence to residence, from storage to residence and from residence to storage or sale, but apparently when it is sold—because the use of the word "vendor" implies somebody who is selling—if it is to be carried to the residence of the purchaser, it has to go by rail. Here again a most anomalous position could arise and I would point out to the Minister that this paragraph (d) was inserted in the schedule in comparatively recent times as a result of it being ascertained that not only was the carriage of such furniture of little or no value to the Railway Department, but also that there was considerable damage

being done to furniture when it was forced on to the railways. As I say, this is another of those pinpricks which seem to me most desirable to avoid.

That completes, so far as I am concerned, a brief resume of the provisions of the Bill as I see them. But there is one other aspect that I wish to refer to before coming to my concluding remarks, and that is the effect of the legislation on the motor industry and employment therein. I would suggest that the sale of motor-trucks, if the legislation came into operation and were in any way enforced, would seriously diminish. I can see no alternative to that because, in view of the great increases in licence fees in recent times and the fact that, as I have already stated, the use of the vehicle in any way as a public vehicle would impose on the truck-owner the obligation to pay another and very substantial licence fee under the State Transport Co-ordination Act, and the fact that back loading, if the Bill is passed, will be almost completely cut out, it would make it unlikely that any sensible person would want to buy anything bigger than a utility.

It is a well-known fact that the motor industry is responsible for the employment of very many hundreds of people in this State. It is well known, also, that it is responsible for a great deal of trade and commerce in Western Australia, and the effect that it must produce, as I see it, on that industry, would diminish the business therein by anything up to 25 or 30 per cent. That must be set off against any possible benefit that the Minister sees in passing this legislation and that, I think, is not a matter to be lightly regarded, but is one that is quite serious.

I notice, also, that there is nothing in the Bill to require instrumentalities of the Crown to obey this law. Under the First Schedule, paragraph (6) the Crown or any local authority for its own purpose other than the cartage of goods for hire or reward is exempted. I suggest that example is a great deal better than precept, and if the Crown in this State is of the opinion that this legislation is necessary and desirable then it is high time that the Crown in respect of its instrumentalities anyway, such as trading concerns, should set an example to the rest of the community.

I was sorry that the Minister for Industrial Development was not able to answer today the question asked by my colleague, the member for Katanning, in regard to the number of thousands of tons—the product of Wundowie, for example—that were carried by road, because I venture to say that it would be very considerable indeed. It is a well-known fact that a substantial proportion of their production, both of timber and pig iron and by-products, have been carried by road; and to a lesser degree, perhaps, but at least to a substantial degree, the same applies to other State trading concerns.

Of course, I am not suggesting for one moment that the Crown in its actual position of government—for example, the Public Health Department or the Lands Department—should be in any way controlled by this type of legislation as the rest of the community is to be so controlled, because in carrying out the proper functions of government, I am quite prepared to grant the Crown the usual exemptions. But I do not feel, if we are going to have this legislation forced upon us, that the Crown in regard to its trading concerns, should be exempt any more than any other section of the community.

The Minister has made a very considerable point about the fact that the farming community has been blessed under the existing legislation of 1933-1956. I venture to assert, without much fear of successful contradiction, that if figures could be collated and presented to this House, it would be found that other industries by one means or another—either through exemptions granted by the Transport Board, or permits granted by the Transport Board, or by evasions of the regulations under the State Transport Co-ordination Act—are carrying just as much, if not more, of the requirements of their industries than is the farming community.

Unfortunately, it appears to be impossible to obtain any reliable figures on this subject and therefore one can only express an opinion based on what one might call visual education. But I would very much like to know, because I am personally convinced—and I am not the only one in that position—that those industries have had just as much opportunity, if not more, for the use of road transport than has the farming community as a whole. It is also very easy for the Minister to say that attention has been given to the tremendous losses that are being made upon metropolitan transport, particularly on the suburban coaching system.

That may be so. It is possible that consideration is being given to that phase. I have no means of proving anything to the contrary, even if I wished to. But I have no hesitation in saying that there has been a desperate hurry to penalise and inflict, for the alleged purpose of economy, these things on the people situated in the far out areas of this State while there seems to be deuced little inclination to do anything about it in the big centres of population.

I, for one, in no such circumstances subscribe to this legislation of handing out fresh restrictions to the first mentioned section of the community when nothing up to date has been done or evidenced in regard to the latter. I have no hesitation in saying that this legislation is an aftermath of the approach made by certain railway unions to the Ministers of the Crown—whether it was the direct product of that or not, I cannot say. I

have said so far that I will take the Premier's assurance in that regard, and I do not wish to go back on that. But I am convinced that it is an aftermath to that protest, and has been designed to pacify any further repercussions in that direction.

So far as I am concerned, it amounts to this: Already sufficient restrictions, detriment, inconvenience and unsatisfactory arrangements, in regard to transport services, have been imposed upon the people in the outer areas of the State, and certainly until something is done to remedy the other conditions to which I have referred, and the colossal losses attendant thereon, I do not propose to support this legislation.

**MR. HEARMAN (Blackwood)** [4.20]: I would like to say at the outset that I am well aware that this problem is a very considerable one, and that we should all endeavour to accept some responsibility in connection with it. I think that the Government approach to this matter has been far too narrow, and I feel it is one that possibly as a whole, as I will endeavour to show later, will not achieve the end it seeks.

Initially, I would point out that the economy of this State, depends to a very large extent—in fact almost entirely—on the capacity of the country to sell its primary products overseas at a profit. Any additional charge that is injected into the cost of production is one that we should view in considerable detail before going on with it. I feel that the Minister has tended to regard the whole question as a railway problem. I think the matter should be regarded more as a transport problem. In that respect, and with your indulgence, Mr. Speaker, I propose for a few moments to discuss the position in which our primary producers find themselves in Western Australia as compared with their overseas competitors.

On transport generally, Australia spends anything from 29 per cent. to 34 per cent. of her national income. Other nations, including nations that have perhaps problems which could be regarded as comparable with ours, spend very much less. Canada, for instance, spends 10 per cent. of her national income on transport. She has reduced that figure from one of 11 per cent. in 1938. We find several European countries down as low as 7 per cent. and 8 per cent. The Netherlands spends 7 per cent. while Italy and France spend 8 per cent. of their national income on transport. The United Kingdom spends 10 per cent. on transport.

Those figures are for 1953, but they indicate that we, in Australia, have to shoulder more considerable transport costs, and we are thereby placed at a disadvantage in comparison with our overseas competitors. Consequently, I feel we should tread very warily before we take

any action that will increase the cost of production on our primary products, because they are our economic lifeline.

The Minister said that the farmers are in a so much better position today than they were in 1933. So are we all, and we should be very grateful for that. It would be idle to suggest that the generally improved economy of the country is not in any way connected with the generally improved position of primary producers. But I do not think that we will find any satisfactory economic solution by increasing the loads on our primary producers.

Then again, the Minister seems to think that we should endeavour to recoup our very considerable railway losses—our deficits—by forcing the people in the country, not only the primary producers, of course, but mainly them, to use our railways more. I can understand, perhaps at a superficial glance, that that might appear to be a reasonable solution. But I got some figures yesterday in answer to a question which indicated that in 1950 we showed a deficit of approximately 1.4d. per ton mile for every mile our railways operated. I would not be absolutely certain to the last decimal point about that. In 1956 when we had a 70 per cent. increase in freights, we showed a 1.8d. loss for every ton mile of goods that we hauled.

I find it difficult to believe that the entire answer, or even part of the answer, to our deficits is to be found in hauling more and more goods on our railways, particularly if we find that the position is that we are simply going to make a greater loss. From the economic point of view, I could understand the idea of putting more goods on to the railways provided it was intended to raise the fares which, heaven forbid, should happen.

But in view of the answer that the Premier gave yesterday to the member for Vasse, it appears that that is not the Government's intention. Whether that is a complete and proper interpretation to place on the Premier's reply, I do not know; but if it is not the proper interpretation to be placed on his reply, then it would seem to me that if we have a freight rate which is below our cost of operation—as is indicated in an article in this year's magazine of the Railway Institute that the more goods we haul, the greater the loss—then it seems to me that I will want considerably more information on this matter before I will be convinced that the solution to our economic problem is to put additional goods on our railway lines without any increase in freights at all.

We have to be extremely careful in view of the comparative costs of transport in this country and overseas. It is difficult to get complete comparative costs but, so far as I can ascertain in my research, the corresponding rate of our miscellaneous rate—which is 4d. per ton mile—is only

2½d. per ton mile in the United States, and it becomes fairly apparent that we have a responsibility to endeavour to keep our costs somewhere in line with those of our overseas competitors.

I cannot say I am greatly surprised at the solution that the Government has produced. It is a tactical solution that one might expect from a socialist Government which wants to protect a Government instrumentality and feels that an additional impost on a private individual is of no great consequence. I will admit that the solution the Government has put forward is, perhaps, the obvious one and is one that may be accepted from a superficial examination, but I believe that the first and obvious solution is not always the one that is best.

Alternatives should be considered. I am aware that primary producers find it economically profitable to use road transport. In fact, I have for some time, in this House, argued that a greater use of road transport is vital and I have been completely responsible in the submissions which I have made. However, in view of the relatively high costs of transport which we have to meet in Western Australia, I think we should examine very carefully any proposition to reduce a form of transport which the primary producer finds economically desirable to use.

I know that the Government might well say, "What would you propose?" But if one makes suggestions in this matter at all—the whole question has become so party political, there have been so many distortions and so many misleading statements in connection with the transport problem—one becomes rather reluctant in opposition to put forward propositions because, whatever they might be, they are likely to be used for political ends and will make no contribution to the solution of the problem.

Nevertheless, I feel there is another approach with which I will deal in the the next phase of my remarks. This is a problem on which a great many people in Western Australia are not as fully factually or completely informed as is desirable. I found in discussion with farmers that there are many things they want to know in order to properly understand the position. It is possible for them to appreciate these matters when they are put to them. I found also, in my discussions with railway men, that exactly the same state of affairs exists. I refer to the rank and file men who do not appear to have any conception of the railway problem that confronts either them as individuals or the State generally. It seems to me that until we can get an appreciation of the problem and co-operation between all parties concerned and in all ranks—if I may use that term—we will find ourselves constantly up against some particular section of the community and will not obtain

satisfactory working of our railways from the point of view of the system itself or of the railway men.

I have an appreciation of the capacity of the average Australian to use commonsense in any type of crisis, provided he has the necessary knowledge and background to be able to exercise that commonsense and the correct leadership to persuade him to do it. That has been amply demonstrated—at least in my experience—beyond further disputation. I have seen many Australians in difficult situations where commonsense has prevailed and enabled them to extricate themselves and generally with great credit to themselves. However, I have also seen the result of a heavy-handed effort to coerce and discipline men into doing things, the need for which they did not understand.

To that extent, I think there is an obvious need, in dealing with the transport problem, for all the people involved to have a greater knowledge of the details of the situation. It is no good railway men, or anybody else, thinking that a satisfactory position exists when we have a huge railway deficit anticipated this year. There is an obvious need to face up to that situation. I am not going to suggest that all the faults lie in any particular direction. If one is to point to faults anywhere, one must go to Parliament to sheet the responsibility home. To that end, I believe the first thing to do in order to get some sense out of this situation, is to obtain a greater understanding on the part of the people most concerned.

In dealing with a problem of this nature the first essential is to get people to apply themselves to a job. First of all they should be informed and then given some responsibility in the matter. So far as the railway deficit is concerned, the responsibility lies with all sections of the community and I do not exclude anybody particularly. We will never get the community to face up to the situation until it is explained to them and they are given the reasons behind it.

Farmers have been castigated because they cart goods by road; the railway men have been castigated because they do not work and are inefficient. This sort of criticism reflects much more on the boss—as it should—than on the men and, when I say the boss, I mean Parliament, because we are the people ultimately responsible for the efficiency or otherwise of the railways and should not attempt to shirk that responsibility.

Last year I attempted to make a contribution to this problem. I endeavoured to find out the costs of road transport in this State as applied to country areas and, for reasons which there is no need to discuss now, I was unsuccessful. However, had that information been obtained, we would at least have had one further important piece of knowledge which we need

before this problem can be solved. The proper approach to this matter should be an endeavour to obtain the co-operation of all concerned and, to do that, we should strike a figure for the cost of the ton mileage operation of our railways.

We are well aware that costs are increasing considerably and also that, as a State, we have to make some contribution towards the cost of our transport. That has always been accepted and it does not matter whether it be rail transport or road transport. I suggest it should be possible to strike a figure which would set a limit to which it was desirable to go in regard to cost of operations of the railways per ton mile.

Having ascertained that figure, we should put the proposition to the people most concerned. We should say to them that we do not want to restrict their use of road haulage but that if they continue to use the roads, because it suits them, they must bear in mind the cost of operation of their particular railway line. The cost should be kept within a predetermined figure and should it rise above the limit set, the people should be told that consideration will have to be given to the discontinuance of that particular service. If that approach had been made 12 months ago, those in the railways—from the commissioners downwards—would have realised that if they did not increase their efficiency and get costs down, there would be a very grave danger of a contraction in the railway system. If a proposition had been put in that manner, the railways would have risen to the occasion or at least would have made some effort in that direction.

Australians have the capacity to rise to an occasion if it is one which is valid. Not only the farmers, but everybody in a particular district should have been told the position. They would then realise that if they continued to reduce the tonnage of goods carted by the railways, until such time as the volume was so low that it was impossible to meet operational costs stipulated, there was a danger of that line being closed.

As far as my electorate is concerned, I have found that if a proposition is put fairly to farmers—I have been endeavouring to explain this problem for three years—they are ready and willing to exercise the degree of commonsense for which I give them credit. In my own electorate many farmers are aware that if they do not use the railways they will lose them, and those people are using their influence amongst their friends to get more traffic for the railways. That should be the objective of the Government—to get to the point where people are in a position to know what the choices are, and to make their own choice. This should not be done

by legal coercion or fear of punishment, but by a simple commonsense review of the situation.

Our approach to the transport problem could have been more along these lines. I know it takes a while for people to appreciate the full significance of some of the factors that have to be considered, but I have sufficient faith in my fellow Australians to think that if they are given the facts fairly they are quite capable of measuring up to a situation. If we did this, there would be some prospect—the best of all I believe—of reducing our railway costs of operation and our losses, and also of formulating a transport system which would be most suited to the various requirements of our particular area.

I am well aware that in suggesting a proposition of this nature as a possible solution, and one worthy of examination by the Government, I could readily be held up to ridicule. It is always possible to ridicule anyone who comes out with a suggestion that is not on stereotyped lines, but that does not mean that the suggestion is a bad one or a wrong one. I would like to feel that the Government, before introducing legislation of this nature, had given close consideration to it and that the Minister had shown a greater overall awareness than he has, of the problems that confront us, such as those of keeping down our costs of production and of getting the co-operation of all concerned rather than to show a tendency to rush in with the big legislative stick and say, "If you do not do what I want you to do, I will hit you over the head." That is not the way to get co-operation from anyone.

The proposal I have outlined would have the effect of bringing a measure of competition between road and rail transport. I am well aware that, particularly in areas of low traffic density, there is considerable disadvantage in having both road and rail transport operating from point A to point B completely parallel with one another. But the proposal I am suggesting would not necessarily lead to that. It would lead to the knowledge, on the part of the railways that their operating costs had to be kept within bounds and that if they were not, there was the prospect of the job going to some other form of transport. We would have the element of competition. If we are to get efficiency into any business organisation—and we should try to regard our railways as a business organisation—it is necessary at some point to introduce at least a modicum of competition. This does more to keep the atmosphere clean and wholesome than restrictive legislation can possibly do.

I believe the Minister is possibly quite sincere when he says the Government is endeavouring to get greater efficiency in the railways. But it is not much use, on the one hand, endeavouring to do that and on the other moving towards giving them a

greater monopoly. I do not think this will lead to efficiency. The Minister, however, may desire it. The answer to this problem, I believe, is not to create a situation whereby our transport costs are going to increase. The suggestion I have put forward is one to which the Government could well give some attention. The solution put forward by the Government is one which, I feel, is not going to be the complete solution. There is the objection, first of all, that unless a substantial rise in rail freights is brought about—this is something I do not want to see—it could lead to greater deficiencies in railway finance. We will simply be showing a loss for every ton mile of operation, and it stands to reason in that event, that the greater the ton mileage, the greater the loss. So I cannot accept the proposition that this proposal will make any contribution to the solution of the overall problem of the railway deficit.

Some criticism has been levelled at the fact that an estimate has not been made of the increase in revenue that will accrue to the railways as a result of this proposal. I ask myself whether increased business is of any value if the position is that the more business done, the bigger the loss sustained. If we are going to keep our freights and fares where they are, the solution could lie along other lines altogether. But I am not suggesting that that is necessarily the complete answer, either.

I put it to the Government that it should have a second look at the effect of the legislation. The Leader of the Country Party has dealt in considerable detail with the various propositions contained in the Bill, and it is not my intention to weary the House with a repetition of those contentions beyond saying that the criticisms voiced by the Leader of the Country Party are well justified. I do not think this measure is going to solve the Government's dilemma. The problem is one that requires understanding and co-operation from all concerned, and from the way events are trending, I think that far from getting this co-operation, the effects will be the exact reverse and we will end up with a complete army of inspectors, pimps and what-have-you all over the place, pinpricking everyone. However much revenue the Government may seek to get as a result of fining people for contravening the legislation, it will be only a pittance compared with the overall railway deficit.

Furthermore, I feel that the Government has not taken us completely into its confidence because I cannot believe that it would come forward with a proposition of this nature as a solution or partial solution of the railway deficit problem if it did not intend to increase freights and fares as well. I suggest that is the last thing, from an economic point of view, that this country should consider.

The Minister for Transport: But your attitude is making more and more inevitable that it will happen.

Mr. HEARMAN: No, it is not.

The Minister for Transport: You somersaulted on the cessation of rail operations.

Mr. HEARMAN: The Minister is quite unjust there. It is not unusual of course, for the Minister to change his own attitude. For instance, he suggested that my approach last year was a sound one, but he sneered at the proposition this year. He can look at his own speech if he wants to. He knows perfectly well where I stand. I make no secret about it. I have been talking along these lines for years in my electorate. Even if I wanted to somersault in the matter, I could not do so without being held up to contempt and ridicule in my electorate.

The Minister for Transport: All I have to prove otherwise are your views and vote in connection with a motion some weeks ago.

Mr. HEARMAN: The mere fact that I accept a principle as being a sound one does not mean that I agree with the manner in which the Minister carried it out.

The Minister for Transport: That is an easy way to back out.

Mr. HEARMAN: The Minister has given us an easy way to get out.

The Minister for Transport: I would like to debate this backing and filling motion that the Premier has on the notice paper.

Mr. HEARMAN: We are waiting for it. This shows the level to which the debate on this matter has sunk, and the extent to which party politics has been injected into it. The Premier's motion, which has been on the notice paper since Parliament opened, condemns him as wishing to play party politics in this matter, and to take the greatest political advantage from it. It is idle, with a notice like that on the notice paper, for the Minister for Railways, or anyone else, to say that his party is not playing the party political game as hard as anyone else on this issue. If he wants to get people to rise above the party political issue, I suggest that he get away from motions of that nature.

The Minister for Transport: You certainly set a very poor example, do you not?

Mr. HEARMAN: I do not think I do, at all. I do not suppose, however, that I would convince the Minister that his own example was not a particularly good one when, on one occasion, he gave me credit for bringing a proposition forward, but sneers at it when it becomes party political.

The Minister for Transport: While you are debating the question it is all right, but when you play party politics, I point out that two can play at the same game.

Mr. HEARMAN: Do you say that two can play at it?

The Minister for Transport: You set a very bad example.

Mr. HEARMAN: Does the Minister think I am a very dreadful person on this matter, or not?

The Minister for Transport: I am in conference at the moment.

Mr. HEARMAN: I do not think the Minister can make much profit out of the question of party politics when there is on the notice paper a motion of the type that the Premier proposes to move. Earlier I mentioned the difficulty of endeavouring to keep an approach of this nature reasonably clean and free from distortion. I have put forward a proposition, and the Minister, when replying to the debate, will have an opportunity to show just how far he can rise above the party political game.

For my part, I realise that my suggestion is one to which the Minister has probably given little or no consideration. I would not expect that the Minister would have considered the problem along those lines, but that is not to say my proposition is not worth considering. I hope the Minister does not rush in and try to finalise the debate. I would like him to examine carefully the proposition I have put forward. It is all right for him to sit there with a grin on his face as much as to say, "This fellow has been out in the sun too long," or something like that. I am quite serious when I suggest this as a possible alternative. Perhaps it goes to the other extreme, but there is some merit even in that.

Looking at the question from the standpoint of the country's economic problem of getting production costs down, we find that the matter is one that should not be overlooked. If the Minister will not give some favourable consideration to my suggestion, and will not re-examine the matter in that light, I would be pleased, when he replies, if he will explain just what effect he thinks the Government's proposal is going to have on the overall costs of production and cost of living in the State.

Does he think that it will reduce them or increase them? Does he think it is going to make life in the country more attractive or more difficult? Because these are all factors which are inextricably bound up with the transport problem which besets us and these are matters on which we are entitled to hear the Government's views. I know the Minister has approached it from the narrow angle that there is a railway deficit and that we must

do something about it. I go that far with him, but I do not suggest that there is only one possible solution.

The Minister for Transport: No one has done that.

Mr. HEARMAN: I do not suggest it, either. I am not suggesting that the only possible solution or partial solution is one in which we are going to use legislation to coerce people into doing things to their economic disadvantage. There will always be resistance to that sort of legislation. It does not make for goodwill and I believe more understanding and goodwill would be of great assistance in this problem. Over the last six or eight months the opportunities that have presented themselves to the Government to make factual information available to the public and to the people most concerned in the country areas, do not appear to have by any means been fully availed of.

The Minister for Transport: What sort of information?

Mr. HEARMAN: I have in mind, for instance, public meetings that have been organised—no matter by whom. If the proper information could be given at such meetings there would be more chance of the public generally being able to take an intelligent interest in the problem and having an intelligent appreciation of it.

All sorts of extravagant statements have been made and circulated in the Press. I endeavoured, by question, the other day to help the Government, in spite of the charges laid against me of playing party politics, in order to make information available to the public on how the proposed £75,000,000 that the commissioners said it would cost to put the railways in order would be spent. The Minister must be well aware that all sorts of statements have been going around the country as to the cost per mile, and so on, and all of them were well away from the facts—

The Minister for Transport: You were supplied with that information.

Mr. HEARMAN: I was supplied with it seven or eight months too late and even then, I had to question the Government to get it. Had that information been made available to the people—

The Minister for Transport: Do you think it would have made any difference to the attitude of a single person when the public were being fed with that sort of poison?

Mr. HEARMAN: Yes, because I have a great respect for the commonsense and intelligence of my fellowmen. There are plenty of people who agree that there are two views to every problem and the people in my electorate appreciate a person who endeavours to make an honest approach to a problem.

The Minister for Transport: They might, in your electorate, as none of them are directly affected, but they lose their judgment when self-interest enters into it.

Mr. HEARMAN: That may be so, but the Minister has hastened their loss of judgment by keeping them in ignorance of the other side of the story. One reason why people in my electorate are perhaps exercising more balanced judgment—as I think the Minister implied—is because I have been telling them what the situation was. Plenty of people say, "Use the railways," and if the line proposed to be closed there had been closed, it would not have been such a shock to them as such action would have been to people in other areas. I believe a member should advise his electors in such matters.

The Minister for Transport: Is it not true to say that for the two months that the matter was before Parliament, there was none of this agitation until people went out with far-fetched stories?

Mr. HEARMAN: I think the Minister has lived in the metropolitan area too long and does not appreciate the fact that the public take a while before public opinion starts to manifest itself in a particular direction. The matter was before Parliament for two months without a final decision being reached until the end of that period and the public were not sure what the proposition was or how far it would go, and again, there was nothing to make them believe that when the question was passed by Parliament it would be implemented in the way it was, or so quickly.

The Minister for Transport: It could not have been the manner in which it was implemented, which caused the noise.

Mr. HEARMAN: If the Minister wanted to assist in creating that noise, he certainly did all he could to that end. The public must be given information. It was demonstrated time and time again in the army, by Viscount Montgomery, that if the whole story is put across to the man in the ranks he fights much better because he knows what he and everyone else is doing. The general public react in the same way and if they are given the information I have no fear of the manner in which they will react. The public should be taken into the confidence of the Government to a far greater extent in matters of this nature.

The Government could learn a lesson from big business which now publishes balance sheets, notwithstanding the detrimental nature of the publicity that can sometimes be noted. Those concerned are prepared to take that risk in order to put the truth before the public, and that is a lesson in frankness that the Government could well learn. I do not think the Minister has told the House the whole story and I want to know what are the

Government's intentions regarding rail freights. Before we decide on a Bill like this we should know what steps the Government proposes to take in regard to metropolitan transport, the Midland workshops and so on.

It is all very fine for the Minister to assure us that something is to be done, but whether we are satisfied that all the steps that we would like to see taken are being explored is something we cannot decide unless we are told what is being done. We think this matter should receive further consideration from the Government and that we should be given much more information about the Government's future intentions on the matters I have mentioned, the increasing of efficiency throughout the service, and so on.

I would like also to know how the Government proposes to improve the Railway Department's financial position by securing increased freights. If the Government thinks the efficiency measures it can take will result in freight being hauled at a profit on the existing schedule or rates, the proposition is entirely different. Freight rates are an important factor and if the proposal was to cart everything on the railways for 2d. per ton mile, we would take a very different view from that which we would take if the proposal was to charge 6d. per ton mile. It is idle to say that the proposal of the Government has no relation to freight rates and I think the Government should give far more thought than it has in the past to this question of an impost on primary industry.

To drive that home, I would quote the answer I got this afternoon which showed that to put one truck on to the wharf on Sunday cost £46 13s. 4d. I am well aware that the unions have applied to the court and that they have been granted all sorts of penalty rates and so on; but it is about time some of these people realised that when charges of that nature can be raised for shunting a single truck on the wharves, it is time to ask themselves whether it is really in the best interests of the unions.

The Minister for Transport: But where does that get you? Would you like to work out the cost if Boans sold a 1s. article in one day? You would get an equally ridiculous situation.

Mr. HEARMAN: The Minister knows, because he has given the answer, and the matter is under review. There are alternatives; I know that. There must be cheaper ways of doing the work and I think it is up to the Government to examine all the alternatives in order to keep costs down as much as possible, certainly below this completely ridiculous figure of £46 to shunt one truck holding 536 cases. Members can work out for themselves just how much it costs to handle each case. It is completely ridiculous. All these matters have to be examined and that is why I say it is necessary for the trade union move-

ment to appreciate that this is the sort of impasse they are creating for themselves. I think, if it could be brought home to them, they would not be so ready to continue with their present attitude in this matter.

There is some indication that certain trade unions, even some of the more militant ones, are starting to appreciate the error of their ways. All these costs and penalty rates are a burden on the railway system, and on the country generally and I do not think the Government should simply sit down and say, "That is what the Arbitration Court has awarded them and that is what we have to pay." I know it is the law of the land that these men should be paid those rates; but I also believe that the average Australian has some commonsense and if the position were put to him fairly and properly, I am not particularly fearful of the manner in which he would react.

But, as the Minister said, if we try to stir them up by all sorts of wrong information being given to them, it makes the whole problem much more difficult of solution. That is what has happened because I have listened to speeches from the Minister when on this side of the House and they were calculated to do just that in connection with the railways. The Minister knows that he cannot justify the charge and he knows that he will try to do something about it. There are things he can do and I think it is possible for him to go to the unions and ask them to make suggestions as regards what should be done about it because they can make a contribution in this matter if the question is put to them properly—I am sure of that. I do not know whether the Minister has as much faith in his trade unions as I have when I suggest that he might, in that particular case—

The Minister for Transport: I think I can remember you voting against a proposition that there should be a workers' representative on the Railways Commission.

Mr. HEARMAN: Whether I voted against it or not, I do not know whether the Minister suggests that that will make any difference to the proposition I am putting to him.

The Minister for Transport: To the matter you are discussing at the moment.

Mr. HEARMAN: If we did have a representative of the workers on the commission, provided the trade union movement gave some indication of a responsible attitude, it is quite possible I might review my ideas on the subject. I believe that before they can be expected to take a more responsible attitude, the whole subject should be placed before them and not in the form of an argument before the Arbitration Court; it should be a straightout discussion with them. I commend that suggestion to the Minister and I should

like to cite a particular instance, although I have no doubt if I made any research into the matter I could find others.

When I have discussed the question of the attitude of unions towards this problem, the railwaymen to whom I have been talking have not been unreasonable in their approach. Half the time they are not aware of the sort of things that go on. When one tells them about it, they immediately scratch their heads and say, "Surely that is not right! It should not be necessary to have to employ all those men." I am quite satisfied that considerable progress could be made in this matter if we adopted an attitude towards the whole problem which, summed up, means that there has been bad management. I do not feel that I can support this measure in all the circumstances.

On motion by Mr. O'Brien, debate adjourned.

### **BILLS (2)—RETURNED.**

- 1, Bills of Sale Act Amendment.  
With amendments.
- 2, Rents and Tenancies Emergency Provisions Act Continuance.  
With an amendment.

### **BILL—HONEY POOL ACT AMENDMENT.**

Received from the Council and, on motion by Mr. Owen, read a first time.

### **BILL—FREMANTLE HARBOUR TRUST ACT AMENDMENT.**

*Second Reading.*

**THE MINISTER FOR LABOUR** (Hon. W. Hegney—Mt. Hawthorn) [5.18] in moving the second reading said: This Bill purports to provide for the payment of attendance money for certain casual workers employed in and around the port of Fremantle. The Bill is submitted by the Government after giving consideration to the unanimous decision of the Arbitration Court in a recent case which the particular union submitted to it. In the first instance the benefit to be provided will apply to members coming within the constitution of the Federated Ship Painters and Dockers' Union of Australia (Western Australian branch) as registered under the provisions of the Industrial Arbitration Act, 1912.

The work performed by these men covers a large field and embraces all types of work on ships in the maritime industry in the port of Fremantle. It includes all types of work which are encountered in the ship repair industry and covers in its ranks skilled men such as riggers, winchmen, hatchmen and men who can perform work on the fitting out of ships, men experienced in boiler scaling, ship painting, and includes dockers. A high degree of skill is required when docking a

vessel. Other work covered includes the preparation of ships for the carriage of bulk grain cargoes and even down to ordinary cleaning necessary in the preparatory work for repairs to ships' engines, etc., which involves the unpleasant work associated therewith. This would include the cleaning of bilges, the removing of oil and filth in and around engines and boilers and the cleaning of oil and water tanks, etc.

The method of operation of this group of employees is that they are placed on a roster from which individual employers secure their necessary labour. At the moment there are 129 men registered for this type of work. The roster is controlled by a committee which was established by the Arbitration Court in 1950 or 1951. The committee comprises the Industrial Registrar of the Court of Arbitration, a representative of the employers and a representative of the union. From experience, the figure of 129 men at the moment appears to be quite reasonable to fulfil the demands of employers and the normal average requirements of the industry. However, one will see that it is very hard to have a static figure.

There are times, of course, when this figure appears to be inadequate for the needs of the port, and there are also times when the employment position is such that well over half of the men on the roster find themselves without employment. This latter position has caused serious concern to all parties to the award covering this class of worker. The uncertainty of employment is the complete bugbear of the men who follow this calling. It is not possible to predict from day to day, with any degree of accuracy, what the position will be on the following day.

**Hon. L. Thorn:** They enjoy casual rates all the time.

**The MINISTER FOR LABOUR:** I am glad to know that the member for Toodyay is present.

**Hon. L. Thorn:** I am here more than you are! You have been missing quite a lot lately.

**The MINISTER FOR LABOUR:** One day every man in the yard will be required and the next day there will be no work whatsoever available. Indeed, the position could arise where it would be confidently expected that a large number of men would be required on the following day, but if, for unforeseen and unpredictable reasons, the work is not available, these men have to stand down without any payment whatsoever. Again, these men may be required to assist in some urgent repairs on a ship, but because of certain circumstances they cannot commence their cleaning up or preparation work until those repairs are under way. This again means that the men have to stand off until the work is available. This

group of workers is, therefore, in the position of being subjected to a great degree of enforced idleness.

Furthermore, the position arises, because of inclemency of weather, or ships' berths not being available, that these men have to stand by until the position rights itself. This group of men is available for service on all types of ships and on all types of work and it is felt that they fulfil a need in a port such as Fremantle and as such there is a responsibility imposed upon shipping authorities to assist them to remain in the industry. It is suggested that they are essential in the proper management of the port.

The centre where these men report is the source of labour from which are picked up all employees who are suitable for the type of work covered by the constitution of the union. The employers expect—rightly so—that labour will be available for their use as and when required. It is therefore considered that the men are entitled in some way to a degree of security which will allow them to remain in this industry, and the only answer appears to be the payment of attendance money.

Mr. Court: Do men in similar occupations in other States get paid attendance money?

The MINISTER FOR LABOUR: I will deal with that question a little later.

Mr. Court: You will not forget this time?

Hon. L. Thorn: You will hear no more of that, don't worry!

The MINISTER FOR LABOUR: The history of the claim for attendance money by these men is that in 1951 an approach was made to the State Arbitration Court which was then presided over by Mr. Justice Jackson. After having all the facts presented to it by both parties, the court unanimously agreed that it had no jurisdiction to make an award providing for attendance money. At that time the union was relying on the fact that there were other workers in and around the port of Fremantle who were receiving attendance money. As members are aware, they are the waterside workers.

It has been asked why there is no provision for the payment of attendance money to the type of workers in question who are employed in other States. I must point out that in the mail ports in the Eastern States, the Ship Painters and Dockers' Federation applies itself exclusively to ship painting and docking work. That, briefly, is the answer to the questions asked by the member for Toodyay and the member for Nedlands. In other States also they have dry docks whereas we in this State have none. Continuity of employment, therefore, is most difficult

to maintain in Western Australia and it is impossible for these men to find alternative employment.

In dry dock, of course, ships can be docked and undocked in all weathers. This is not possible in Fremantle. At one stage the Government endeavoured to find alternative employment for men who were not picked up from time to time on the roster, but this scheme was found to be completely impracticable and it had to be discontinued. Some of the men were given employment on harbour works projects such as on No. 10 berth, but it was never known when they would be required to work in their own industry and as they would be shifted at short notice, it completely disorganised the work of a construction job and this practice was found to be impracticable.

Mr. Bovell: What are the average man-hours worked?

The MINISTER FOR LABOUR: The union also submitted that attendance money was paid in other parts of the world and its advocate quoted very extensively from a report of the International Labour Office. During the course of that hearing, Mr. Justice Jackson made the following remark—

I suggest an Act of Parliament would be the first essential if such a claim as this is granted on the analogy of the waterside workers.

At a later stage he went on to point out that the union advocate would have to try to get it by compulsory means, but he went on to say—

What I am suggesting to you is that the first step is an Act of Parliament.

On the 12th April, 1951, the Arbitration Court gave its reserved decision and I consider that it is necessary that I should read excerpts from this judgment. They are as follows:—

On the hearing of this reference the employers raised the question whether the court had jurisdiction to grant the union's claims and, after hearing argument on this question, we reserved the point for consideration prior to hearing full argument on the merits of the claims.

There are eight named respondent employers to this dispute, comprising three interstate shipping companies, one local shipping company, two private employers who do general ship repair work on contract, the Minister for Works—as representing the Fremantle harbour works—and the Minister controlling the State Shipping Service. When one considers the union's claims for attendance money and annual leave, the first question which naturally arises is who will pay the amount involved. The union endeavoured to overcome this difficulty by providing in Clause 9 of its claim

that payment of attendance money and annual leave payment shall be made from a fund to be instituted for the purpose of making such payment and such fund shall be contributed to and maintained by the employer respondents to this award.

In passing I should point out that any award made would be a common rule in the industry and it would not be right to demand contributions to any such fund only from those employers who were named as respondents of the award.

It has been held on many occasions that the Industrial Arbitration Act in general terms only empowers this court to superimpose terms and conditions of employment to a contract of service already entered into or to be entered into in the future between a worker and an employer. The primary difficulty which confronts the union in this case is its claim that all the employers should club together to make payments to those workers on the occasions when in fact no contract of service is entered into.

The claim for attendance money is in effect a claim that a worker should be paid when he is not employed. In my view, the court has no power to award either attendance money or annual leave payments as claimed by the union. To order such payments to be made would not be regulating the terms and conditions of employment but would be providing a payment to a man who may not be employed either on a particular day or even throughout the whole year by one or more of the employers concerned.

Nor do I consider that the court has any jurisdiction to order the setting up of a fund as claimed by the union. The court's authority extends to regulating the incidence of employment between employer and worker. It cannot regulate what the employers should do amongst themselves; it cannot set up the proposed fund or give it any statutory or other legal existence; it cannot compel employers to make contributions to such a fund, nor in my view would it have power to lay down the numerous incidental provisions which would have to be prescribed in order that such a scheme should function at all.

He goes on to say—

It is to be observed that the present claim has as its main precedent the payment of attendance money and annual leave to waterside workers. It is significant that the Commonwealth Arbitration Court in 1947 considered it obvious that it had no jurisdiction to order the payment of attendance

money (see the remarks of Judge Foster, Serial 7551 at page 5). In that case, it is true, an order was made for annual leave payments but that was by consent of the employers concerned. Here there is no such consent. In order that attendance money should be payable to waterside workers, it was necessary for the Commonwealth Government to give statutory authority to such a proceeding, firstly, by empowering the Stevedoring Industry Commission, a statutory body, to make the payments and, secondly, by providing for a tax on all employers in the industry at the rate from time to time fixed by the Stevedoring Industry Charge Act and by providing a detailed method of assessment and collection of that tax by the Stevedoring Industry Charge Assessment Act.

Mr. Justice Jackson continued further to say—

We were referred to an award of the New South Wales Industrial Commission between the Sugar Workers Employees' Union and the Colonial Sugar Refining Co. Ltd., granted by Mr. Justice De Baun in 1947 (1947 New South Wales Arbitration Reports, p. 447). In that case an award was made for payment by the respondent employer of attendance money to workers in a casual pool of labour who presented themselves for employment each day but were not engaged. It would appear, however, that no question of jurisdiction was argued or raised in that case. In addition, the company concerned had been paying some amounts previously and does not appear to have seriously contested that an award should be made, although the amount was not agreed upon. Finally, there was in that case only one employer, which made it relatively easy to fix the terms and conditions of payment of attendance money and, had the point been argued, might well have made a material difference to the legal position so far as the jurisdiction of the court was concerned. For these reasons I cannot regard that decision as any authority in favour of this court having jurisdiction in the present claim.

A further point which should be noted is that, even if a fund such as that contemplated were set up, neither the union nor any individual worker would be able to enforce in any court a claim against the fund for payment of either attendance money or annual leave payments. It would follow that, even if we had jurisdiction to make the orders sought, it would be out of the question for this court to make an award which would be unenforceable at the suit of the workers concerned.

In the result the claim in this matter must be dismissed.

I have quoted extensively from Mr. Justice Jackson's review of the claims of the union to indicate that there was no doubt in his mind that the court had no power whatever, no matter what it thought of the claim, to grant attendance money in that particular case.

In 1956 the union once again approached the State Arbitration Court for a review of its conditions which included the payment of attendance money. The union resubmitted the many arguments that it had advanced previously to the court. It also again gave very logical and sound evidence from the International Labour Office and brought that evidence to the notice of the court. It was able to show that the position still obtained every day and at any time the industry at Fremantle needed labour, but unfortunately—and they were able to produce facts and figures—employment was not available to all the workers every day.

It is considered that they were able to demonstrate quite clearly that it was necessary for labour to be available to keep the ebb and flow of employment in their particular calling, but so far no one had accepted the responsibility of reimbursing the men for making themselves available every day. In the course of the case, extensive quotations were made from a report by A. A. P. Dawson of the International Labour Office and, of course, as an officer of that organisation he had engaged in much research into the matter of the payment of casual labour.

In dealing with the stabilisation of dock workers' earnings, he says in the course of his survey—

The evils of employment on a casual basis are now widely recognised by Government, employers and workers. Few wage earners can be assured of deriving an adequate annual income by offering their services on call.

He went on to say—

With regard to dock workers who form the largest group of workers subjected to casual employment in the past, the tripartite I.L.O. Inland Transport Committee is "convinced of the need for providing greater regularity of employment for dock workers" and believes that "registers of regular dock workers should be established in the ports" and that "consideration should be given to the need for providing where practicable a minimum guaranteed income for registered regular dockers who are available for work."

By way of explanation, the attention of readers of the article is drawn to the fact that he is dealing with all schemes that stabilise the income of those who are

employed on a casual basis in docks and ports. He pointed out attendance money payments are based on the principle that the worker undergoes a sacrifice and contributes a service in making himself available for employment at regular intervals, waiting perhaps for a matter of hours for assignments that may not come.

It is, therefore, submitted that this position obtains in the port of Fremantle today in connection with the workers under discussion. It might perhaps be suggested that these people could be placed on weekly contracts, but, as pointed out in the article from the International Labour Office, weekly contracts, while they simplify the problem and should be encouraged and extended as far as possible, cannot completely replace the need for attendance money and a guaranteed wage unless the vast majority of the dock workers are taken into the permanent employ of some body strong enough to bear the burden of an inelastic payroll in the face of widely fluctuating receipts as the volume of port traffic varies.

Mr. Bovell: What is the average weekly man-hour payments?

The MINISTER FOR LABOUR: I will refer to that matter very shortly.

Mr. Bovell: I have been trying to get that information—

The SPEAKER: Order!

The MINISTER FOR LABOUR: The review then goes on to deal with the position in various countries of the world, which clearly demonstrates that there are schemes in many countries which provide for the payment of attendance money. That clearly demonstrates that this is not an attempt to introduce something fresh, but it is an attempt to adequately compensate workers who are a necessity in a port such as Fremantle. Let me explain that the present Government considered last year that if after weighing all the evidence in the claim that was submitted to the Arbitration Court, the court deemed in this particular case or in any other cases that the circumstances justified the adoption of the principle of payment of attendance money, this Government would at the earliest possible moment favourably consider the introduction of appropriate legislation.

I make these comments because of what is to follow in connection with the decision of Mr. Justice Neville, president of the Arbitration Court.

Mr. Justice Neville in the Arbitration Court last year, after hearing all the evidence, reached a decision. The court unanimously issued its determination on the 29th October, 1956. The court's comments included this:—

The union claimed that registered casual workers who attend the recognised pickup centre and thus made

themselves available for employment, if not engaged for work on the day of such attendance, should be paid an amount equal to four hours' pay at ordinary rates for such attendance.

Registered waterside workers enjoy similar privileges under the provisions of the Stevedoring Industry Commission Act (Commonwealth) and the claims in this case were drafted on the model of similar claims which the High Court of Australia recently decided a Conciliation Commissioner would have jurisdiction to grant under the Commonwealth Conciliation and Arbitration Act if he thought it just and expedient to do so. I have no doubt therefore that this court would have jurisdiction to grant the claims in one of two forms in one of which the liability would be thrown on the employer by whom a worker was last engaged preceding the holiday, sickness or attendance in question, and in the other such liability would be borne by the next succeeding employer. It is obvious that either form would have an entirely arbitrary and often unjust result as between different employers and as the Court has no jurisdiction to introduce an equitable and practical scheme these claims must in my opinion be refused. It seems to me, however, that some such scheme is eminently desirable. The decentralisation of work on the waterfront has to a large extent been achieved in recent years both in Great Britain and, so far as waterside workers are concerned in Australia, the same considerations that led the British Parliament to decasualise dockers' employment and also led the Commonwealth Parliament to set up the decasualisation of the labour of waterside workers, apply to the casual workers in this industry. The industry requires a pool of labour which cannot be entirely utilised every day and although the roster system of engagement instituted by this Court, and certain allowances made in the prescribed margins to some extent lessen the evils of the casual labour inseparable from the industry, some of the evils resulting from irregularity of employment inevitably remain.

Any practical scheme must, however, depend on action by Parliament and it is for this reason that the Court has taken the somewhat unusual course of issuing this interim decision, so that Parliament may have the opportunity of considering in this present session, should it deem it advisable to do so, whether legislative action should be taken in relation to all or any of the claims I have mentioned.

Consideration might also be given as to whether certain other matters which have hitherto been regulated by awards of the Court or agreement between the parties would not be more appropriately administered by a statutory authority. I refer to the method of the engagement and transfer of labour and the system and possibly also the place and time of payment of wages.

I should, I think, say in conclusion that if Parliament does take some action in this matter any privileges granted will almost necessarily have some effect on the margins prescribed by the Court, and a provision for liberty to apply to these provisions will therefore be reserved in any award which we issue.

The Court has not yet had the opportunity fully to consider the other matters in dispute between the parties and we will therefore consider the matter further before issuing the minutes of the award.

Mr. Davies, the workers' representative on the Arbitration Court, said, "I agree with the decision as announced by His Honour the President." Mr. Christian, the employers' representative, said, "I also agree." That is the justification for the submission by the Government of this Bill for the consideration of Parliament. It will be noted that the decision of the Arbitration Court was a unanimous one. It stated that such a scheme was eminently desirable and any practical scheme would also have to be sanctioned by Parliament. The Government has taken the earliest possible opportunity of submitting to the House in legislative form the views of the Arbitration Court.

I am not the Minister controlling the Fremantle Harbour Trust, but after very careful consideration it was decided to give effect to the views of the court by means of amendments to the Fremantle Harbour Trust Act. On comparing the amendments with the provisions in the Act, members will find that there is a definition of "casual worker." The Fremantle Harbour Trust will by virtue of extension of its power to make regulations under Section 65 of the Act, be enabled to do everything requisite for the implementation of the payment of attendance money, including the regulation of the roster, the disciplining of employers and workers, the attendance of workers and the general administration of the Act. That will be placed in the hands of the Fremantle Harbour Trust. By means of a service charge, the trust will build up the requisite fund for the payment of attendance money.

Mr. Court: From whom will they get that charge?

**The MINISTER FOR LABOUR:** That would be for the Fremantle Harbour Trust Commissioners to work out. I suggest it would be a charge on shipping. They have power at present to impose wharf and other charges. They will have power by way of a service charge to build up the necessary fund.

**Mr. Court:** In other words, the charges of the port would go up?

**The MINISTER FOR LABOUR:** They might.

**Mr. Bovell:** According to the Bill, they will be made by proclamation. Goodness knows by how much the charges will rise.

**The MINISTER FOR LABOUR:** Let me deal with that phase. The member for Nedlands and the member for Toodyay, by the way they look, assume that I deliberately want to forget answering interjections. By following the review of the court carefully, one will find this fact set out: This is an industry which requires a continuous pool of labour which the employers can tap to meet their labour needs. As a result, it is highly desirable that some provision for attendance money shall be paid to workers when no work is available. I believe in this principle, "They also serve who only stand and wait."

**Mr. Bovell:** How many hours do these men serve?

**The MINISTER FOR LABOUR:** I shall come to that in a moment. The court also mentioned that if Parliament enacted by legislation the provision for payment of attendance money, it might be desirable for the court to review the rate of pay. Provision is made in this amending Bill to remove any doubts with regard to the power of the Arbitration Court to assist in the implementation of this Act because, although the Fremantle Harbour Trust will, by regulation, impose the service charge, the Arbitration Court will determine the amount of attendance money. At the present time in regard to the Ship Painters and Dockers' Union at Fremantle it is based on certain factors; the basic wage plus margins, the skill of the men, any other loading and public holidays and the amount of lost time.

I think the lost time—I am speaking from memory—determined by the court was between 14 and 16 per cent. That is why the rate per hour for these men would be higher than for a man who was in continuous industry. These men are obliged to report to the pick-up and the employers recognise that it is necessary to have that pool of labour. Therefore, they are, to all intents and purposes, in the same circumstances as waterside workers.

Some members have said, "What about bricklayers and carpenters?", but they are working for a multiplicity of employers

during 12 months. The matter of lost time has been referred to and the figures could be obtained, but the reason why the loading was placed on to the hourly rate for these workers was on account of the fact that they did not get 40 hours' work in a week.

**Hon. L. Thorn:** It allowed them to earn a full week's pay in less time. Is that right?

**The MINISTER FOR LABOUR:** I am not surprised at a previous Minister for Labour saying they would earn a full week's wage in less time.

**Hon. L. Thorn:** Casual rates.

**The MINISTER FOR LABOUR:** I doubt whether the member for Toodyay knows anything about the calculation of wages at all even though for six years he was Minister for Labour.

**Mr. Bovell:** He did a good job.

**The MINISTER FOR LABOUR:** The position is that not all industries work on a temporary, intermittent or casual basis, where lost time is involved. The court, on application, after owners discussing matters with unions, will agree there should be some loading granted and that computation may be on a hourly, daily or weekly rate. Let us take the bricklaying industry. There is a loading in the rate because the men could lose time. In answer to the member for Toodyay, I would point out that over a period these workers would not receive as much as the men—if they did, it would be no more on the average—who were in continuous and permanent employment.

**Hon. L. Thorn:** Thank you very much.

**The MINISTER FOR LABOUR:** I hope that answers the interjection of the member for Toodyay.

**Mr. Court:** You have not answered the other question as to whether there is any other State in which this applies.

**The MINISTER FOR LABOUR:** I mentioned that the other States were confined to work not carried on here. I think in the interests of employers and the workers in this particular industry that the payment of attendance money or compensation for lost time would be highly desirable and would help to stabilise the pool of labour. If this Bill is passed—I hope it will be—I suggest there will be consultations between the Fremantle Harbour Trust, the employers and the union, to determine the roster and all matters in connection with the administration of the Act.

Because it does not obtain in the other States, I see no reason why we should not do something here where such an innovation is warranted. We should not hesitate to try it out and, in this particular

case, I want to make it quite clear that when the application was made to the court by this union, the Government indicated that if, on the evidence, the court agreed it did not have the jurisdiction to fully implement the payment of attendance money and agreed that it was advisable and that legislation was necessary, it would favourably consider the introduction of legislation as early as possible. We have done that and believe in the payment of attendance money. We also believe that Parliament should give effect to the considerations submitted and I hope, in due course, this Bill will pass through both Houses.

Mr. Bovell: The Minister should tell the House what the average weekly earnings of these men are. We do not know.

**THE MINISTER FOR LABOUR:** The average weekly earnings could be much higher than the basic wage—they could be—but we must have regard to the lost time factor.

Mr. Bovell: The overall income would, to a degree, depend on the skill involved.

**THE MINISTER FOR LABOUR:** The court will determine it. I mentioned that in the hourly rate now prescribed for this particular class of work there is a loading for lost time, but no payment of attendance money. If attendance money is granted, the court has said in its judgment that it may be necessary—and I suppose it will—to review the hourly rate of pay in view of the payment of attendance money in the particular case where they lose time. I move—

That the Bill be now read a second time.

On motion by Mr. Court, debate adjourned.

## **BILL—TRUSTEES ACT AMENDMENT.**

### *Second Reading.*

**THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Eyre)** [6.0] in moving the second reading said: Once again I have a small Bill to introduce. I do not think this measure will be offensive in any way. This amendment has been brought about at the request of the Rural & Industries Bank and concerns the savings bank division. The chairman of commissioners of the R. & I. Bank has conferred with private savings banks in this State and they agree the amendment would be of considerable help to savings banks. It refers to the power of delegation of trustees under Section 54 of the Trustees Act, 1900. This section of the Trustees Act states—

upon the banking account of the trust by any one or more of such trustees and, until such authority is cancelled by written notice to the bank, the latter shall be entitled to pay all cheques, bills and drafts so drawn.

At present the power of delegation extends to cheques, bills and drafts drawn upon the banking account of the trust. It does not include savings bank withdrawals. Therefore, unless the relative deed of trust gives the trustees specific power to delegate, all trustees should sign withdrawals. Where the trustees are not readily available—for instance, some could be out of the State—complications could arise. The amendment will give savings banks the power to accept a delegation of authority by trustees. It will be a definite convenience to trustees and to banks. The provisions of the measure will be helpful. I have much pleasure in moving—

That the Bill be now read a second time.

On motion by Mr. Bovell, debate adjourned.

*House adjourned at 6.2 p.m.*

Trustees may, by written notice signed by them, authorise any bank to honour cheques, bills and drafts drawn