

Legislative Assembly.

Tuesday, 3rd December, 1946.

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

QUESTIONS.

COLLIE COAL.

As to Storing, Screening, Etc.

Mr. STYANTS asked the Minister for Railways:

1, What additional precautions are being taken to preserve the Collie coal that is to be stored to provide for the period that the Collie miners are taking their annual leave over the Christmas holiday period?

2, Is it a fact that coal from the Wallsend "open cut" is being shifted straight from the coal seam to railway trucks without being screened or picked over?

3, If so, is it considered that unpicked and unscreened coal is suitable for locomotive uses?

4, Is it not a fact that coal in this condition from the Stockton "open cut" was responsible for many complaints from the enginemmen and the cause of the late running of trains in the past?

The MINISTER replied:

1, Special ground storages with sprinkler facilities have been prepared and the main stocks are being sprinkled continuously. Coal in trucks is covered with tarpaulins.

2, Yes, as regards portion of the Wallsend output.

3, Not wholly suitable, but in view of the acute shortage of coal and the impracticability of screening the full Wallsend output there is no alternative but to use unscreened coal if services are to be maintained.

4, There have been complaints in the past and some instances of late running have been attributed to the use of unscreened Stockton open-cut coal, but large quantities of it have been used, otherwise rail services would have had to be seriously curtailed.

RAILWAY STRIKE.

As to Unemployment Relief for Collie Miners.

Mr. McDONALD asked the Minister for Railways:

1, During the recent railway strike, did any coal miners at Collie register for unemployment relief under Commonwealth legislation?

2, If so, how many?

3, Were such claims, if any, accepted by the Commonwealth?

4, If not, why not?

The MINISTER replied:

1, Yes.

2, 576.

3, Yes.

4, Answered by No. 3.

ASSENT TO BILL.

Message from the Lieut.-Governor received and read notifying assent to the Legal Practitioners Act Amendment Bill.

BILL—MARKETING OF POTATOES (No. 2).

Bill read a third time and transmitted to the Council.

BILL—WHEAT INDUSTRY STABILISATION.

Report of Committee adopted.

BILL—TIMBER INDUSTRY REGULATION ACT AMENDMENT.

Second Reading.

THE MINISTER FOR LABOUR (Hon. A. H. Panton—Leederville) [4.37] in moving the second reading said: This Bill deals with the question of the inspectors in timber yards. For the purposes of the timber workers, there are two trade unions, one of which caters for the bush mills and the other for the metropolitan timber yards. The regulations under the Timber Industry Regulation Act, 1926, deal principally with timber mills, and the definition of "timber holding" in the Act is—means and includes the area of a timber concession, or of a timber lease or sawmill permit granted under the Land Act, 1898, or the Land Act Amendment Act, 1904, or of a permit granted under the Forests Act, 1918, or any land, of freehold or other tenure, used for the like purpose as Crown land held under lease or permit as aforesaid.

That is the definition of a timber mill or a timber holding. As a consequence of that definition the workmen's inspector, and other inspectors, who are elected under the Timber Industry Regulation Act, have no authority over the timber yards in the metropolitan area, except one, which is cutting logs principally, and which for some unknown reason, comes under that definition. The regulations provide for three districts. District No. 1 is roughly the area south of a line running from Bunbury to Wagin; District No. 2 is the area bounded by a line running from Trigg Island to York and extending down to District No. 1; and District No. 3 is all the State outside Districts Nos. 1 and 2. Under the regulations the present workmen's inspector for country mills has no jurisdiction over the metropolitan timber mills and in the metropolitan area there are approximately 1,500 workers in the industry. For some time now the Metropolitan Timber Yards Employees Union has been agitating for a workmen's inspector to be appointed to deal with these 1,500 workers. The definition of "workmen's inspector" in the Act is—

One who shall, in accordance with the regulations, be elected by a majority of persons bona fide employed in the timber industry in the several districts: but no person shall be eligible for such appointment unless he has been engaged in general practical bush and mill work in the industry for at least five years.

The Government and the two unions concerned agree that it is unnecessary to appoint another workmen's inspector for these 1,500 men, so we have introduced this short Bill which is to amend the Timber Industry Regulation Act by adding to the definition of "timber holding" the following words:—

and any place, whether of a kind similar to or different from any included in this definition, at which timber is stacked, sawn, split, hewn, used in joinery construction or otherwise fashioned.

With that definition and the amendment, if agreed to, the inspectors, including the workmen's inspector, will have the right to inspect and have jurisdiction over timber yards in the metropolitan area as well as their present right and jurisdiction respecting bush mills. Members will agree that that is a much more simple way out of the difficulty. It may be argued that the inspectors under the Factories and Shops Act could do what is required. Those inspectors, however, are in a somewhat different position, seeing that they have been educated in and trained for a very different class of work. In the metropolitan wood-yards and on mills, there are all sorts of saws that, in the interests of the workers themselves, should be supervised and various safety devices availed of. Then again, from time to time, there are complaints that the sawdust associated with the work of milling is not properly dealt with. With this amendment, the workmen's inspectors, who are already doing about 90 per cent. of the work in the mills generally, will be able to carry out the required duties in the metropolitan timber yards and will be able to do all that is necessary without the need for appointing any more officers in that category.

Mr. Doney: Has no-one been doing this work of inspection in the metropolitan area?

THE MINISTER FOR LABOUR: We have endeavoured to get the factory inspectors to do some of it, but the job is quite outside their usual training. A suggestion was advanced that we should train one or two men for this work, but we do not want to expand the number of inspectors under the Factories and Shops Act to cover work of this description, seeing that we already have inspectors trained and capable of doing the job. The Bill will

enable a workmen's inspector to do the work in question. I move—

That the Bill be now read a second time.

On motion by Mr. Willmott, debate adjourned.

BILL—COMPANIES ACT AMENDMENT.

Second Reading.

Debate resumed from the 28th November.

MR. McDONALD (West Perth) [4.44]: When the Companies Act was passed in 1943, provision was made that it should come into force by proclamation or at the expiration of six months after the war had ceased—or words to that effect. Some doubt exists as to when the war ceased, will cease or will ever cease, and the amendment is to strike out the words referring to the war and thus leave the Act simply to come into force on a date to be fixed by proclamation. The Minister for Justice told the House that the Government had decided that the date to be proclaimed for the commencement of the Act was the 1st October, 1947—a little more than nine months hence. Members will agree that it is necessary to give the business world some definite notice of the date from which the Act will function so that they may take the necessary steps to ensure that their organisations comply with the terms of the new legislation. The Minister was good enough to mention the date to me, and I made inquiries regarding that phase. I think that the date proposed, namely, the 1st October, 1947, is very suitable. The Bill is necessary and it makes clear that reasonable notice of the commencement of the operation of the Act will be given. The Bill deserves the support of the House, and I propose to vote for the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—STIPENDIARY MAGISTRATES ACT AMENDMENT.

Second Reading.

Debate resumed from the 28th November.

MR. SEWARD (Pingelly) [4.48]: As the Minister explained, the object of the Bill is to enable the Government to appoint a coroner. Members will admit that that is a very desirable course to adopt. During his speech, the Minister stated that there had been something like 47 inquests in 12 months, over only three of which magistrates had presided. It must be very apparent to anyone that the work in connection with inquests is essentially such that a man with legal training should preside over it. I know that some such inquiries are quite simple, but others develop into very searching investigations that need a man with legal training. For that reason alone, the move on the part of the Government is commendable. I was rather disappointed to hear the Minister state that this applies only to the metropolitan area.

The Minister for Justice: But if necessary the coroner will be able to go into the country on special occasions.

MR. SEWARD: I know that very often inquiries are conducted in country centres by justices. I do not wish to say anything against justices, but really the only man qualified to conduct inquiries in such centres is the local policeman. That is not right. We should have a properly trained man to carry out inquests in country districts as well as in the city.

The Minister for Justice: Especially where a case of manslaughter is involved.

MR. SEWARD: The inquiry might be quite a simple-looking one; but cases have occurred in country districts which, so far as I have been able to find out, necessitate deeper inquiry than has been given to them. For instance, people have come to me after an inquest and expressed very strong doubt, owing to the fact that the person who died or who was killed in an accident was found not to have any money on him. They have said that it was most unusual that he should not have money on him. As I say, these country inquiries should be presided over by a competent person; the average J.P. has not had the legal training for the conduct of such inquiries. It is essential that a man with a legal training should be appointed to the position. I cannot help thinking that it would be advisable to give the whole question of the magistracy a good overhauling, both as regards appointments and the particular work to be done.

Far too much is left to justices in this State. Now that improved travelling facilities are available—by motorcar and so on—magistrates might do considerably more work than they now do in country centres and take the work away from the justices. I would go so far as to say that we ought to do away with the whole system of justices of the peace and in their stead employ fully-trained magistrates. The only feature of the Bill appears to be to give the Government power to appoint a coroner, who will, I notice, be able to pay some attention to magisterial work. That is essential, because I have noticed, as was mentioned by the Minister, too, that we are calling upon our magistrates to undertake work widely separated from that of the magistracy. This means, of course, that the magisterial work gets behind and the work is thrown on to others, which is not advisable. Consequently, even should it be necessary to appoint additional magistrates, the work should be kept up to date. I support the second reading of the Bill.

MR. McDONALD (West Perth) [4.53]: With the objective of the Minister to appoint a coroner who will be responsible for the conduct of inquests in the metropolitan area, and I suppose further afield if he can be made available, I am entirely in sympathy. It is a highly desirable step. There is, however, an aspect of the Bill with which I do not agree, and that is the intention to appoint a coroner under the Public Service Act. The whole idea of the Bill is to enable the appointment to be made under that Act and not under the Stipendiary Magistrates Act. This appointment will be a responsible one. After all, the coroner will be conducting all the inquiries into the deaths of people in the metropolitan area and a number outside that area. He will have an important and responsible function to perform. Upon his finding will depend whether a man or a woman may be sent on for trial in the Criminal Court. That is always a very responsible determination to make. In addition, his finding will give an encouragement to litigation in the event of negligence being found against some person who may have occasioned the death of another person.

We have magistrates who sometimes deal with important matters; but a large part of

their time—even of the stipendiary magistrates—is occupied with small matters, such as people who are brought up for being drunk or obstructing the footpath or matters of that kind. But this magistrate will be mainly engaged in the most serious and responsible type of case, and he should therefore be a senior man, with all the authority of a senior man. When the Stipendiary Magistrates Act was passed in 1930, the intention was to raise the status and independence of the subordinate courts. The Act provided that stipendiary magistrates, to the number of 12, might be appointed. They were to hold office during good behaviour; they could not be removed from office, except on a resolution of both Houses of Parliament, on account of misbehaviour or incapacity; and they were given a salary range which at that time—in 1930—was perhaps somewhat better than that paid to some magistrates—not less than £630 nor more than £1,020 per annum.

Stipendiary magistrates were therefore the senior magistrates on whom the State would rely for the administration of justice in the subordinate courts, and they were to be given a status and an independence which they had not enjoyed before. At present I think there are six stipendiary magistrates, although the Act enables 12 to be appointed. Of the six, I think one is likely to retire in the not far distant future, and that would leave five stipendiary magistrates in the State out of an authorised total of 12. I feel that, with the best intentions in the world, the Minister would be better advised to appoint the coroner under the Stipendiary Magistrates Act and allow him to hold the position of a stipendiary magistrate. That will not be so.

The Minister for Justice: He will be a stipendiary magistrate, really. He will have the same status as a stipendiary magistrate.

Mr. Abbott: With a vast difference!

The Minister for Justice: We will appoint him under the Public Service Act.

Mr. McDONALD: He will be able to do or carry out some of the functions which are carried on by stipendiary magistrates; but I take it from this measure that he will not have the status or the guarantee of office during good behaviour and capacity that is given to stipendiary magistrates.

The Minister for Justice: Yes. He will have exactly the same status.

Mr. McDONALD: Perhaps I may have looked at the Bill in the wrong way. I speak subject to correction by the Minister.

The Premier: He will require all the qualifications of a stipendiary magistrate too.

Mr. McDONALD: Yes, he would need those, too. All magistrates, even those appointed under the Public Service Act, are required to hold certain qualifications. A stipendiary magistrate must be one who is either a legal practitioner or who has passed the prescribed examinations, which would be similar to those prescribed under the Public Service Act for applicants for the magistracy. But if I have misread the Bill and the appointee will be known as and have the status of such a magistrate—

The Minister for Justice: He will be known as the coroner.

Mr. McDONALD: Yes, but will he be a stipendiary magistrate?

The Minister for Justice: He will, if this Bill passes.

Mr. McDONALD: Would he have the guarantee or the protection which is afforded by the Stipendiary Magistrates Act?

The Minister for Justice: No. For instance, he will not have a guarantee of service up to 70 years of age before his retirement.

The Premier: He will have all the guarantees of the Public Service Act.

Mr. McDONALD: If he were under the Public Service Act, no doubt he would be liable to retire at 65 years of age. I am not so much concerned with the age of retirement; but I am concerned that the appointee should be the best possible man and have the full status of a stipendiary magistrate. I gather from a somewhat cursory examination of the Bill that, being appointed under the Public Service Act, he could not be in the same class as a magistrate appointed under the Stipendiary Magistrates Act.

The Minister for Justice: A section of the Act debars him from acting in a stipendiary magistrate's district, but he could act in any other district.

Mr. McDONALD: Would he be known as a stipendiary magistrate?

The Minister for Justice: No, as a coroner.

Mr. SPEAKER: I think the member for West Perth had better address the Chair.

Mr. McDONALD: I will examine the Bill rather more carefully than I have had time to do so far, with so many other Bills to study, and see what the position is; but at present the person concerned seems to me to be suspended halfway between heaven and the nether place and to be neither fish nor fowl nor good red herring of the magistrate class. I will endeavour to see, if I can, where he comes in. If I can satisfy myself and the Minister can satisfy me that we are not reverting to a class of magistracy which is less likely to render public service and less likely to be attracted to render public service, I will support the Bill, because I favour the idea of a coroner. I will look into the matter and, if there is anything further I wish to say, I may have an opportunity to do so at a later stage.

MR. WATTS (Katanning) [5.3]: I felt inclined to hold the same views as the member for West Perth. As a matter of fact, it seemed to me that there was some attempt to do away with the special magistrates altogether in future by the repeal of Section 9 of the parent Act, because that has always been regarded by me—and here again I am not putting myself up as an expert on this stipendiary magistrates question—as the section of the Act which provided virtually that except in wardens' courts and such like appointments, after the passing of the Act the only magistrates who could be appointed would be special magistrates. Now we simply say that we will repeal Section 9 and amend Section 10 and, as a result, it appears to me that appointments in future will be made under the Public Service Act and not under the Stipendiary Magistrates Act and, instead of having 12 senior magistrates, we may have less and less. I understand there are only six now and that number, if it is not increased, can only be reduced by normal retirement. The impression I had was that in this measure the intention of the original Stipendiary Magistrates Act was being departed from to an extent, in that future appointments would most likely be of the ordinary type of resident magistrate such as we knew before the Act was passed and I thought that would be a retrogressive step.

The Minister for Justice: There is no difference in the qualifications.

Mr. WATTS: No, but there is some difference in the status and in the privileges of the stipendiary magistrate as opposed to the ordinary resident magistrate or magistrate of another kind. Now I come to the question of the appointment of a coroner, and I must heartily agree that such a proposal is extremely desirable. It has been a matter of regret to me for many years that there has not been an official coroner in this State. The duty has been cast upon various magistrates, some of the paid class. It has also been cast to a very great degree upon honorary justices of the peace, who have done their duty nobly and manfully in such instances, but do not deserve to have that type of work thrust upon them.

As the member for West Perth said, there are many serious cases with which a coroner has to deal and in order to be handled successfully they require not only time, but also very considerable knowledge, with which the honorary magistracy, with every respect to it, cannot be expected to be equipped. I was not greatly impressed when I came to examine the advertisements calling for applications for this post of coroner that appeared in the "Government Gazette"—the last advertisement was on the 15th November—which disclosed that the salary range is to be from £648 to £756. It seemed to me that the position of coroner in a State such as Western Australia in circumstances as outlined by the Minister, was not lent very great importance by being limited to a salary range of £648 to £756, when one takes into consideration what the Stipendiary Magistrates Act said in regard to ranges of salary as far away as 1930 and when one recollects the imposition on a salary of that kind in the form of current taxation.

I hope that the Minister will give consideration to increasing that salary range. It might then be found that, if applications were again called, some extremely suitable and desirable person would be induced to apply for the situation. The amount does not seem to me to be enough when we look at the state into which we have drifted through the absence of an official coroner in Western Australia and the considerable amount of work that will be imposed upon him if he has to carry out the duties of a stipendiary magistrate as well as his coronial duties. I hope the matter will be reviewed

so that we may have some assurance that the most desirable person will be found for the position. I would also express the hope that the points raised by the member for West Perth will receive the Minister's very careful consideration, and that he will also give attention to the points which I raised as to the general effect of this amendment on the appointment of future stipendiary magistrates in view of the proposed repeal of Section 9 and the alteration of Section 10.

THE MINISTER FOR JUSTICE (Hon. E. Nulsen—Kanowna—in reply) [5.10]: There seems to be some misunderstanding in regard to the Bill and the appointment of a coroner. He will be appointed under the Public Service Act.

Mr. Watts: You can appoint a coroner without this Bill.

THE MINISTER FOR JUSTICE: We could not appoint a coroner under the Stipendiary Magistrates Act. We could appoint a stipendiary magistrate and then allot him the duties of coroner.

Mr. Watts: Exactly!

THE MINISTER FOR JUSTICE: But we propose to do it in what we think is the correct way. I want to point out that there is no difference in the qualifications or the status of a stipendiary magistrate and a resident magistrate. The use of the word "stipendiary" can only mean that a man is being paid for his work.

Mr. Watts: Not necessarily.

THE MINISTER FOR JUSTICE: The word comes from the Latin. With regard to qualifications and status there is no difference. If a stipendiary magistrate is not sent to a stipendiary magistrate's district he comes under the Public Service Act and retires at 65. When a stipendiary magistrate is appointed under the Act and is sent to a stipendiary magistrate's district he is entitled to one great privilege and that is that he may retire at 70. I do not know whether this House would agree with that altogether. I do not think that increases the status, but it does retard promotion. If the Government desired, it could, by Order-in-Council, declare the whole of the special magistrates' districts vacant but the Government has not desired to do that. We have promised to this State six special magistrates' districts, and if a

magistrate is appointed under the Stipendiary Magistrates Act and is not sent to a stipendiary magistrate's district he does not receive the privileges of a stipendiary magistrate under the Act. For instance, we have Mr. Bateman who was appointed under that Act and his district was Cue. That is not a stipendiary magistrate's district. He is now acting in Perth, but he has not the privileges of a stipendiary magistrate who has been in a stipendiary magistrate's district.

By proclamation we could cancel all the stipendiary magistrates' districts, even that of Perth if we so desired. It would not affect those already established in stipendiary magistrates' districts but all those appointed in future would retire at 65 instead of 70. With regard to the appointment of a coroner, the reason for the amendment is that Perth is a stipendiary magistrate's district and being appointed under the Public Service Act, the coroner could not act as a magistrate in the Perth court. If this amendment were not agreed to it would mean that the coroner could not do magisterial work in Perth. He could go to Kalgoorlie or any district that is not a stipendiary magistrate's district. If a man is appointed under the Stipendiary Magistrates Act and later is sent out to a stipendiary magistrate's district he does not retire until he is 70. If he were not sent to a stipendiary magistrate's district, he would have to retire at 65, as is the case with any other public servant. I fail to see why a stipendiary magistrate should be regarded as more important than any of our other civil servants. I hope the measure will be passed so that the coroner will be able to assist magistrates in the Perth court.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Rodoreda in the Chair; the Minister for Justice in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Repeal of Section 9:

Mr. McDONALD: The Bill, read in conjunction with the parent Act, is not easy to read, but the fact remains that the Gov-

ernment proposes to depart from the original Act which, at Section 9, says—

After the commencement of this Act, no person shall be appointed a paid or salaried magistrate, or a police or resident magistrate, or a magistrate of a local court, except pursuant to the provisions of this Act:

Provided that nothing in this section shall be deemed to abrogate or limit the power of the Governor to appoint wardens or establish wardens courts under the Mining Act, 1904, or to appoint coroners.

The appointment proposed under this Bill is that of a coroner, who shall also be a magistrate. It is clear from the 1930 Act that the main idea was that in future magistrates should be appointed under that Act. It is true, as the Minister says, that under the Act certain districts are proclaimed as districts for stipendiary magistrates, and the Government could appoint a magistrate, for districts outside the named districts, who would not be a stipendiary magistrate. Here it is proposed to appoint a man to do coronial work and the work of a magistrate, but we are to take from him—and this is beyond doubt—the status and guarantee of independence given by the Stipendiary Magistrates Act. I do not care whether he is retired at 70, 65 or 50, the important provision of the Stipendiary Magistrates Act is that a magistrate, doing important work, shall not be subject to fear or favour, but may maintain an independent attitude, knowing he cannot be removed from office except on an address of both Houses of Parliament, for proved incapacity or misbehaviour. I feel we should build up the security and independence of our magistracy, but this Bill seems, as the Leader of the Opposition said, to be a retrograde step, compared with the Act of 1930. It is not too late for the Minister to reconsider the measure. He might consult his advisers and perhaps recommit the Bill at a later stage in order to give the appointee the status of a stipendiary magistrate.

Mr. ABBOTT: I support the remarks of the member for West Perth. I believe the Minister was under a misapprehension, because I know he would not deliberately mislead members. He said the status would be the same, but that is palpably not so. There is a vast difference between an officer who can be removed by the executive at the will of the Minister, and one who

can only be removed by an address of both Houses of Parliament, as has been a British principle for hundreds of years. If it is said that that makes no difference to the status—

The Minister for Justice: I did not say that.

Mr. ABBOTT: The Minister said it made no difference to the status.

The Minister for Justice: I said it would make no difference to his status if he did not go to a stipendiary magistrate's district.

Mr. ABBOTT: I thought the Minister said simply that it did not affect the status. If that is not so, I withdraw my remarks. If the Minister does not wish a judicial officer to have the qualifications of a magistrate who exercises his office in the main city of the State, then I am willing to consider his point of view, but I do not want the Committee to feel that the Minister is endeavouring to have passed a measure the details of which he does not appreciate. However, I think the matter has been cleared up.

The MINISTER FOR JUSTICE: We do not want to reduce the status of the officer, and we respect our magistrates. The appointment of a coroner is different from that of a stipendiary magistrate. The intention is to appoint a coroner who, in his spare time, may assist magistrates in the Perth court.

Mr. Abbott: Why not appoint him a stipendiary magistrate for this district?

The MINISTER FOR JUSTICE: We want him to be a coroner, and to be known as a coroner. He would have the same qualifications and status as a person who had not gone to a stipendiary magistrate's district. It would make no difference to his status in that respect. If he went to a stipendiary magistrate's district he would get the full privileges of the Stipendiary Magistrates Act. If the Bill is not passed, owing to the provisions of Section 9 of the Stipendiary Magistrates Act, he will not be able to act as a magistrate as required, as he would only be able to act in districts that have not been proclaimed stipendiary magistrates' districts. Surely the Government has the right to appoint a coroner.

Mr. Abbott: A coroner is just as important as is any other magistrate.

The CHAIRMAN: Order!

THE MINISTER FOR JUSTICE: If Section 9 is not repealed the coroner will not be able to assist the magistrates. Actually it would be possible for the Government to declare the whole of the magistrates' districts void.

Mr. McDonald: You could not do that. Once a stipendiary magistrate, always a stipendiary magistrate.

The MINISTER FOR JUSTICE: It could be done, as far as the districts are concerned. I think we have a perfect right to appoint a coroner who will be a legal practitioner with the necessary qualifications. The only difference will be that he will be able to act in the Perth court.

Mr. Abbott: If you do not like his decisions you can sack him.

The CHAIRMAN: Order!

Clause put and passed.

Clauses 4 and 5, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—INDUSTRIES ASSISTANCE ACT CONTINUANCE.

Message.

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

Second Reading.

THE MINISTER FOR LANDS (Hon. A. H. Panton—Leederville) [5.30] in moving the second reading said: The original Act of 1915 was introduced primarily to assist farmers affected by the partial failure of the wheat crop during the 1913-14 season, followed by the drought of 1914-15, though the Act also provided for advances and guarantees of advances to persons engaged in mining and other industries. An amending Act was passed in 1917 and assented to on the 28th March of that year. Section 15 provided that no commodities should be supplied or money advanced under the principal Act or its amendments after the 31st March, 1918, except to deal with the clearing up of advances already made. Since then this date

has been extended yearly to prevent the restrictive effect of the amending Act of 1917 coming into force. The present Bill is to extend the operations of the original Act for a further year to the 31st March, 1948, by amending Section 15 of the Act of 1917. In 1940, an amendment to the Act was passed to control the distribution of money made available by the Commonwealth for the purpose of drought-affected settlers.

It is necessary to re-enact the Industries Assistance Act so that the advances previously made and outstanding may be protected, and also to provide machinery whereby future assistance may be granted to settlers suffering from drought or adverse conditions. The Commissioners of the Rural Bank during the last year approved of the sum of £38,135 for seasonal assistance and £29,359 was actually advanced. The amount owing by sundry debtors for advances made to the Rural Bank under the operations of the Industries Assistance Act totalled, at the end of the last financial year, £46,627 15s. 4d. on account of principal and £3,094 15s. 2d. on account of interest. This includes the advances made during the year, as well as money made available under the Commonwealth drought scheme, in which the State has a liability to the Commonwealth. I move—

That the Bill be now read a second time.

On motion by Mr. Thorn, debate adjourned.

BILL—FARMERS' DEBTS ADJUSTMENT ACT AMENDMENT.

Second Reading.

THE MINISTER FOR LANDS (Hon. A. H. Panton—Leederville) [5.34] in moving the second reading said: This Bill provides for the extension of the Act for a further period of 12 months. The original Act was passed in 1930 and came into operation in January, 1931, at which time a considerable number of farmers were in difficulties owing to the serious fall in the prices of primary products. The farmers concerned were granted stay orders under the Act, and their affairs were controlled by receivers who were responsible for the financial side of the farmers' operations, a review meeting being held in each case after the harvest.

Up to the time of the passing of the Rural Relief Fund Act in 1935, approxi-

mately 2,300 satisfactory arrangements were made under the Act. When the relief fund became available, the majority of the farmers were granted advances from the fund and their stay orders were allowed to lapse. The Farmers' Debts Adjustment Act has always been well regarded by the farming, banking and commercial organisations, and both creditors and farmers have freely availed themselves of the services of the staff to discuss various problems arising over farm finance. The director and deputy director have frequently acted as go-betweens in matters in dispute and have been able to suggest ways and means of overcoming the trouble without the farmer's taking out a stay order and having his affairs placed under a receiver. With the return of good prices and seasons, there has not been the call on the Act that we had in the past, but there are still five farmers operating under it. These are doing so by mutual arrangement between themselves and their principal creditors.

Certain amendments were made to the Farmers' Debts Adjustment Act by provisions in the Rural Relief Fund Act, but these only affected the operations of the latter Act, and in no way interfered with the main principles of the Farmers' Debts Adjustment Act, which can and does operate entirely separately from the Rural Relief Fund Act. The Farmers' Debts Adjustment Act has been extended from time to time, the last occasion being in 1943 for a period of three years ending the 31st March, 1947. Because of the value of this legislation to farmers and those interested in farm finance, it is considered necessary to continue the Act for a further period of 12 months. The Act is inexpensive to administer, as only one male officer and one shorthand-typist are employed in the office, and both of them undertake duties for other branches of the Lands Department. I move—

That the Bill be now read a second time.

On motion by Mr. Thorn, debate adjourned.

BILL—CHARITABLE COLLECTIONS.

Second Reading.

Debate resumed from the 27th November.

MR. DONEY (Williams - Narrogin) [5.38]: This Bill is of interest to all mem-

bers largely because of its very intimate relationship with the war just concluded. I see in it nothing whatever to which exception can be taken and will be pleased to support the second reading. The statement of the Minister in moving the second reading indicates that the Chief Secretary considers the time has arrived when the War Funds Regulation Act, 1939, should cease to function and should be replaced by a somewhat similar measure capable of exercising the same form of control over peacetime charitable and social welfare activities as the Act to be superseded beneficially exercised over patriotic organisations and the collections connected with them during and immediately following the recent war.

It may be fitting to recognise that the oversight of street collections and associated money-raising functions all over the State, exercised by the Chief Secretary's Department, imposed on that department a duty that was carried out faithfully and certainly efficiently. Those functions must have been of such a number as to be counted by the thousand. I suppose there is no member but has over and over again had occasion to call upon the department with regard to Red Cross, Camp Comforts and other organisations, and to examine returns, accounts, statements and the like in respect of the long series of functions in individual electorates. On the very many occasions when I called upon the department, I was always impressed by the exactitude and completeness of those accounts and statements. I was impressed, too, by the absence of undue officiousness, despite the tightness of the control, and I used to leave with the feeling that the officials were doing a particularly good job. At that time Mr. Devereux was the officer responsible, and I have no doubt that the Minister in charge of the department has already, or will in due course, recognise that officer's industry and efficiency.

The substantial task handled by Mr. Devereux and those associated with him will be understood when it is known that the total amounts collected by the various organisations under control show no less a sum than £2,500,000. That money was raised in Western Australia and distributed in the main throughout the Commonwealth, the United Kingdom, the Islands to the north of Australia and other parts of the world

where Australian troops were operating. The people responsible for raising that money have never been amply thanked, though I do not suppose they would wish to be thanked, but they have the satisfaction of reflecting that their work contributed in no small measure to the comfort and general welfare of this State's fighting men.

The Minister disclosed that of the £2,500,000, some £450,000 remains unexpended, apart from goods, material and so forth to the value of £76,000. It has been further stated—and we can accept the statement—that the Red Cross holds something like 60 to 65 per cent. of those two totals, and members will readily agree that that organisation will find no difficulty whatever in usefully disbursing that money upon hospitals and for the welfare of soldiers stationed in Japan or elsewhere. I take it that the Bill will still have control over Red Cross activities where moneys are collected and disbursements made, as was the case under the old Act.

The Minister for Lands: This Bill will take the place of the Act.

Mr. DONEY: I gathered that that was so and that there will also be provision to extend the statutory control to all forms of charitable appeals, particularly those in the streets. I assume the legislation will be extended to cover moneys raised inside public buildings or elsewhere.

The Minister for Lands: That is so.

Mr. DONEY: That will include all appeals of a peacetime nature. I take it that the control of street appeals will be continued as well as the control of other appeals for all other purposes of that kind. I assume that everyone desirous of making such an appeal will have to send to the council for approval before embarking upon it. I do not know who will be the personnel of the council.

The Minister for Lands: The present members are willing to act and they will be appointed, but they wish to be appointed as an advisory council.

Mr. DONEY: That should be quite satisfactory to everybody.

The Minister for Lands: That will be the arrangement.

Mr. DONEY: This is one of those rare occasions when the Government is setting

out to choose the members of a council or board or committee and members on this side of the House are not worrying it to appoint other people. This is an instance where the Minister can have it all on his own provided that the members referred to, Dr. Meagher, ex-Lord Mayor of Perth, Mr. Totterdell, the present Lord Mayor, Hon. F. E. Gibson, the Mayor of Fremantle, Mr. A. Clydesdale, and Mr. Vivian, the General Manager of Boans, are to be the members of the council.

The Minister for Lands: The only difference is that they have requested to be made an advisory council rather than a statutory one.

Mr. DONEY: That will leave all the responsibility to the Chief Secretary.

The Minister for Lands: The statutory responsibility.

Mr. DONEY: That was so before, was it not?

The Minister for Lands: It was a statutory council before.

Mr. DONEY: If the Minister will shoulder the responsibility and leave the council to act in an advisory capacity, that should be quite satisfactory.

The Minister for Lands: It is provided that everything will go to the advisory council first.

Mr. DONEY: That, too, seems satisfactory, and I commend that portion of the Bill. It will mean the statutory control of charitable activities. Let that control be as strict as ever the council or the Minister cares to make it, for reasons that are obvious. In the absence of such control the gifts of the charitable are likely to go as they have so often gone in the past, into the wrong pockets. In my memory there have been cases where from 60 to 80 per cent., and sometimes more than that, of collections by people who have been entrusted with that form of work have been set aside to meet the expenses of the collection. Anything like that is undesirable in connection with any charitable or patriotic collection. Collectors of that kind can quite properly be regarded as public nuisances. That is one reason why I am so pleased that the proposal has been submitted statutorily to control all such people and their works. It is, as members

will no doubt reason, rather a pity it should be necessary to mention this somewhat unsavoury section of an immense group that has achieved so much, but it is necessary to refer to it if only to gain the assurance that the measure is so framed as to prevent a recurrence of that type of thing. I take it that the Bill is watertight in that regard.

The Minister for Lands: We have made it as watertight as we can.

Mr. DONEY: Then the Minister cannot do better than he can.

The Minister for Lands: The books have to be audited every three months if the show is a continuous one, and the Auditor-General has to be satisfied concerning them.

Mr. DONEY: I note the very precise methods adopted by Mr. J. Devereux.

The Minister for Lands: He will still be in charge.

Mr. DONEY: The work could not be in better hands. It would not be inappropriate for me to take this opportunity of voicing my thanks and that of the people of my electorate—we are all concerned in this—to Dr. Meagher, Mr. Totterdell, Mr. Gibson, Mr. Clydesdale, and Mr. Vivian, the five sound, true and honourable members of the council. They have indeed worked assiduously and very successfully on behalf of the Empire.

The Minister for Lands: They have done a good job.

Mr. DONEY: There is no doubt about that. For these reasons I am glad to intimate that I shall be supporting the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Rodoreda in the Chair; the Minister for Lands in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Interpretation:

Mr. DONEY: I understood the Minister to say that the council would have an oversight on all church funds raised by collection outside the church. Is that so?

The Minister for Lands: If it is the case of a raffle, or anything of that sort.

Mr. DONEY: Will the council take cognisance of anything other than raffles? I can see no reference in the paragraphs of this clause from which I can gather that the council will have any control over church funds or church activities designed to swell church funds. I take it these things would not come under paragraph (g).

The MINISTER FOR LANDS: Paragraph (f) deals with activities of social welfare or of a public character. If the church sets out to raise money for some social activity, say for a youth centre, I think it would come under the Act. One church in my district makes at least £1,000 a year out of a week's fair. The question will depend upon the advisory council. If it is satisfied with the reasons given it will recommend to the Chief Secretary whether such and such a collection should be exempt or not. If the collections are made in the street they must come under the Act. Probably collections made amongst church people would be exempt.

Mr. WATTS: I should like to understand exactly what this clause means. It seems to me that if a church desires to hold an annual bazaar for the maintenance of its own activities, it would have to obtain a license to do so. The clause refers to the collection of any money or goods for charitable purposes. A bazaar cannot be held without goods being collected for it. It would be undesirable to pass the clause in its present form seeing that money collected for church services could be included. I do not wish it to be laid down that a church must get a license before raising funds for religious purposes.

Mr. DONEY: I hope the matter will be cleared up so that the control envisaged in the Bill shall not extend to money raised for religious purposes. Of course if there were any reason to expect that some irregularity was going on, a different position would be created. If the council knew that it would be involved in collections for church purposes its members might not be willing to take on the job. I do not think the Minister himself is too sure in the matter.

The MINISTER FOR LANDS: I am pretty certain that members of the advisory council would not be likely to drag church matters into a question of this sort, unless

the funds were collected for benevolent, philanthropic or patriotic purposes. If a church can be brought under any of these words I do not doubt that the Bill, if it becomes an Act, will apply to it. If members feel there is any doubt I will have the matter investigated and, if it is necessary, amend the Bill on recommital.

Clause put and passed.

Clause 6—Restriction on certain collections:

Mr. McLARTY: Paragraph (c) refers to entertainments that are wholly or partly in aid of charities. I have had experience of such functions, and the part in aid of charity has been very small indeed. Is there any power to deal with persons who claim that they are going to run some entertainment in aid of charity?

The Minister for Lands: The clause starts by saying, "No person shall."

Mr. CROSS: I hope the advisory committee will give some consideration to restricting the number of street collections.

The Minister for Labour: They are restricted by Act of Parliament to 50 a year.

Mr. CROSS: There should not be more than about a dozen.

The CHAIRMAN: Order! I cannot allow the member for Canning to continue his discussion on this Bill. What he is talking about comes under the Street Collections (Regulation) Act.

Clause put and passed.

Clauses 7 to 21, Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—WESTERN AUSTRALIAN TROTTING ASSOCIATION.

Received from the Council and read a first time.

BILL—CEMETERIES ACT AMENDMENT.

Returned from the Council without amendment.

BILL—FINANCIAL EMERGENCY ACT AMENDMENT.

Second Reading.

Debate resumed from the 26th November.

MR. WATTS (Katanning) [6.7]: I consider there are sound grounds for the extension of this measure for the period mentioned. If it were not continued, the possibility is that hardship would be done to certain people, particularly as the prevailing rates of interest are lower than those which can be charged as a result of the 22½ per cent. reduction under the parent Act. Because I think the Bill is necessary I have pleasure in supporting the second reading.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—MINES REGULATION.

Second Reading.

Debate resumed from the 28th November.

HON. N. KEENAN (Nedlands) [6.10]: This Bill, as its short title indicates, is mainly one of regulations. The Minister, who introduced the measure, explained it. He took the step of consulting the parties most interested before framing the provisions of the measure, which represents the opinions of all parties interested in the industry. It is a matter of congratulation that unanimity has been arrived at; although there are small details in respect of which differences of opinion still exist. However, we can congratulate ourselves that in this industry, at any rate, such happy relations exist between the employer and the worker that a consensus of opinion as to the conditions of labour in the industry can be arrived at. So far as I can discern, there are only two outstanding matters of principle involved in the Bill. One is the elimination of the practical worker in favour of the man who holds a certificate as the result of examination. From my personal experience of the mining industry I accept with great regret the elimination of the practical worker.

This is possibly the one industry in which the practical worker is the most valuable man we can possibly consult. I never heard of any dangerous place in a mine, except one, where such a man would not be consulted in order that the necessary steps to ensure safety could be taken. Although, as the Minister explained, in many cases such a man is unable to write his name, he would know, by long experience and from paying great attention to his work, what was exactly the right thing to do in circumstances of danger and of difficulty which, unfortunately, must arise in the pursuit of this occupation. Now his days are numbered and the man who is to take his place, and to have control instead of him, is to be a person with some certificate gained by passing an examination. I can only hope that he will do this work with the same great measure of success that was achieved in the past by the trained and practical man.

The only other outstanding matter of principle in the Bill is, unfortunately, one of much greater importance in that it casts a slur on the Arbitration Court for it would appear as if it were necessary to repeat in legislation what that court has provided for in its awards in order to make the awards effective. In these days, when so many people lay themselves out to disparage the Court of Arbitration, and the system of arbitration as a means of settling industrial disputes, it is, in my opinion, highly dangerous to be a party to any step which would even appear to assist in casting a slur on the court.

Sitting suspended from 6.15 to 7.30 p.m.

HON. N. KEENAN: I should have informed the House that the terms of the existing award of the Court of Arbitration which are applicable to the mining industry are identical with the terms and conditions set out in this Bill. What I was impressing upon members was that anything in the nature of a suggestion that legislation is necessary to make an award of the Arbitration Court effective is a very dangerous matter nowadays, when so many are preaching, as we know, against the continuance of the system of arbitration for the settlement of industrial disputes. Besides, so long ago as in the days of Mr. Justice Higgins, when

he was President of the Federal Arbitration Court, it was clearly laid down that every award of the Court of Arbitration was in every sense as effective and as binding as a statute and that, in fact, it was the law of the land until reviewed by its own court, just as any statute remains a statute until reviewed by Parliament.

So I very earnestly hope that the Minister will agree that these clauses—they will produce no result whatever because they are identical with the award and therefore their appearance in the Bill produces no result whatever—shall not be retained seeing that they undoubtedly constitute a slur on the Court of Arbitration. The only excuse I have heard urged for their inclusion is that in the original Mines Regulation Act such sections similar to these clauses did appear, and so they have been repeated. It has to be remembered, however, that when the original mines regulation legislation was passed there was no Court of Arbitration and no Industrial Arbitration Act. The legislation preceded the establishment of arbitration in this State by about four years, and so the inclusion of such clauses in the original Bill was necessary. Nowadays that excuse no longer stands. I repeat that I sincerely hope the Minister will reconsider the inclusion of this unnecessary matter in the Bill. I received what information I have been fortunate enough to obtain only in sufficient time to lodge the amendments with the Clerk today, and they will appear on tomorrow's notice paper.

In the circumstances unless the Minister is very anxious to proceed with the Bill in Committee straight away, I would like the Committee stage adjourned until tomorrow, because there are a few clauses to which I desire to move some minor amendments. They are nevertheless amendments respecting which I hope members will express their opinion. For instance, there is a provision in the Bill that the workmen's inspector shall report to the union generally on all matters within his cognisance in respect of what he has seen in the course of his investigation of a mine. That is a very objectionable provision.

Mr. Triat: It is in operation now.

Hon. N. KEENAN: Only as regards accidents.

Mr. Triat: No, in other directions as well.

Hon. N. KEENAN: It also applies regarding matters affecting the working of a mine. To point out how dangerous this provision might be, we who have lived on the Goldfields know that it is of great importance to get information about developments that take place in a mine. If one has information regarding a rich development, one may turn it to account for one's own benefit. If on the other hand information is obtained about a payable ore body having come to an end, one can also turn that to account.

Mr. Leahy: There is a penalty associated with that. No inspector can divulge information on any account.

Hon. N. KEENAN: But that does not apply to the workmen's inspector.

Mr. Leahy: Yes, it does.

The Minister for Lands: The hon. member has been a workmen's inspector and ought to know.

Hon. N. KEENAN: I cannot at this stage refer to the clauses but, if the hon. member will look at the one I refer to, he will see that an inspector of mines is under a severe penalty if he discusses such matters in any way with anyone, but that is not the position of the workmen's inspector. He could communicate what he knew to his union. There is nothing to prevent him from communicating information that might be of a very objectionable character. I can refer only in general terms at this stage to the amendments I have placed on the notice paper. Another concerns the record book of accidents. In that case it is now provided in the Bill that an accredited workmen's representative is to be entitled to examine that book. I am told that a far more suitable person and one equally advantageous from the worker's point of view would be the workmen's inspector, who should be entitled to examine the book. But that any person who happens to receive for the time being a note of credit making him an accredited person should have this right would be to set up a very objectionable and unnecessary procedure.

Then the alternative to the provision which is now in force regarding the number of hours during which a shift shall be worked underground would render impossible attendance at pumps unless some

exception were made under that particular clause in the nature of an additional emergency apart from ordinary duties, in order that men might attend to the pumps. So long as the shift lasts for eight hours then the man hands over to his successor. Now with a shift lasting seven hours 12 minutes there will be an interval of 48 minutes when no-one will be in attendance at the pumps. That will involve enforcing an absolutely unnecessary risk. There will be no difficulty if in addition to the definition of emergency, there is added attendance of men on the pumps. By that means there will be no difficulty in avoiding such an unnecessary state of affairs. Again with the application of the rule regarding 40 hours of work in a week, that is clearly inapplicable to timbermen, quite apart from Sunday work. A timberman must be ready to fall in with the working of the mine at a period when the ordinary shift has gone to the surface. That is when the timberman does his work. He does not work when the shift is below, except in an emergency.

Mr. Triat: He gets away first!

Hon. N. KEENAN: The timberman does his work when the shift has left the workings and gone to the surface. This provision should not be made to apply to a timberman. I read the Minister's speech carefully because I was under the impression he had explained that this would not apply to timbermen. I found, however, that his explanation related solely to Sunday work and not to week days in connection with the application of the seven hour 12 minute rule.

Then again, with regard to Sunday work, it is now provided in the Bill that the notice of leave having been granted by the inspector to work on Sundays has to be served by him on the union in writing. If we examine that provision there appears to be no ground whatever for his doing so. Is it suggested that if the inspector serves any such notice on the union, that body will have power to reject the permit, or is it suggested that the union will have no other information on the point? If it is in accordance with the first suggestion, then I say we are obviously introducing a very dangerous control. On the other hand, if the second suggestion is correct and the union would have no notice otherwise, then the reply to that contention is that these permits are always exhibited at the brace and everyone going on to the

mine knows of it. Every member of the union who is working on a mine when such a permit is in force is aware of it, and so there is no necessity for the notice to be served on the union from that point of view. Lastly I propose to ask members to accept a new clause, the object of which is that both workers and employers should get notice of any intention to gazette any alteration of by-laws or regulations.

The Minister has emphasised, and I emphasise it with great pleasure as well, the fact that the connection between both the department and the A.W.U. and the department and the Chamber of Mines has led to most fruitful results. There has been almost a consensus of opinion in many respects and I believe that the same result would be achieved if in any amendment that we make the same course were pursued. It is highly desirable that that should be done in connection with this legislation, and we should provide for such a course. Although the present Minister for Mines is persona grata with both workers and employers, he may be followed by a Minister who is persona grata with neither, or at most with one. Therefore, I propose to ask the House to accept the new clause. But if the Committee stage is taken this evening, I am not in a position to supply members even with a typed copy, as the only copy I have, apart from a scratch copy of my own which is almost illegible, is in the possession of the Clerk of the House.

I hope the Minister will, if he can, accede to my request to postpone the Committee stage until tomorrow. I stated at the beginning of my remarks that the amendments I had to suggest were all of a minor character. It is clear from what I have said that that is so. I also stated at the beginning of my remarks that this Bill represents practically a consensus of opinion of all who are interested and engaged in the mining industry, and therefore it is not a Bill that in any sense warrants any opposition. Consequently, I do not for one moment suggest any opposition to the second reading, which I shall be delighted to support.

MR. TRIAT (Mt. Magnet) [7.47]: I congratulate the Minister on introducing this consolidated measure, as it brings together provisions which in the existing legislation are somewhat higgledy piggledy. This will prove to be a much more workable measure

than the existing one. Umbrage was taken at some of the clauses by the member for Nedlands, especially to the provision that men to be appointed to certain positions must pass examinations. But that provision is already in existence; a man must serve a period of five years underground in a mine before he can be appointed to these positions. I quite agree with the hon. member that men who have served from 20 to 30 years underground are definitely competent; but a man with ordinary knowledge and ordinary education, who in addition has served five years underground, should also be competent. As the industry stands now, men in authority must understand the Mining Act and the regulations made under it, and what penalties may be incurred for breach of the Act or of the regulations. This is more important than it was 10, 12 or 15 years ago, when things were a little more haphazard than they are today. I support the provision that a man must undergo an examination, but I also agree that five years' underground experience is essential.

On the question of arbitration, I cannot quite follow the member for Nedlands in his argument. The only clause in the Bill referring to arbitration, so far as I can see, is that which provides for an industrial board, which is a recognised board on the Goldfields. I suppose that every day on the Golden Mile a dispute of some description occurs. The disputes are mostly of a minor character, but occasionally there is a major dispute which might result in stoppage of work. The industrial board provides a useful method to deal with such disputes. They are dealt with immediately and on the job. What is proposed is a board of reference consisting of a representative of the union, a representative of the company and an independent chairman, usually a warden or an inspector of mines. In ninety-nine cases out of a hundred the board arrives at a decision which is readily accepted by the parties, and is final. Were it necessary to go through all the procedure of approaching the Arbitration Court and creating an industrial dispute, much time would be lost.

By referring the matter to the industrial board, it can be settled within two or three hours and, as I say, a decision would be reached which would be binding on all

parties and accepted by them in ninety-nine cases out of a hundred. Should the dispute be a major one, it could be referred to the Arbitration Court which, of course, could override the decision of the industrial board. I really believe that the suggestion for a board will make for peace on the Goldfields; if every dispute must be referred to the Arbitration Court it might take three months to get a decision. In the case of a dispute of some magnitude, it might mean a cessation of work. It would not be possible to get the employees to agree to postpone the settlement of such a dispute for six or seven weeks. With regard to workmen's inspectors making reports to the union, I can quite see the point made by the member for Nedlands. Such reports, however, would not be on the value of the workings, but would be reports on the working of the mine from the men's point of view, such as safety underground, and sanitary and health conditions.

These are the matters in respect of which the union is asking that a workmen's inspector be entitled to report to the union. A copy of the report submitted to the union is also submitted to the Minister for Mines. It first goes to the Mines Department in Kalgoorlie and from there is sent on to the Minister. Such inspections take place once a month or once a fortnight, when matters are brought up for the attention of the workmen's inspector. He is asked to report on such matters as the condition of a certain level in a mine, which might be in a bad state, or on the roadway, or the ventilation. The inspector makes his examination and reports to the next meeting of the union, and the matter is rectified. The point is that the men working on the job know they have a representative who can make an examination and report back to the union. That is the nature of the report which is referred to. I do not think the men are looking for a report on values or the future of the mine. Any references to such matters, if there are any in the Bill, could be struck out.

The record book is of great importance. My experience is that such books are written up by various men—the inspector of mines, the workmen's inspector, the underground manager and shift bosses. The book contains an account of the condition of the

mine, its ventilation or safety conditions and special work to be done below. The union's representative is entitled to inspect this record book. A workmen's inspector is not situated in every district. He does not visit some districts more than once in three months; so the union's representative should be entitled to examine the book to ascertain the working conditions of the mine. A rope may be faulty, some safety devices may need attention, or skids may have to be put into a shaft. By examining the book, the workmen's inspector can find out whether the work has been done or not. This, again, makes for more harmonious working. There is nothing wrong in someone with the authority of the union having the right to examine this record book.

I myself have examined a record book and found a shocking state of affairs to exist in a mine. One mine had very little timber in it; in fact, there was no timber—it was held up with pillars. The men were short of air. On reference to the book I found an entry, "If you want dirt, get it out; don't study the men." It is quite obvious what that meant. The safety of the men was not to be considered. Should not the union be entitled to know who issued the instructions to the shift boss not to consider the safety of the men? I interviewed the manager of the mine, and he called the underground manager up and asked him if the entry were true. I asked him to have the book produced. It was, and three pages of it were cut out. It is obvious why. The record book should be open for perusal by any authorised representative of the union. If that is done, no blame can be attached to the company or to anybody else; everything is fair, honest and sincere. The union's representative should know what is going on, and what jobs should be done, for the protection of the men, and that is the purpose of this record book.

The member for Nedlands made a somewhat astounding statement with regard to timbermen. What he said may have occurred years ago, but today the first men up from the mine are the timbermen. A special cage is provided to bring them up before the other men, because miners are not permitted to travel up in a cage with tools. The timbermen therefore bring up their tools long before the ordinary miner ceases work. They put away their tools in the employer's time

and are in the change-room ready to go home before the whistle blows. Of course, should there be a breakdown in the mine, the timbermen would have to work at night-time, on Saturday or Sunday or at any other time, but ordinarily they are up from the mine long before the other men. This particular clause would not have any detrimental effect on the mining companies. The other matter deals with Sunday work. The easiest way to get the men's backs up is to say to them, "I want you to come down on Sunday morning to do certain work."

If peace and harmony in the industry are desired, the proper way to go about that is to get the inspector to say that on such-and-such a black Sunday 12 men are expected to do certain work. The men would then feel that nothing is being put across them. They know the work is necessary because the inspector has so advised them. There is therefore no grouching. In some cases, a shift boss may be found who is a little hot under the collar. He will say, "I will bring you fellows in on a Sunday." There is no occasion for him to act in that way, and the provision in the Bill relating to Sunday work will avoid such arguments. I quite agree with some of the questions raised by the member for Nedlands but, as to others, I hope he will see that the provisions are in the best interests of all concerned. The conditions are in practice today. The hon. member knows that a custom of long standing becomes law. Many of these conditions are the law, because they have been in existence for so long. I sincerely hope the Bill will go through without any drastic amendments.

MR. LEAHY (Hannans) [7.57]: I have much pleasure in supporting the Bill. I am also pleased to know that such a gentleman as my worthy friend, the member for Nedlands, has not forgotten the people of the Goldfields. I have always said that a man who has been on the Goldfields and taken an active part in goldmining or in matters associated with goldmining, never forgets the Goldfields. I forgive the hon. member if he really did make any mistakes, as I know he made them simply through an ardent desire to see that nothing was put over the interests of the Golden Mile. A lot has been said about this Bill, but to my mind there are only two things in it which differ in any way from the original Mines Regulation Act. All the

other matters that have been mentioned have been provided for over many years—as long as I have been in the mining industry. Very few of them have changed to such an extent that the present miner cannot link them up with the original measure.

The first of the two points that I think are really of importance is the qualification of a man in charge of 25 miners. That is the mine manager. He must hold a mine manager's certificate or a mining engineer's certificate. He must also have had much practical experience. The other matter is that associated with the workmen's inspector and the extension of the period from two to three years. The duties of the workmen's inspector have not altered in any way. Many of the questions raised by the member for Nedlands have been dealt with by inspectors as long as I have known the Golden Mile. It must always be understood that a workmen's inspector is an experienced man who knows mining throughout; otherwise he would not occupy that position. He should also have a measure of commonsense; for in working a mine or supervising the working of a mine, it is not a matter of just conforming to the letter of the law, but it is a matter of commonsense and knowing one's job and applying oneself to it.

A man does not carry a copy of the Mines Regulation Act in his pocket from which to find out what he should do. A reasonable man who knows his job and a reasonable manager who knows his work will never query any suggestion of a sensible nature if it is made by an inspector, not only a workmen's inspector, but any inspector at all. My experience of inspecting conditions in mines and mining generally has been that the management and the mines inspector work very well together. They do not fall out over trivial matters; they are always too anxious to help each other. In the old days it was just a fight. The manager said one thing and the workmen's inspector said another. But that does not apply now. There is a general, honourable effort to improve conditions and to make the industry the better for it, by which I mean to make it so that the average young man will not have to hear fearful stories of what power the manager or the shift boss possesses, but will be pre-

pared to enter a mine and work as a miner with the knowledge that everything associated with its proper conduct is receiving the attention of highly qualified individuals, and that he will be permitted to work under the best conditions that can be obtained.

I suppose people would be surprised to hear me talk in this strain, because it has usually been a matter of a fight between the management and the miners' representatives. I can assure members, however, that during the years I was on the job the very opposite prevailed. Safety committees were set up and everything possible was done to improve conditions, even to the provision of boots, clothing, and so forth, which indicates that it is not a matter of following the provisions of the Mines Regulation Act, but a matter of pure commonsense and practical knowledge. As pointed out by the member for Mt. Magnet, timbermen have their privileges. They are compelled to carry a kit of tools, and it would not be fair to ask them to wait at any level until the level was called or the men waiting there were called to enter the cage and then go off and put their tools away. That used to be the system but it is no longer, and has not been for many years.

Regarding the working of overtime or special attendance for a given period by timbermen or other men required, that was always accepted as being necessary. One would not expect to hold up the working of a mine simply because five or six sets of timber had collapsed and let a main drive in. One could not expect the management to give the men notice to the effect that they were wanted to come in on the following Sunday and do the job. What would happen is that the men would do it immediately. That is the system; never mind what the Act says. The men and the management work together and try to do the best they can. I do not know of anything in this Bill that interferes with the system that has been operating as long as I have known the Eastern Goldfields.

There are only two directions in which this measure alters anything in any way, so far as I can see. Why should we introduce amendments that merely mean nothing? They may be all very well on paper. It may look all right, to cover a certain person or a certain position, to say that we must have this or that. But I look to the practical side.

While we can work together and agree upon matters that are of real importance, why should we be bothered with little incidentals? I support the Bill. I could talk for half-an-hour about it, but would not be able to bring to light anything that is of great importance or that interferes with the existing condition apart from the two points I have mentioned.

MR. KELLY (Yilgarn-Coolgardie) [8.5]: I feel pleased that this legislation has been introduced; not that the Act was in very great need of much improvement. I think that some portions of the existing Act could be altered perhaps to meet more modern conditions and improved from that point of view, but in its general application the Act has worked very well during the time it has functioned. The amending legislation leaves no room for disagreement on the part of any member of this Chamber or of the mining industry. The clauses are mainly amplification clauses and, in some instances, of a clarifying nature; and if agreed to will enable the Act to be interpreted a little more easily by those administering it—that is, the inspectors and those employed in carefully watching the safety and maintenance of the mines in the interests both of the management and of the men concerned.

Regarding the book of accidents, as mentioned by the member for Nedlands, such books have always been kept and, as far as I know, have always been available to any inspectors—either workmen's inspectors or mines inspectors and, in the majority of cases, to union representatives who have desired to look at them. Speaking from experience, I would say they have always been gladly handed over because they contain only a true record of the actual working of the mines as entered by the various officials who have, from time to time, had particular access to the books. The position of timbermen has been dealt with by the two previous speakers, who have set it out very clearly. At the same time, I think it is necessary to add that the hours of timbermen are never queried by the men themselves because, if there is a job to be done, it is done without any reference to the management; and, in fact, the men have been only too pleased to do it because of the requirements of the occasion. The timbermen have always worked any hours necessary to do any particular work.

As to a workmen's inspector disclosing anything of a highly private nature concerning the working of a mine, it is almost impossible for a mines inspector or a workmen's inspector to obtain any very accurate estimate of the type of country or the values in the country being worked. In nine cases out of ten, even the men working on advanced faces know very little of the values except in exceptional cases where very high values are being encountered. So I do not think we need be concerned about whether there would be any divulging of knowledge that might be used on the Stock Exchange or would provide advanced information in relation to values. I feel that scope for the average man to estimate particular values in particular places is very limited and we need not have any qualms in that direction. Regarding Sunday work, I think that has always been done by amicable arrangement, and in nine cases out of ten as a result of necessity. So the amending legislation should not cause any great concern. I have pleasure in supporting the Bill and feel that it should and will pass with little amendment.

THE MINISTER FOR MINES (Hon. W. M. Marshall—Murchison—in reply) [8.11]: I desire to clear up one or two points raised by the member for Nedlands, whom we must respect as somewhat of an authority on legislation of this category. Of all those who sit on the Opposition benches he, I respectfully suggest, has had the greatest opportunity to obtain a complete digest of laws such as those we are discussing. I was waiting for his criticism of the measure because I respect his opinions on practically all matters, though I may differ from him materially. I am thankful for the criticism he offered because it was not very serious or hostile and it was, I believe, made in an endeavour to improve the measure. The first point he raised was that he felt as though old, practical, thorough, and conscientious miners would be excluded from the right to obtain promotion because of the provision in the measure that would make it obligatory upon them to pass an examination.

Without being offensive, I suggest to the hon. member that during the period in which he has been dissociated from the industry in a direct way, the change that has taken place has been phenomenal. The change in mining methods and mine man-

agers is a revelation to anyone who has been as long away from the industry as has the member for Nedlands. Today we have young men anxious for promotion and keenly desirous of being thoroughly educated in all branches of mining. As a matter of fact, our School of Mines at Kalgoorlie is congested with students; and when I say students I do not mean those who are studying mining or its various ramifications theoretically, but men who are working every day in a practical way in the mining industry. These men spend their evenings and days off studying at the School of Mines, and eventually become accomplished. They have both the practical and theoretical knowledge, and find no difficulty in passing their examinations.

I do not know whether the hon. member referred to the necessity for underground managers to pass the examination and secure the certificate of competency, or whether he referred to what is known as the workmen's inspector. The underground manager, who is responsible to watch over the health and safety of hundreds of men, has had a great deal of experience, and should find no difficulty in passing the examination and securing the certificate of competency. That is the safeguard provided in the measure; no man has the right to assume responsibility for the safety, health, and lives of hundreds of men unless he is thoroughly qualified. If he is so qualified, he will have no difficulty in passing the requisite examination. The same applies to the workmen's inspector. There are hundreds of ambitious young men now making mining their livelihood and, side by side with their practical work, they are studying. The examinations set in order to prove that they are competent to take responsibility for the lives of other men underground should offer them no great difficulty.

I dissociate myself from the remarks of the hon. member when he said that the provision laying down the hours of labour to be performed in the industry would be a slur on the Arbitration Court. I suggest that it is a compliment to the Arbitration Court because, as I said when introducing the Bill, we are following in the wake of the court, and in that way are offering it the compliment of having led Parliament in this regard. The court established these

hours many years ago and in the intervening period has seen no reason to deviate from them. In this measure we are paying the Arbitration Court the compliment of saying that it had the capacity to show Parliament the way. Were we to accept the viewpoint of the hon. member in this matter, we would be saying that, in several measures that have been introduced to the knowledge of many members here, we have deliberately slighted the court.

I know of several Bills which had for their purpose the reduction of hours set down by the court for employees in certain industries. I remember a provision in the Conciliation and Arbitration Act which provided for a 41 hour week when the recognised working week was of 48 hours. I supported that measure and I cannot think I am now casting any slur on the court through the provisions of this Bill. It would seem that the hon. member did not give the measure close scrutiny, in view of his interpretation of the provision for the workmen's inspector to report to the union, because it does not differ from the provisions and restrictions applied to any inspector, even the district inspector, special inspector or workmen's inspector. The wording is "an inspector," meaning any one of them. The provision is that the inspector cannot make public or reveal to anyone information gleaned by virtue of his capacity and authority to make inspections of the underground workings of any mine.

It is obvious that the hon. member has not a complete grasp of that provision. He referred to a pumper going off shift and leaving the pumps unattended. That is not correct, because when one goes off another comes on, just as when one timberman goes off another comes on, if necessary. Pumping in mining today is an entirely different matter from what it was years ago, when some of us worked underground. Just as with all other methods and mechanical contrivances now used by mining companies, there has been a great improvement. At a distance of $3\frac{1}{2}$ or 4 miles from the Wiluna mines there is a series of wells that supply water to the goldmines. They are fitted with electric pumps and there is no-one on the spot to attend them. When water is required an attendant at the mine starts the pumps, by pressing a switch. When the

water supply is adequate he stops the pumps, again by pressing a switch. Of course there is a man in charge to see that they are in good repair, but improvements in pumping today are such that almost any modern pump on a mine can work 24 hours a day without requiring attention. Of course they are inspected regularly, for safety reasons.

I want the member for Nedlands to understand that the old Tangye pump is gone, except in small and isolated mines where in effect these regulations are applied—as the member for Hannans said of measures of this sort—in a commonsense way. There has been a great change in the attitude of the mining companies towards their employees. It is not for those companies, managers and men that laws of this kind are required, but the individual who seeks to run risks with lives other than his own in order to pay dividends. The member for Hannans would bear me out that that is the only time when the provisions of a measure such as this should be strictly applied. It must be realised that things have changed materially. My two colleagues have dealt with timbermen, and have shown that they are usually the first to come up from underground. They are the most skilled men, whose responsibility is great, and they are the aristocrats of underground mining. They are careful and diligent types of men, as many lives depend on their work, and they are usually the first to leave the workings on the change of shift.

The member for Nedlands also saw fit to criticise the provision which gives the union representative the right to inspect the accident book, and suggested that the appropriate individual to make an inspection on behalf of the men would be the workmen's inspector. That argument is correct, to an extent, but in the case of a fatal accident it is the union representative, not the workmen's inspector, who represents the union at the coronial inquiry. That is why the measure provides that he shall be authorised to make an inspection of the scene of the accident, so that, when the inquiry takes place, he will have firsthand knowledge, not only of the scene of the accident, but of how it was reported. From information gained from a view of the scene of the accident and the accident book, he can then present the case efficiently to the coroner.

There is another aspect. The date, nature and place of an accident are important factors affecting the payment of compensation to an injured worker and the representative of the union, who usually looks after compensation cases for members of the organisation, should be able to inform himself fully of all the circumstances attending an accident. As I know from personal experience, if one dealing with the refusal of a company to pay compensation is not fully informed of the circumstances attending the accident, one is likely to lose the case, more particularly if it is a borderline case. The workmen's inspector has no jurisdiction in these matters and is not expected to assume the responsibility as part of his duties. It is essential, therefore, that the union representative should be able to inspect the book in which accidents are recorded.

The member for Nedlands indicated his intention to propose a new provision. I need not refer to that specifically until I know the terms of his proposal but, from his remarks, I doubt whether I shall be able to accept it. I thank the hon. member for his criticism. There are not many members on the Opposition benches who have had experience of mining, and unless there is debate on a Bill of this sort, those members might feel they have been parties to the passage of a measure that might not have been passed had they possessed more knowledge of the industry. Therefore I welcome criticism so that such members may feel satisfied that injustice will be done to nobody but that consideration will be extended to all. The Government is not anxious to rush the Bill through the Committee stage. Most of the provisions are already law, and the amendments proposed are minor and not too numerous. When we reach the point at which the member for Nedlands wishes to move his first important amendment, the Government will be prepared to report progress.

Question put and passed.

Bill read a second time.

In Committee.

Mr. J. Hegney in the Chair; the Minister for Mines in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Interpretation:

Hon. N. KEENAN: I move an amendment—

That at the end of the definition of "mine" the words "for mining purposes" be added.

A number of operations are mentioned in the definition and finally it states "or where explosives are being used." That would cover more than the usual conception of a mine and I consider the amendment necessary to clarify the definition.

Mr. TRIAT: In 99 cases out of 100, I cannot see that explosives would be used for purposes other than mining, though they might be used to remove heavy shoes from the head of a stamper. That, however, would not really be mining, as it is part of the process of crushing the ore.

Hon. N. Keenan: That would be a mining purpose.

Mr. TRIAT: Then I have no objection to the amendment.

The MINISTER FOR MINES: I oppose the amendment. Mining methods are changing. Take open-cutting and quarrying.

Hon. N. Keenan: That would be a mining purpose.

The MINISTER FOR MINES: In the initial stages of development, particularly on the open-cut method, it might be a border-line case, even though a search were being made for metals or minerals. If we stop at the words "where explosives are being used," we make it clear that no matter what the work may be, it will come within the provisions of the measure. Then strict supervision can be exercised and the safety of the workers ensured.

Hon. N. KEENAN: The illustration given by the Minister would clearly refer to mining. The stripping of the overburden off a lode would be mining, just as much as would be the sinking of a shaft. The same would apply to the case mentioned by the member for Mt. Magnet. Explosives, however, might be used for purposes not connected with mining, but if the amendment is not made, those purposes will be brought under the definition of "mine."

The MINISTER FOR MINES: The member for Nedlands does not seem to appreciate that different forms of mining are being undertaken for which explosives are

being used, and it is problematical whether they could be brought within the scope of the measure on the ground that metal or mineral was being produced. Take the ochre deposit: Tunnelling is being proceeded with and explosives are being used, but I doubt whether those operations could be called mining. There are other forms of earthly wealth that are being developed in a big way for the first time. Unless we are prepared to specify, in the Bill, what is to come within its ambit, the only way to overcome the difficulty is to include the words "where explosives are being used."

Amendment put and negatived.

Clauses 5 to 12—agreed to.

Progress reported.

**BILL—FACTORIES AND SHOPS ACT
AMENDMENT (No. 2).**

Second Reading.

Debate resumed from the 29th November.

MR. THORN (Toodyay) [8.47]: I regret that the Minister resurrected this Bill.

The Minister for Labour: I did not resurrect it.

Mr. THORN: It was dropped for quite a while, and I hoped it would not appear again this session. The matter would then have been given further consideration by the organisations most concerned. The Bill is a contentious one, and it considerably affects the country areas with regard to motoring. Some motor organisations in this State have asked for further consideration of the measure, and for amendments to be made to it, but it appears that agreement was not reached at the conference held between the Minister and—

The Minister for Labour: I did not attend any conference.

Mr. THORN: A conference was held, but agreement was not reached. It is unfortunate, because we find on one side the service stations and the A.W.U., and on the other side the Royal Automobile Club, the Royal Agricultural Society, the Pastoralists' Association, the Chamber of Automotive Industries, the Chamber of Commerce and the Primary Producers Association of this State.

Mr. Withers: The poor old primary producers!

Mr. THORN: The primary producers, at any rate, have always endeavoured to look after the interests of people in the country.

Mr. Withers: They are mixed up with a nice lot there.

Mr. THORN: That is a matter of opinion. As our leading daily paper mentioned, this is a Bill to make long-distance motoring impossible. That is how it appears to me. The metropolitan service stations rendered fairly efficient service before the war, but they had such a good time during the war that they now adopt a "take it or leave it" attitude to the motorist. They want to continue functioning under conditions whereby they will make money easily, and give little service to the travelling public. The A.W.U. should apply itself to dealing with the working conditions of garage employees, and do no more. Why does it want to range alongside the service-station owners in an endeavour to get the conditions sought by this measure? As members know, the service station proprietors during the war had a wonderful time under the National Security Regulations, restricted hours, etc. Their supplies of petrol were guaranteed and they got what spares and tyres were available, and they would offer inferior articles to the public, and say, "You can take it or leave it."

Mr. Triat: Who? The Australian Workers' Union?

Mr. THORN: No. The hon. member knows that the A.W.U. does not handle that side of the business. A person wanting a job done on his car would be told to take it away. The country service stations have always rendered service to travellers, but with these restricted hours it will be impossible for them to continue rendering the services they have given in the past. Certain provisions in the Bill will operate harshly against country service stations. I am surprised that there is not a greater outcry from country garage proprietors, but I take it they are leaving the matter to their representatives. They feel that the Royal Automobile Club and others interested in this subject will endeavour to straighten out the matter. But the effect of this amending Bill will be to increase the business of the metropolitan and suburban service stations, to the detriment of the small businessmen in the country. This will force a man to equip

his car with spare parts and to carry as much petrol as possible to get him to his country destination, thereby taking that business from the small garage owner in the country town. This will hit him very hard.

Mr. Withers: Do you not think the small garage-owner in the country will do a bit of sly-grogging?

Mr. THORN: I am sorry to hear the member for Bunbury say that, but I dare say that will happen. But surely the hon. member will agree with me that we do not want to put those people in that position. We want the small businessmen to trade within the law. We do not want to make laws that will lead to sly-grogging in petrol. This looks to me like "spoils to the victor." It is a case of building up the fatted calf and letting the little chap in the country battle for himself. My friends opposite should be with me in this matter. After all, the Pastoralists' Association is behind the other organisations in asking for the Bill to be further amended. North of the 26th parallel, there are no restrictions at all. As our friends in those areas enjoy these privileges, surely their representatives know their value to the man on the track. Whatever amendments may be moved from this side of the House—and I have one or two small ones myself—should get their support. They are reasonable men and I feel they would want to give the motoring public a fair go.

If a service station proprietor wishes to render service during the night hours, or at any other time, why not let him do so? No, these people in the city want the business tied up so that the country owner will gain no advantage and not be able to trade while the city proprietor is, perhaps, enjoying a jolly good show at the theatre. The farmers, from the economic point of view, usually desire to run their motor vehicles into town so as to coincide with the arrival of the train. Oftentimes these trains arrive at 7, 8 and 9 o'clock at night. The farmer gets into town at the same time, and buys his fresh vegetables and other things, and he also wishes to be in the position of getting his fuel, spare parts and oil requirements as well, and why should he not be allowed to do so? The Minister said, "If you are travelling through the country and get out a certain distance and run short of petrol, you are travelling and that will be looked

upon as a case of emergency and not be an offence against the Act."

The Minister for Labour: That is the law.

Mr. THORN: No.

Hon. N. Keenan: Yes.

Mr. THORN: The point is, what is going to be a case of emergency?

The Minister for Labour: When your car gets thirsty.

Mr. THORN: No. The Minister is going to have a team of inspectors policing this Act. If he does not, what is the use of putting it on the statute-book? The argument will crop up, what is a case of emergency? Why not clear the atmosphere and say that a man setting out on a trip through the country is to be allowed to purchase petrol if he so wishes? The Minister is a reasonable man—or he used to be—and what puzzles me is why he is taking up the case on behalf of the metropolitan and suburban service stations. Why does he not think of the interests of the smaller man throughout the country area? I appeal to him to accept some amendments to the Bill. The Royal Automobile Club is an organisation out to do all it possibly can for the motorist.

Mr. Cross: Are you a member of it?

Mr. THORN: Is that anything to do with the hon. member? I will tell him afterwards. I join what organisations suit me, without telling the hon. member. Getting back to the Bill, the R.A.C. is desirous of catering for the welfare of the travelling public and in common with other interested bodies has appealed for the amending of the Bill to make it more clear and specific as to what is to be regarded as an emergency and what individual will be a bona fide traveller. I hope the views of these organisations will be favourably considered. I regret the Bill is being proceeded with because I thought the Minister would have left it over until the next session with a view to further consideration.

Mr. J. Hegney: Has this Bill not been passed by the Legislative Council?

Mr. THORN: That is one of the greatest surprises I have ever experienced. That an important measure like this should be passed by another place with hardly any discussion at all is most surprising.

Mr. J. Hegney: It is a deliberative body and must have given it fair consideration.

The Minister for Labour: It is a non-party House.

Mr. THORN: I do not want to make any reflection upon another place. Those persons who support the Bill have probably seen what has gone on and they know that probably big business up there supported the measure.

Mr. SPEAKER: Order! The hon. member must not reflect upon another place.

Mr. THORN: I am sorry, Sir, but I said I had no desire to do so.

The Premier: Do you think they understood it there?

Mr. THORN: If the member for Middle Swan goes further into the matter he may discover that point. I have a couple of small amendments that I intend to move when the Bill reaches Committee but of course, I cannot support the second reading. If the measure does reach the Committee stage, I trust the Minister will give favourable consideration to the amendments, which will remedy some defects in the Bill.

MR. CROSS (Canning) [9.3]: I had a reason for asking the member for Toodyay if he belonged to the Royal Automobile Club.

Mr. SPEAKER: Order! The hon. member cannot ask questions.

Mr. Thorn: He is always asking questions about other people's business!

Mr. CROSS: I desire to indicate that the circular letter sent out by the Royal Automobile Club's committee might not represent the opinions of the members of that body. I am a member of it, and I know that a lot of members are totally opposed to the attitude of the executive committee.

Mr. Thorn: That is quite different from what you told me about angle-parking.

Mr. CROSS: No.

The Minister for Labour: There is a split in the party!

Mr. SPEAKER: Order! !

Mr. J. Hegney: Did they have a secret ballot?

Mr. CROSS: It would be impossible for the committee of the R.A.C. to consult all

the members because it has over 20,000 on the roll. In the circumstances I cannot take any notice of what has been done by the committee. I do not agree with the attitude of the member for Toodyay.

Mr. Thorn: When you agree with me, it will be time for me to get out.

The Premier: And you will be wrong!

Mr. CROSS: Those in charge of country garages tell me that they stand by 24 hours a day.

Mr. Thorn: They do not.

The Premier: They must have long nights there.

Mr. CROSS: They do.

Mr. Thorn: This is just piffle.

Mr. CROSS: At Meckering a man sleeps alongside the petrol pump.

Mr. Thorn: You are exaggerating.

Mr. CROSS: And he does not average two sales a night.

Mr. Thorn: That is nonsense.

Mr. CROSS: The garage people say there is no reason why motorists who are travelling only 50 or 60 miles could not fill up with all the petrol they require during the proper hours. I recollect when we had late shopping nights. At that time we found dozens of people who when the shops were closed suddenly remembered that they had forgotten to buy the butter for breakfast. The same kind of argument has been advanced in this instance.

Mr. Mann: What a paragon of virtue!

Mr. CROSS: The garage people work extremely long hours to cater for these people.

Mr. Thorn: They do not have to do so.

Mr. CROSS: There is provision for emergency cases, and the hon. member knows that is correct. He talked about spare parts and belts. At how many garages could one get a belt for the average car?

Mr. Thorn: At any number of them.

Mr. CROSS: It is mighty hard to get a belt at all, and the position was worse during the war period. Very few wayside garages carry spare parts at all. The argument advanced by the member for Toodyay does not cut any ice with me. The time has arrived when Parliament should

limit the time during which work should be carried on in connection with the garages. During the war period they closed at 6 p.m., and there were very few complaints. Business people are those that use the roads at night and people who tour for pleasure usually travel by day. Those that travel by night are the only people on the road and they managed very well when the garages were closed. We should view this matter from the humanitarian, sensible point of view. If we are to have a new order we should see that these people are not required to work unduly long hours. No-one can say that the hours stipulated in the Bill are not reasonable and sufficient to enable a man to make a living. I shall support the second reading of the Bill and will certainly not take any notice of a circular sent out by people who have not consulted their members.

MR. PERKINS (York) [9.8]: I oppose the Bill and express my surprise at the Government's bringing it down in such a form. Speeches were delivered by members of the Government not so long ago telling us what the Administration was doing to develop the tourist traffic in Western Australia. Now we find the same Government introducing a Bill embodying provisions that if carried out must have a very marked effect in discouraging tourists. It is absolutely absurd to say that anyone can travel by motorcar to the extent he may desire, without infringing the terms of this legislation. Members have received a great many circulars and it is just as well that the interested parties should submit their views to us. The latest circular received from the Royal Automobile Club sets out the position quite clearly. If the statements made in the circular are not correct, the Minister should deal with them and tell us where the interpretation that the club has placed upon the Bill varies from the true position. Much has been said about the emergency provisions in the Act being sufficient to meet the situation, but I do not think that is so. To begin with, what garage proprietor would be prepared to cater for a 24-hour service under the provisions of the Bill? Particularly is that the position in view of the sales made?

Mr. J. Hegney: Do you know of anything that compels a man to remain open throughout the 24 hours?

Mr. PERKINS: No, but there are men who are prepared to render this service to motorists. If that is the position, Parliament should not step in and prevent them doing so.

Mr. J. Hegney: Twenty-four hours a day!

Mr. PERKINS: No, 24 hour service. In the past service stations have advertised that they were prepared to provide that service. They made it a practice to supply petrol at odd hours, and the volume of sales during the period when the other garages were closed must have made it worth while. Obviously, we could not expect a man to supply petrol, oil and spare parts at any odd hour unless the turnover was sufficient to provide an adequate return for his labour. Under the Bill, however, such a man will be prevented from carrying on that type of business. If he advertises that he is prepared to carry out the emergency provisions of this legislation, it will mean that such sales are the only ones he will be able to undertake, with the result that the volume of business he will do will provide small recompense.

Mr. Cross: Will that apply to the garages in York?

Mr. PERKINS: I am not discussing the garages in any particular place, but the position of anyone in charge of a service station who advertises that he is prepared to provide for the requirements of motorists at any hour of the day or night, and I argue that he should be allowed to provide that service. If the statements that have been made on behalf of the Government regarding the encouragement to be provided for the tourist traffic have been made in all earnestness, then the Bill should not be proceeded with in its present form. I do not believe that the volume of sales made in the past by service stations trading outside orthodox hours has been sufficient to affect ordinary sales to any extent but have been just enough to make the business worth while to maintain the night services. It seems to me that the Service Station Owners' Association has adopted a rather dog-in-the-manger attitude on this question. Evidently some of their members, or some people outside the Service Owners' Association, have been prepared to give a better service than these other people who have been sponsoring this Bill with the

Minister. A great deal has been said about allowing the owners of garages or their employees to work reasonable hours. I wonder whether the member for Canning will say that no railway man should work other than the hours that are specified in this Bill.

Mr. Cross: That is an entirely different proposition.

Mr. PERKINS: It is not.

Mr. Cross: Of course, it is.

The Minister for Labour: They do not work anything like those hours.

Mr. PERKINS: Other people find it necessary to work in other than daylight hours. If members holding the same view as the member for Canning are to be consistent in this matter, at least they should sponsor a proposal for limiting the shift-work being done by all sections of the community. As a matter of fact, the railway system is a parallel case to that of the people catering for the needs of motorists. In both cases they are catering for the needs of the travelling public. I believe we should be making a very grave mistake indeed, in view of our express desire to encourage our tourist traffic, by passing such a repressive measure as this one.

MR. WITHERS (Bunbury) [9.17]: I wish to qualify a statement I made while the member for Toodyay was speaking. The statement was in connection with what I termed "sly-grogging". I do not want that to be offensive to some of the country garage proprietors. I know for a certainty that, during the time when garages were supposed to be closed, where there were two or more garages in a country town, some would be found obeying the law while others were not. Those obeying the law then thought they would do as the others did, because they felt obliged to do so. I do not think any great hardship will be inflicted by this measure. Members have talked about circulars which they have received, but those circulars have been sent to members on the Opposition side by the Royal Automobile Club and others interested in the metropolitan area. I have not received a single circular from a country garage proprietor, nor do I know of any other member who has. If we were getting circulars from all over the State,

we could say, "These people are putting up a case for those particular individuals."

Mr. J. Hegney: Would not they be members of the service association?

Mr. WITHERS: I suppose so, but we are getting no complaints from the country garage proprietors. The only complaints are from the Royal Automobile Club and others in the city.

Mr. Thorn: Several circulars come from organisations of country people.

Mr. WITHERS: I have not received any, except from the bigger industries. As I said, I want to qualify the statement I made, because I do not want country garage proprietors to think that I was offensive to the small man who was doing the job expected of him under the present Act, that is, to serve petrol in emergency cases. That can be done today under the present Act. But the man who has a 40-gallon drum of petrol in his home and expects to be served with petrol on a Sunday cannot be regarded as an emergency case. Such a man should not be allowed to inconvenience a garage proprietor in that way, when he has already secured a huge quantity of petrol from the bulk-handling concern. That is happening. I want members opposite to try to be fair to their own country garages.

HON. J. C. WILLCOCK (Geraldton) [9.20]: I have not much to say on this subject, but any reasonable demand can be classed today under the existing emergency section of the Act. No-one sets out to buy a gallon of petrol at every garage that he passes. A man going on a lengthy journey fills his tank up and, generally speaking, that will take him most of the distance. He may want an additional supply from a service station on the way. The member for York appears to think that proprietors of service stations are like licensed victuallers. They must be on deck to render service irrespective of whether there are customers about or not. As for the analogy between the Railway Department and service stations, the department does not run trains at an unadvertised time because there might be some passengers standing on a little siding who possibly might want to get on the train. That is what the member for York expects the service station proprietors to do—to wait up all night in case someone comes along

for a gallon of petrol. I do not think there has ever been any difficulty in this matter. I have travelled a great deal by motorcar, both by day and night and on Sundays; and in ordinary cases the garage proprietors have to be knocked up in order to secure petrol; but certainly there has never been any difficulty in securing it.

Mr. Perkins: If this Bill is passed, there might be.

Hon. J. C. WILLCOCK: This Bill will continue the conditions which were brought into existence under the War Precautions Act.

Mr. Perkins: You were referring to conditions before the war.

Hon. J. C. WILLCOCK: No. I am referring to existing conditions. If the hon. member travels extensively, he will know that he can get any petrol he requires under the emergency provision. The supply is never refused. But we cannot expect the garage proprietors to stand by their pumps lighted up, with a man holding a lamp, in case a motorist might come 'along in four or five hours' time. I do not think that a magistrate or justice of the peace would fine any garage proprietor for supplying petrol under such emergency conditions. The word "emergency" would be reasonably interpreted. We have no right to think that it will be unreasonably interpreted. I am not now referring to the unreasonable instance mentioned by the member for Bunbury. He spoke of a person who had a 40-gallon drum of petrol at his home and then on a Sunday called at a garage for a gallon of petrol to suit his own convenience. We have had three or four years' experience of the existing conditions and I have never heard any complaint about any person having been restricted in his travels because of the regulation which says that garages have to shut at a certain time.

Mr. Perkins: But you could not get the petrol.

Hon. J. C. WILLCOCK: The people got all the petrol they needed to meet their reasonable requirements. We would be well advised to leave the existing conditions as they are, and that is what this Bill purports to do, with the exception that the Minister mentioned that the garages may open at 7 a.m. instead of 8 a.m. Nothing has appeared

in the correspondence columns of the Press complaining that people could not reach their destination because they could not get a supply of petrol.

Mr. Perkins: There are not many travelling yet.

Hon. J. C. WILLCOCK: There is a tremendous amount of motorcar travelling.

Mr. Perkins: Nothing compared with pre-war years.

Hon. J. C. WILLCOCK: The hon. member should ask the Treasurer what amount he received from the petrol tax this year compared with the years before the war. He would be surprised at the smallness of the difference.

Mr. Seward: You do not see the motorists on the road, anyhow.

Mr. SPEAKER: Order!

Hon. J. C. WILLCOCK: I do not wish to labour the question. The service garage proprietors have been extremely obliging and have given every satisfaction. I have heard no complaints whatever about refusals to supply petrol. As I said, the Bill, which continues the existing position, should be passed.

MR. READ (Victoria Park) [9.26]: I desire to say a few words in favour of the Bill. I am of the opinion that it would be better to regulate the hours of all kinds of businesses. I say from a lifelong experience of the business in which I am engaged that many of us are thinking in terms of service to a particular class of individual; but people who are traders are trading not so much for the purpose of giving service as for the purpose of making a living. I consider they are entitled to a measure of relaxation such as is enjoyed by others engaged in business. Where there is competition, without regulation of the hours of trading, some men work almost all the hours there are, because a man in the same line of business in the same city, or in the same street, does likewise. We are not dealing with a commodity which is perishable. There is reasonable time for all motorists to procure the petrol they require within the hours provided by the Bill.

A motorcar with a tank full of petrol is able to travel at least 200 miles. This measure would not preclude the owner of a car

from getting a further supply of petrol or accessories under certain circumstances, and I believe we should try to make life somewhat happier for the thousands of people who are trading in petrol. When as a young man I entered the business upon which I am now engaged, the hours of trading were 8 a.m. to 11 p.m. When an Act was passed compelling the closing of our shops at 9 p.m., most of us thought we would be ruined and unable to make a living, but we found we did just as well as we did before.

Mr. J. Hegney: Many people might die because they could not get some of your dope!

Mr. READ: When the legislation was afterwards amended requiring our places of business to remain open from 8.30 a.m. to 6 p.m. and to close on Sundays, we thought, "Well, this business will be no good." I might say that the business was as good under the new conditions as it was before, or better. It stands to reason that if the public are forced to obtain their requirements within specified hours, they will do so; but if there are no restrictions, they will wander in at any time to purchase their goods, at any hour or at all hours. When we were compelled to close on Sundays, it was thought that emergency cases would arise and that the Sunday closing would have a detrimental effect on the health of the community. I venture the opinion that it is better for some people to abstain from a few drops of medicine for a few hours. The hours of trading are such as we experienced in this line of business during the war; and if we continue that which has proved eminently satisfactory to all of us, I think we will do no wrong and certainly will bring into the lives of employers and employees a further measure of happiness.

MR. WATTS (Katanning) [9.31]: I think there are several misapprehensions that need to be cleared up in the minds of members, although I must say that I do not agree with the provisions of the Bill. To hear the member for Canning, one would imagine that the present state of the law was that a service station or similar establishment was compelled to keep open for 24 hours a day. The hon. member knows as well as I do, and perhaps better, that under the Factories and Shops Act Amendment Act of 1939, if under no other statute, the

hours were considerably restricted; and quite rightly, I think. Up to the present nobody has complained of the hours prescribed by that measure and the objection taken to this Bill, so far as I am concerned, is that it proposes to restrict those hours still further; to restrict them so much, in fact, that it is gravely doubtful whether the reasonable requirements of the travelling public will be met.

In no circumstances is it compulsory for a service station to open for anything like 24 hours a day; in fact, for it to do so is unlawful under the 1939 measure. But this proposal shortens the hours still further and, in justification, it is said that we are now to follow the hours that have been in force under National Security Regulations during the war. But the resemblance between the position then and what will occur in this post-war period, so far as one can discover in regard to motoring, is not very considerable. In fact, one might say there will be no resemblance at all because during the war, when the National Security Regulations were in force, the amount of travelling that the average citizen could do was virtually negligible. Holiday traffic per motor vehicle practically ceased. Under this measure, however, holiday traffic is the very traffic that is going to be more restricted; because now, instead of being able to open at week-ends as can be done under the 1939 Act, the service stations are to be entirely closed.

The Minister for Labour: Where do you find that under the 1939 Act?

Mr. WATTS: If the law is to be followed these shops, under the 1939 Act, will be open on Saturdays, Sundays and public holidays from 7 o'clock in the morning to one o'clock in the afternoon. But under the measure before us, on Sundays and days observed as public holidays they will be closed and kept closed, subject to a proviso in regard to certain public holidays.

The Minister for Labour: The 1939 Act provided for the metropolitan area only.

Mr. WATTS: That is so. I am dealing with the Act as it stands because this measure is to supersede it throughout the State. It goes a long way further than the 1939 Act, to which I am prepared to subscribe as being a reasonable measure. I do not ask that the 1939 Act be amended. My objection is that it is proposed to amend that Act

at a time when motoring is about to return to the conditions that existed in 1939 and before. Under this Bill, so far as lawfully doing things is concerned—and that is the only aspect from which we can look at the matter as members of the legislature—the person who wants to travel at a week-end will find himself gravely restricted; and I do not think it is fair that he should be. He should be given the opportunity which obtains under the existing law, even if I were to concede that the law might extend to the whole State, because it would make some provision for a man being given service at any time that he might be in need of it. But this Bill will restrict him and prevent him from obtaining service when he could reasonably require it.

The member for Bunbury observed that he had not received any request or representations from any of the service stations in his locality. I do not deny that for one moment; but I think the hon. member used the argument in the belief that no-one else had, either. Let me tell him that I have received communications from persons engaged in this business in every township in my electorate. They are certainly two, three or four times further from the metropolitan district than are those in the electorate of the member for Bunbury and that may be one of the grounds on which they have seen fit to make representations to me. There are in various parts of my electorate service stations which are purely service stations for the purpose of supplying minor spare parts, petrol and fuel oils to the travelling public generally. Some of them closed during the war because there was no prospect of earning a living on account of the restricted amount of petrol available for sale under the rationing system. They had more recently opened again, only to find themselves faced with this proposition, which will virtually prevent them, unless they break the law, from earning a reasonable amount for the carrying on of their occupations.

These people are prepared to be in attendance at almost any time. They are not insisting that they should be there after, we will say, 10 o'clock at night or before 8 o'clock in the morning; but they are prepared to be there all through the remaining 16 hours of the day and to provide the travelling public with service. They would not make money out of repair-

ing motor vehicles or from the sale of tyres—they are not garages—but really from the sale of those things that could be classed as motor spirit, oils and accessories of a small kind. They are opposed to this measure because they say that on the one hand it restricts a service for which there is a public need, and on the other hand it restricts the opportunities they have, without imposing any extra time on anybody but themselves, of earning some reasonable return in areas where there is bound to be a restricted turnover by comparison with the very large centres of population. So it seems to me it is a great pity this Bill has been persisted with. We have heard a lot said on the question of whether the emergency provisions of the law as at present constituted would not be sufficient to enable the ordinary traveller who has no particular business on the road except perhaps the pursuit of happiness lawfully to obtain his supplies from one of these stations. I am convinced that it will not do so. The proviso reads—

Provided that, if a sale of petrol, benzine or other motor spirit or of motor oil or of motor accessories to any traveller in a case of emergency (which such traveller could not reasonably have been expected to foresee) for the purpose of enabling him to undertake or continue any journey in a motor vehicle takes place from any shop at any time when such shop should, pursuant to the last preceding subsection, be closed that sale or the opening of such shop for the purpose only of that sale shall not be deemed to constitute an offence.

A man sets out from Perth to go 300 miles. He knows that the vehicle will do 20 miles to the gallon so that he will require 15 gallons. If he takes only 10 gallons, in the absence of the other five gallons an emergency he could not reasonably be expected to foresee? Of course not! He knew all about it before he started. In those circumstances, there is no emergency at all so far as this particular regulation goes.

The Minister for Justice: That is cutting it a bit fine!

Mr. WATTS: No, it is not. I think the Minister will agree, if he examines the matter closely, that that is a perfectly correct statement of the position. There cannot be an emergency that one could not reasonably be expected to foresee if one knew one was going to meet it half way on one's journey. Of course one would foresee that one needed 15 gallons and that one had only

10! It seems to me that the provision will do no good to anybody. What it is meant to deal with is an accident or the sudden illness of somebody's relative necessitating someone going somewhere that he did not intend to go. That is all this proviso was ever intended to cover and all it can cover if there is to be a strict interpretation of it at any time. In addition, quite apart from the legal argument, there is attached to it that cumbersome declaration which is to be filled in by every applicant for supplies in such an emergency, which is not the least conducive to comfort for those people who want to go about their lawful occasions in the pursuit of happiness and not for some directly business purpose. So there are misapprehensions by certain members in respect of the existing position. We have very restricted hours now, to which I and other people are prepared to adhere. Our objection is to the unnecessary contraction of those hours to the position specified in the Bill which is to prevail throughout the State. I trust that the Bill will not be carried in its present form.

MR. DONEY (Williams - Narrogin) [9.43]: I subscribe to this debate because I have received so many telegrams and so many requests pressing me to oppose the Bill as strenuously as I am able.

The Minister for Labour: You are doing a good job.

Mr. DONEY: I agree with the Minister in that respect. May I say of the debate so far that it seems to me to be rapidly conforming to an old and nowadays very familiar pattern: That of the city against the country. That is always regrettable. It is noticeable that whenever a debate of this type takes place there is a Government member here and there who invariably, irrespective of the virtues of the case, takes a line of argument strictly opposed to the interests of the country districts. There is very much indeed that is unsatisfactory wrapped up in this small but very damaging Bill. The member for Geraldton, in very friendly language, set up a rather amazing view to the effect that everything as it is at the moment is satisfactory and that all that the Bill does is to perpetuate the existing order of things. I imagine the hon. member has not studied the Bill carefully. My colleague on my right has pos-

sibly studied it more carefully, and he points out that there is a substantial departure from the existing order, in that the hours are altered in quite a few cases.

Hon. J. C. Willcock: A lot depends on the interpretation of the word "emergency."

Mr. DONEY: The question of hours is in no way wrapped up with the interpretation of the word "emergency." The hours speak for themselves. The figure "8" means 8, and so on, and the word "emergency" does not come into it. I admit—and here I am agreeing with the Minister in charge of the Bill—that the word "emergency" has been interpreted in a reasonable way, and all that the driver of a vehicle needs to do, in order to obtain the benefits in an emergency situation, is to say that he is on a journey and has run out of petrol. That is all that is required of him. If things are as satisfactory as the member for Geraldton insists, why is there all this turmoil among garage proprietors in the country?

Mr. J. Hegney: Turmoil?

Mr. DONEY: That is the word I used, and it sums up the situation. Owners of garages have come to me, very much perturbed, and have pressed me to oppose this Bill to the best of my ability. Quite a considerable living is made by a number of garage men, especially those on main roads. There are two garages at Williams, in my electorate, that make a not inconsiderable portion of their living through supplying motorists who have night needs in their line.

The Minister for Labour: They sell good steak and eggs at Williams, also.

Mr. DONEY: I agree with the Minister, but I imagine Mr. Speaker will shortly say there is nothing about steak and eggs in the Bill and, though I frequently disagree with him, I will have to agree with him on that. These garages will find their incomes substantially reduced if the Bill is passed, but it will be a surprise to me if the Minister permits it to go through, especially after attending the conference a few days ago.

The Minister for Labour: I did not attend any conference.

Mr. DONEY: While on the subject I will mention a day and night garage at Narrogin. Members have spoken from the back benches reminding me that if this Bill goes through and that garage is forced to close

down during the hours set out in the Bill, many wheatbelt inhabitants who go down to Albany and who rely on that garage for their petrol and service needs, will not be able to undertake the journey.

Mr. Withers: Do they always go on Sundays and holidays?

Mr. DONEY: There is no need, through this Bill, to put an end to night travelling. Many people say it is best to travel during the day and to get home in daylight, but I have always found that on long journeys, and particularly in summertime, I am more satisfied to travel by night, thus having a cooler and less fatiguing trip. It eases the pressure on the busy time in the city during the day. I referred to a conference which the Minister had with certain bodies interested in the motor and petrol trade. There is one disclosure that is particularly intriguing. Whilst it is claimed by speakers on the Minister's side of the House that the opposition to this measure is to a large degree negligible, I find that, as against the two bodies—the Service Stations Association and the A.W.U.—supporting the Bill, there is a far weightier aggregation of opinion against it. The Royal Automobile Club, the Royal Agricultural Society, the Chamber of Automotive Industries, the Chamber of Commerce, the Pastoralists' Association and the Primary Producers' Association form a far bigger body of opinion antagonistic to the measure.

The Minister for Labour: I doubt that. There are 7,000 in the A.W.U.

Mr. DONEY: The Press report says that at the request of the Minister for Labour, Mr. Panton, a round table conference was held with a view to arriving at a satisfactory decision regarding garage hours. The Minister cannot be as satisfied with the Bill as he pretends now to be, or he would not have sought the opponents of the measure.

The Minister for Labour: I did not seek them out. They invaded my office.

Mr. DONEY: "At the request of the Minister for Labour." That means only one thing, and I do not think the Minister will deny it. There is some rather startling information disclosed here—

After a great deal of discussion, the R.A.C. suggested that agreement might be reached in regard to the main provision of the Bill,

namely, the closing of garages on week days at 6 p.m. instead of 8 p.m., provided that those service stations which desired to open for a period on Sunday and holiday mornings were not prohibited from doing so. The object of this latter provision was to make it lawful for garages to provide petrol and accessories to those motorists who, however genuine their claims, would break the proposed law if they applied for service. Further negotiations became useless when the Service Stations Association refused to accept any modification whatever of the terms of the Bill.

Who is in charge of the Bill? This makes it plain that the Service Stations Association thinks it is in charge, and it will be obvious to the House, in view of what I have just read, that it must have had something to do with putting into the Minister's mind the idea that such a Bill should be brought down.

The Minister for Labour: Who wrote that article?

Mr. DONEY: I do not know, but it is from Monday's issue of "The West Australian" and I have no doubt the Minister has read it several times.

The Minister for Labour: I think the secretary of the Royal Automobile Club wrote it.

Mr. DONEY: It is competent for the Minister to deny its correctness, if he so wishes. I repeat the paragraph, "Further negotiations became useless when the Service Stations Association refused to accept any modification whatever of the terms of the Bill." That certainly appears to put that body in the box seat. It continues—

The abortive result of this attempt to reach agreement has been reported to the Minister, and it now rests with Parliament whether the Bill will be accepted in its present form. If the Bill were deferred it would provide an opportunity for the Service Stations Association to modify its uncompromising attitude.

So it apparently still remains in a position of control. I do not know whether what is set out here is true, but there seems to have been a sufficient semblance of authority, in what that body passed on to the Minister, to make the representatives of other bodies who attended believe the Service Stations Association was in a position of authority and could amend the Bill or leave it alone, as it thought fit. I leave that matter for the Minister to consider. These constant attempts further to whittle away the liberties of this and that section of the people cannot

in the long run lead to any good result. I do not know what the Minister can do in the way of amending the Bill. I do not know what we can do, unless the Minister will intimate his willingness to accept amendments of a certain kind. The Bill passed through another place with "the greatest of ease," as the popular verse has it—

And why it did so,
I cannot understand.

I believe that since then another place has come to its senses and I have no doubt that country members there, if not others, are now hoping that we shall be more sensible in our treatment of the Bill than they were.

MR. SEWARD (Pingelly) [9.56]: I do not desire to voice the opinion of the Royal Automobile Club or any opinion but my own. I hope the Bill will not be passed. When the member for Victoria Park was speaking, he conveyed the impression that it was rather wonderful to do a 200-mile trip at the weekend. On four out of the last five Saturdays, I have done not less than 250 miles. When garages close at 1 o'clock on Saturday and do not re-open until Monday morning, it entails wandering around on Sunday trying to get petrol supplies. One does not want to have to go around and beg people to open their garages in order to supply one's requirements. My car is not one of the latest types, with plenty of room for carrying spare petrol; it is one of the older makes, and I cannot do 200 miles without getting the tank replenished.

Last Friday evening, the Leader of the Opposition courteously took me home by car and we reached Pingelly at 10 p.m. He had to go on to Katanning the next morning and did not want to wait about half the day trying to get petrol. He asked me whether I could supply him and I told him that I had none. I added, "If you get away by 7 a.m., I can tell you of a place at Narrogin where you can get petrol before the garages open at 8 a.m." So he was able to continue his journey. Is it reasonable that people should have to put up with that sort of thing? Country members have their Parliamentary duties to attend to, and these duties entail the covering of considerable distances. On one of my trips, I had occasion to go to Kulin, where I arrived soon after six on Saturday evening. When I was about to park my car at the hotel, a bystander asked,

"What's the rod that is hanging down?" It was my brake-rod that had snapped.

Metropolitan members who have the advantage of bitumen roads do not appreciate the difficulties of travelling in the country. I can say with reasonable certainty that one is lucky if one does a country trip without breaking some part or other. If one is a mechanic and can do odd jobs, it is not so bad, but I do not know much about making repairs and have to employ somebody to do the work for me.

If provision were made for garages to open from 8 to 10 a.m. on Sunday, motorists would have little further to worry about. The garage people would also know where they stood. What sort of a respite is it for a garage-owner to be told that he need not open on Sunday but might be wanted for an emergency? If he goes away to enjoy himself, he is not at his garage to attend to cases of emergency. What, therefore, is the use of the emergency clause? If he had to open from 8 to 10 a.m. on Sunday, he could arrange to be in attendance on one Sunday and get his employee to take his turn on the following Sunday. Each would know exactly where he stood, and the travelling public would be inconvenienced.

The member for Bunbury spoke about black-marketing after hours. Who wants to crawl around begging for a drop of petrol, or for some repairs to be done? We had enough of that sort of thing during the war, having to queue to get a bit of tobacco or a drop of beer. It is time people were given a little liberty. As various speakers have pointed out, if the motoring public cannot go out at week-ends for enjoyment, why the devil should people own cars? The member for Geraldton said there were now more people using the roads. I was on the roads during the railway to strike and as far as the turn-off to Northam, 30 miles from Perth, I met cars fairly frequently, but once past that point, I would not pass another car until I reached Pingelly, except when passing through York and Beverley. This talk about the increase of traffic on the roads is nonsense. There is not nearly so much traffic on the roads now as we had in pre-war days. After leaving the bitumen roads, the motorist finds that breakages occur more frequently.

One case comes to my mind that I wish to mention. I should like to know who drives Government car No. 1151, which is a nice, new utility. I hope the Minister will find out. I had a puncture when on one of my trips and this road-hop, doing nothing less than 55 to 65 miles an hour—

The Minister for Labour: Surely not a Government car?

Mr. SEWARD: Yes, No. 1151. Most motorists, when they find another in difficulties, will slow down and offer assistance, but not this fellow; he just tore past.

Mr. SPEAKER: I think the hon. member is now getting away from the Bill.

Mr. SEWARD: Yes, the matter just recurred to my mind. A garage proprietor came to me at 5 o'clock last evening and asked what was happening to this Bill. I replied, "You can forget it; the Bill will not come up again." It was not until this morning that I learnt that the Minister had moved the second reading on Friday last. The garage-owner said, "I hope it will be withdrawn; it is of no good to us in the country districts." When the measure was first introduced in the Council, I received a telegram from a country garage owner asking me to use my best endeavours to have the measure defeated or radically altered. If these conditions are enforced, the measure will certainly inflict considerable hardship on people travelling in country districts during the week-end. If a man has a roomy car with space for two or three tins of petrol, it is not so bad, but many people have to depend on getting petrol at the various towns. On Saturday last I motored a hundred miles and had to do more again on Sunday. When one has to do trips like that, one is lucky to be able to carry sufficient petrol to get home again.

I ask the Minister to give due consideration to these reasons and make some provision to meet the convenience of the travelling public. I do not wish to see garage employees working 24 hours a day; there is no need for that. All I ask is that on a Sunday or a holiday some provision should be made between the hours of 1 p.m. on Saturday and 8 a.m. on Monday whereby garages are open, say, from 8 to 10 a.m. on Sunday so that people may get the petrol they require, or have repairs made or obtain spare parts, and thus be

enabled to continue their journey. I appeal to the Minister to give sympathetic consideration to these representations.

MR. LESLIE (Mt. Marshall) [10.4]: In view of the controversy that has arisen outside the House, I am surprised at the Minister's proceeding with the Bill.

Mr. J. Hegney: Propaganda!

Mr. LESLIE: It is not so much propaganda. The member for Bunbury stated that he had received communications from organised bodies and was surprised that other members had not received circular letters from country garage proprietors. I do not know what the experience of the member for Bunbury may be, but the people in my district had confidence in my ability to represent their views, and they approached me, instead of approaching members representing other districts. Therefore I am not surprised that no other member of this House has received a communication from the garage proprietors in my district. They are no less concerned and anxious that this legislation shall not be passed. They are service station proprietors and realise the fact that their job is to provide service. It is not the intention of any member on this side of the House that anybody should work more than the hours stipulated in any award made by the Arbitration Court.

Mr. J. Hegney: Members on your side of the House say that the service stations can keep open for 24 hours.

Mr. LESLIE: A member on the hon. member's side of the House suggested that they should keep open 24 hours a night. That is doubling the day.

Mr. J. Hegney: That was a slip of the tongue.

Mr. SPEAKER: Order!

Mr. LESLIE: It is not suggested that either the proprietors or their employees should work 24 hours a day. It is only intended that service should be provided and that they make whatever arrangements are necessary to ensure that those working in the industry shall not work beyond the hours provided by any award.

Mr. Cross: Could not the motorists carry an extra two-gallon tin of petrol?

Mr. LESLIE: I am afraid the member for Canning has done but little travelling in country districts. Very seldom has a

Sunday passed without my having to call at a garage for petrol. I cannot travel throughout my electorate without getting an additional supply, nor can I travel from my electorate to the metropolitan area on one filling of petrol, even carrying an additional tin of petrol.

Hon. J. C. Willecock: Were you ever refused petrol?

Mr. LESLIE: Certainly not!

Hon. J. C. Willecock: This Bill does not alter the existing conditions.

Mr. LESLIE: I do not know whether or not the proprietors of the garages are disobeying the law in providing me with petrol. I do not for a moment consider that I am securing the petrol in an emergency. I know that when I go from Perth to my electorate I have to secure additional petrol before I reach my destination. The law would certainly expect me to make provision for that additional petrol, but I cannot do so. I know that I can en route obtain petrol, and so can other travellers, because a service station is handy and prepared to supply it under what is now called an emergency. This emergency will, I understand, disappear if this Bill is passed. A garage proprietor is not going to stand by his house all the time because a traveller knows well that between certain hours he is entitled, if he can locate the proprietor, to ask him for petrol without having to spin a tale about its being an emergency service. He has not recourse to any subterfuge to convince the proprietor that he is not rendering himself liable to a fine for an offence against the law.

This Bill will impose severe hardships on country travellers, as well as on people travelling from the metropolitan area to the country. The country garage proprietors are looking for this business from people from the metropolitan area, and I would point out that if the Bill passes the latter could not get their supplies outside the working hours. This would mean a severe loss to the country garage proprietors. I can quite understand the association in the metropolitan area fighting tooth and nail to get the Bill through and I am surprised that the Minister supports the idea of concentrating business in the city and depriving the country proprietors of what small amount of business is available to them now. It is that business which encourages them to establish

a service outside the metropolitan area, and that service is very necessary for the convenience of the public. For that reason it should be encouraged, not discouraged.

If we can create further employment, let us do so. Most of the garages are employing young people. In view of the controversy that has raged over this Bill outside Parliament, I am surprised that the Minister has seen fit to proceed with it, particularly at this time. It will give satisfaction to a small number for selfish reasons, but the wishes of the public and of the majority of the service stations outside the metropolitan area are that their convenience and welfare should be considered. We should not give way to a very small minority that is seeking, through this measure, to concentrate the business in the metropolitan area. I intend to oppose the Bill.

MR. McDONALD (West Perth) [10.11]: I do not intend to deal with the arguments for and against the Bill. They have been covered fairly widely by those who favour and by those who oppose it. But there is a very large section of public opinion in the city and in the country that is by no means satisfied about the Bill, and I think that we as a Parliament would be doing our duty if we left the measure over until next session. In the meantime some attempt might be made such as was tried, but unsuccessfully, to reconcile the different points of view. I regret, as all members did on the discussion which took place, what appeared to be the adamant attitude on the part of the service station proprietors. I understand their wish is to have the best possible hours and conditions for themselves and their employees. There appears to be an intransigent attitude on their part which most of us regard with considerable regret.

If the present hours continue—and they are an improvement on the hours which obtained a few years ago from the point of view of the hours worked—there is no obligation on any service station proprietor to work those hours. He can close five days a week and play golf, if he likes. Of course, we know he cannot from a practical point of view; he has to earn his living; but he need not work on a Sunday if he does not wish to. Neither the Bill nor the Act says that a proprietor shall keep open for

those hours. It says to him, if he does not like the hours, "You can go away and leave your station and tell your employees they need not be there at all." Of course, it may be said that he might be afraid of competition, but in many country towns there is no competition. In any case, even if there were, the proprietors might decide to do the same thing.

No man will be compelled to work these hours if they are continued. It is entirely optional on his part. By letting the present hours continue, we do not compel any man to work longer than he wishes. He could work from two o'clock to four o'clock each afternoon if he desired. But what we say is that if any service station proprietor feels that there is a service station needed in his area, and he is prepared to supply it, it shall not be illegal for him so to do. I am not going into the arguments for and against. There are people who believe that, without the incentive or return from some sales of petrol on Sunday morning or on a holiday morning, the service stations will not open at all and consequently there will not be any emergency service; because while a proprietor in a country town or some roadside situation feels he may make a few shillings from selling petrol, he may be somewhere in the vicinity; but if he knows he cannot make anything from selling petrol, he may feel it is not worth while staying and consequently he would not be available to provide the emergency service. That is what has been submitted to me. I think the Bill is very unsatisfactory. I feel with regret that the Legislative Council—I do not desire to reflect on it—is too much under the influence of the A.W.U.—

Members: Oh! That was a slip!

Mr. McDONALD:—and passed this Bill without giving it full consideration. I am not conscious of having endeavoured to provoke any humour, but apparently I have.

Mr. Doney: You do not realise what you said.

Mr. McDONALD: Whatever the motive, the Bill has gone through the Council and the responsibility lies with this Chamber.

Mr. Cross: It is a House of Review.

Mr. McDONALD: Yes, and it remains to be seen whether it is worthy of existence as a House of Review. The responsibility lies with us for a change to deal with pre-

ecipitate and ill-considered legislation. While we are very anxious to assist industry with regard to the best possible hours, we should bear in mind that these people need not work the present hours if they do not want to. They can close all day Saturday, Sunday and Monday if they wish, or whenever they please. I suggest that in view of responsible public opinion—both in town and country—deserving of the consideration of this House, we would be acting more in accordance with our duty if we said that this matter can be dealt with next year and that in the meantime the parties will have an opportunity to meet and see whether they can arrive at some basis that will be mutually satisfactory. If they are reasonable people it should be possible for them to do that. In the meantime I intend to vote against the measure.

THE MINISTER FOR LABOUR (Hon. A. H. Panton—Leederville—in reply) [10.19]: I have been rather interested to hear this debate. I was not at the conference which took place last Friday or Friday week; but I venture to say that if the President, Dr. Meagher, and the secretary of the R.A.C. had remained at the conference in Melbourne a further few days there would have been no objection to this, and the Bill would have gone through this House in the same way that it went through the Legislative Council.

Mr. Watts: No, it would not!

The **MINISTER FOR LABOUR**: Yes, it would.

Mr. Watts: Not on your life!

The **MINISTER FOR LABOUR**: There has been a good deal said about correspondence received from various parts of the State. The extraordinary part to me is that although the Minister in charge of the measure is the man who should have received correspondence about it, all that I had was a telegram from Dr. Meagher and then, for the next three or four days, other telegrams from different parts of the country couched in exactly the same language. I am not blaming him. He is a good organiser and propagandist; but that is where the telegrams originated.

Mr. Doney: Were they against the Bill?

The **MINISTER FOR LABOUR**: I did not say anything about the Bill. They were not against the Bill. What really hap-

pened was that the Bill was introduced in the Legislative Council. When the president and secretary of the R.A.C. came home, the first thing they did was to rush into the Press. They did not give me an opportunity to hear what they had to say. They asked me later if I would receive a deputation. I agreed, and a deputation of 14 people waited upon me in my office. After listening to them, I told them that it was for them to reconcile any differences between themselves and the service stations.

I suggested that they should hold a conference and that the Chief Inspector of Factories should take the Chair. The Chief Inspector and his deputy were present, but Dr. Meagher took the chair. They were unable, however, to reconcile their differences. When I suggested the holding of the conference, I told them that if they were unable to agree, Parliament would settle the argument. I gave them no encouragement that I was going to withdraw the Bill, but I thought that if they had an argument they could get together and settle it. But they did not settle it. Subsequently Dr. Meagher gave me the minutes—they were not very extensive—and said, "We were unable to do anything about it." I told him the matter would go to Parliament, and that was why it came here.

The member for Toodyay wanted to know how I came to resurrect the Bill. There was no question of resurrecting it. It reached this House from the Legislative Council, and I moved the first reading in accordance with the Standing Orders. Then we came to the second reading; and when these gentlemen interviewed me, I asked the Premier to put the Bill well down on the notice paper until a conference had been held. Some members have mentioned the names of people who were at the conference. I was informed—I do not vouch for the information, but it came from what I regard as a fairly authoritative source—that the people at that conference included most of the officers of the R.A.C., representatives of the pastoralists and representatives of the primary producers. Those people do not patronise service stations. They buy petrol wholesale from the big firms. So it did not matter to them whether these places were closed or not; they still got their supplies wholesale. There has been a good deal of talk about what this Bill is going to do. The Bill is part and parcel of the Factories and

Shops Act. Section 101 of the Act originally read—

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

In 1939 a Bill was introduced, with which the Leader of the Opposition has said he is quite satisfied. In that Bill, Section 101 was amended and it was provided that in the case of shops within the metropolitan shop district these shops should be closed except—

On Mondays to Fridays (not being public holidays), both inclusive—between the hours of seven o'clock in the morning and eight o'clock in the evening;

On Saturdays, Sundays, and public holidays—between the hours of seven o'clock in the morning and one o'clock in the afternoon; That is all that the Bill of 1939 provided with regard to hours in the metropolitan area. I previously read the emergency clause and I presume that everybody else has read it, too. Service stations all over the country, under that provision, came under the Factories and Shops Act and the hours in the country were eight a.m. to eight p.m. five days a week. Then National Security Regulations were introduced and the hours were from 8 a.m. to 6 p.m. Those are the hours that the country service stations were supposed to work. On the weekly half-holiday, whether Saturday, Wednesday or Tuesday—and it was mostly Saturday or Wednesday in the country—their hours were, pre-war, 8 a.m. to 1 p.m., and under National Security Regulations, 8 a.m. to 1 p.m. On Sundays and public holidays they were, pre-war and under National Security Regulations, closed. That was so because shops were closed on those days under the Factories and Shops Act. That was the position in 1939, and it was never altered. What are we doing today?

Mr. Seward: Trying to get a bit more liberty.

The MINISTER FOR LABOUR: We are introducing a Bill which provides for the closing of the shops in the metropolitan area which were open, pre-war, from Monday to Friday inclusive, from 7 a.m. to 8 p.m. and, under National Security Regulations from 7 a.m. to 6 p.m. Under the proposed Bill

they will, in the metropolitan area, be open from 7 a.m. to 6 p.m. On Saturdays they will close at 1 p.m. On Sundays, pre-war and under National Security Regulations, they were open from 7 a.m. to 1 p.m., and now it is proposed that they will be closed altogether in the metropolitan area. On holidays they were, pre-war and under National Security Regulations, open from 7 a.m. to 1 p.m. and it is proposed now that they will be closed. This legislation provides for their closing on Christmas Day, Anzac Day and Good Friday, and on those days they were closed pre-war and under National Security Regulations.

Members, except the member for West Perth, who have spoken for the metropolitan area, have been in favour of closing up these establishments in the city so that the fight—and I have no objection to it—has come from the Country and Democratic League. The hours in the country, pre-war, were, for five days per week, 8 a.m. to 8 p.m. and under National Security Regulations 8 a.m. to 6 p.m. Under the proposed legislation the hours will be from 7 a.m. to 6 p.m. They will get an extra hour in the morning. Those times will be of assistance to the Leader of the Opposition who leaves Katanning very early in order to get to a little garage at Narrogin.

Mr. Seward: They are not open at 7 a.m.

The MINISTER FOR LABOUR: They have no right to be open now, but they will be permitted to open at that time under this legislation.

Mr. Seward: They will not be.

The MINISTER FOR LABOUR: The hon. member has no right to say that. What about this little place that the Leader of the Opposition reaches at 7 o'clock?

Mr. Watts: It was not 7 o'clock.

The MINISTER FOR LABOUR: In the country, pre-war and under National Security Regulations, the weekly half-holiday hours were from 8 a.m. to 1 p.m. Under this legislation it is proposed that the hours shall be 7 a.m. to 1 p.m. On Sundays and public holidays they were in exactly the same position as establishments under the Factories and Shops Act, that is, they were closed, and that will still apply. There is no difference, except in the metropolitan area where these places will be closed on Saturday afternoons and on Sundays and

on certain holidays, between what existed in 1939—or since 1920 if it comes to that—and what is proposed now; and the emergency section is still to remain. The noise that has been made is over something that does not exist.

Mr. Doney: Pre-war, they closed at 8 p.m.

The MINISTER FOR LABOUR: I do not know about that; I only know what the legislation provides, and it does not say anything in regard to service stations. Those places were expected to comply with the Factories and Shops Act. I think a lot of fuss is being made over nothing. If the Legislative Council did not do its job I am sorry. It is the first time that it has not done so, as far as I am concerned, because it generally mutilates my Bills.

Mr. SPEAKER: Order!

The MINISTER FOR LABOUR: It does. I think in future I will have my Bills introduced there.

Mr. SPEAKER: Order! The hon. member knows he must not reflect on the Legislative Council.

The MINISTER FOR LABOUR: I am not reflecting on it. It generally murders things; but it only mutilates my Bills! If members give this measure calm consideration they will see that the service stations in the country districts will be in no different position from what they were in the past.

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

Ayes	..	..	..	23
Noes	..	..	..	11
Majority for	..	..	..	12

AYES.

Mr. Coverley
Mr. Cross
Mr. Fox
Mr. J. Hegney
Mr. W. Hegney
Mr. Kelly
Mr. Leahy
Mr. Marshall
Mr. Needham
Mr. Nulsen
Mr. Owen
Mr. Pantan

Mr. Read
Mr. Shearn
Mr. Smith
Mr. Styants
Mr. Telfer
Mr. Tonkin
Mr. Triat
Mr. Willcock
Mr. Wise
Mr. Withers
Mr. Wilson

(Teller.)

NOES.

Mr. Doney
Mr. Leslie
Mr. Mann
Mr. McDonald
Mr. McLarty
Mr. North

Mr. Perkins
Mr. Thorn
Mr. Watts
Mr. Willmott
Mr. Seward

(Teller.)

PAIRS.

AYES.
Mr. Holman
Mr. Collier

NOES
Mr. Hill
Mr. Stubbs

Question thus passed.

Bill read a second time.

In Committee.

Mr. Fox in the Chair; the Minister for Labour in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 101:

Mr. THORN: I move an amendment—

That in line 1 of paragraph (a) after the letter (a) the words “within the metropolitan shop district but not elsewhere” be inserted.

That will confine it to the metropolitan area, as the Minister has stated tonight that is where it is to apply.

The MINISTER FOR LABOUR: I have already explained the position and, as there is no occasion for this amendment, I cannot accept it.

Mr. DONEY: I join with the member for Toodyay in hoping the Committee will accept this way out of the difficulty. Members on the Government side have gone to considerable trouble to show how satisfactory the measure is to them, but we do not want to be saddled with it at all. I do not think the Minister has received any evidence that the country wants the measure.

The Minister for Labour: I have received no evidence against it.

Mr. DONEY: I think all those from whom the Minister received letters and telegrams wanted to find some way of contracting out of the Bill. It was an interesting disclosure that I read a while ago. I know the Minister might retaliate by saying that the Service Stations Association draws its membership from all over the State, but I do not think it would be denied that the body of the association which determined the question now before us was a small emergency committee, or something of that kind, consisting only of service station men in the metropolitan area.

Mr. J. HEGNEY: I oppose the amendment, for the reason that the member for Williams-Narrogin submitted a few minutes ago. He complained of discrimination between the city and the country, and I say the amendment would cause discrimination

by providing one law for the metropolitan area and another for the country. He then said there was no important body of public opinion behind the Bill, yet the fact is that it was passed by another place where there are at least 20 members representing country areas.

Mr. Thorn: Then why do you want to abolish them?

Mr. J. HEGNEY: They passed the measure for our endorsement, and it must be remembered that in another place there is mostly country representation. I hope the Minister will not accept the amendment. Apart from receiving a communication from the R.A.C., I have not been asked to oppose the Bill, and the measure has received wide publicity. On the contrary many people favour the measure. We do not want this discrimination between the country and the city.

Mr. PERKINS: It is something new to hear the member for Middle-Swan holding up the Legislative Council as an example to this Chamber.

Mr. Thorn: We will remind him of it later.

Mr. PERKINS: Heed should be given to the representations of country members. I have no doubt whatever as to the desire of people in my electorate. In nearly every centre there is one garage that caters for after-hours' trade. If the Bill be passed, it cannot be strictly enforced and yet assure reasonable service to motorists. From each centre in my electorate opposition has been expressed to the measure. I have a telegram from Totadgin urging me vigorously to oppose the Bill as its effect would be greatly to inconvenience the travelling public and hamper progress. The amendment would largely achieve the end we desire, and the Minister has advanced no reason why it should not be accepted.

Amendment put and negatived.

Mr. THORN: I move an amendment—

That in line 7 of paragraph (b) the word "seven" be struck out with a view to inserting the word "eight."

This paragraph deals with the hours of trading on public holidays. Service stations have been opening at 8 a.m., which is quite early enough, but if the Minister would grant the extra hour at the other end by permitting stations to remain open till 11

o'clock instead of 10 o'clock, it would be more satisfactory to all concerned.

The Minister for Labour: They prefer to open at 7 a.m.

Amendment put and negatived.

Mr. THORN: I move an amendment—

That in line 8 of paragraph (b) the word "ten" be struck out with a view to inserting the word "eleven."

This would provide for an extra hour of trading on holidays.

Amendment put and negatived.

Mr. WATTS: I move an amendment—

That at the end of paragraph (c) the following proviso be added:—"Provided that nothing in this subsection shall render unlawful the opening of a shop for the purpose only of the sale of petrol, benzine, motor spirit, motor oil, or other accessories, to a person who satisfies the shopkeeper or person acting, or apparently acting, in the management of the shop, that such sale is necessary to enable him to continue a journey which commenced not less than twenty miles from such shop, or to commence a journey of not less than twenty miles from his home or other starting point."

It has been suggested that the present emergency provision is satisfactory to cope with a person who is a bona fide traveller, but unable to show that he had reason to anticipate the emergency.

The MINISTER FOR LABOUR: I have no objection to the amendment, as it makes the emergency clause more explicit, as far as I can see.

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

Title—agreed to.

Bill reported with an amendment.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. F. J. S. Wise—Gascoyne): I move—

That the House at its rising adjourn till 3.30 p.m. to-morrow.

Question put and passed.

House adjourned at 10.58 p.m.