ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [11.55]: There is a possibility of Parliament being able to conclude its business at the next sitting, and in order to enable us to bring that about with as little inconvenience as possible, I propose to ask members to meet to-morrow at 2.30 p.m. instead of the usual hour. I move—

That the House at its rising adjourn until 2.30 p.m. to-morrow.

Question put and passed.

House adjourned at 11.57 p.m.

Legislative Assembly.

Thursday, 16th December, 1937.

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

QUESTION—PLANT DISEASES ACT.

Orchard Registration.

Mr. SAMPSON asked the Minister for Agriculture: 1, Is insistence of registration and reregistration of all orchards as required by the Plant Diseases Act maintained? 2, How many orchards have been registered for the different periods since registration was declared compulsory? 3, How many prosecutions in connection with the fruit fly scourge have taken place for the different periods since registration became compulsory?

The MINISTER FOR AGRICULTURE replied: 1, Yes. 2, In 1936-37, 53,080; in 1937-38, up to date, 45,104 orchards have been registered. In the Swan electoral district, there are no less than 751 orchards which were registered in 1936 but have not yet been registered for 1937-38. 3, There have been 50 prosecutions since registration became compulsory. The department would appreciate the assistance of the hon. member for Swan in its endeavours to eradicate this pest.

QUESTION—ELECTRICITY.

Collie Coal Costs.

Mr. WILSON asked the Minister for Railways: 1, What is the train mileage from Collie to the electric power station at East Perth? 2, What is the mileage rate per ton on all coal used by the electric power station at East Perth? 3, What is the cost per ton for hauling coal from Collie to the electric power station at East Perth?

The MINISTER FOR RAILWAYS replied: 1, 123 miles, plus distance from pit's mouth to Collie. 2, 12s. 3d. per ton. 3, Such costs are not segregated, nor is it possible to extract them with any degree of accuracy.

BILL—FACTORIES AND SHOPS ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

Mr. SAMPSON: On a point of order. May I ask whether the Minister for Agriculture is acting in accordance with approved practice in introducing a further question into the questions asked by me?

Mr. SPEAKER: The hon. member is too late. He should have taken notice of it immediately afterwards.

Mr. SAMPSON: We have not yet proceeded to deal with the next business.

Mr. SPEAKER: The hon. member's only course is to give notice of a question.

Mr. SAMPSON: I will give notice of a question for to-morrow.

MR. WATTS (Katanning) [4.43]: I intend to support the second reading of the Bill because I consider that much of it is well worth a place on the statute-book. There is an altered definition of "shop," and I am glad to note that this applies to retail establishments only. The select committee referred to by the Minister made a point of excluding wholesale houses from the provision, which, I think, was originally contemplated. There is also a proposal for the appointment of an assistant Chief Inspector of Factories, and a further proposal that persons appointed as inspectors of factories must have passed a prescribed examination before being appointed. That is a very wise provision and one that I hope will be passed. Section 20 of the Act gives a right of appeal, which has been retained, but I notice that the Bill proposes to repeal Section 23 and 24 of the Act. I ask the Minister, when replying, to give some explanation of the reason why that repeal is proposed. Under the Bill, if the Chief Inspector finds that a factory is defective, he is directed to refund the fee and cancel the registration. Later on, the occupier having complied with the requisition, whether it was amended on appeal or not, apparently has no right such as was given him under Sections 23 and 24 to get a certificate in lieu of the one previously called in and cancelled. It seems, therefore, that the provision now in section 23 to enable him to get a new certificate after having complied with the requisition would need to remain in the Act. There is a proposed amendment also to Section 40 of the Act. This is an amendment in which I think there may be some danger. While there may be some instances in which exemption to a particular factory may be warranted, there is a danger of the benefit being conferred on one of a number of factories in an industry, which might have the effect of producing unfair competition. I consider that the existing provisions of the Act are quite satisfactory in that they prevent any chance of favouritism being shown either accidentally or intentionally. There is another provision that a worker shall be deemed to be employed from the time he starts working until working operations cease for the day. Working operations might be continued in a factory after the time during which a particular worker might be employed has passed and it seems to me that the proposal should be amended to prescribe that the working operations of the individual are referred to and not the working operations of the factory. There appears to be no definition of the term "working operations," and I contend that some amending provision is necessary. The Bill contains provisions making it almost illegal to insert an advertisement in a newspaper offering a premium for employment. What has astonished me is that if it is desired to put an end to the practice, the insertion of the advertisement in the newspaper has not actually been made illegal. The position under the Bill seems to be that a man takes an advertisement to a newspaper advertising for employment and offering to pay a premium if he obtains it, and all that the newspaper proprietor has to do is to take the name and address and publish the advertisement, apparently with a view to enabling the inspector to prosecute the advertiser for having ordered the advertisement to be inserted. If the practice is worth ending—and I admit there are arguments in favour of ending it—surely it is worth making it illegal for the newspaper to accept the advertisement and so settle the matter once for all. I am glad that the Minister sees fit to accept the proviso to Section 48 having reference to youths getting practical experience. I noticed from the report of the select committee that Mr. Lynch, Superintendent of Technical Education, was very keen on the point that youths who desired to get technical experience—actual working experience—of machinery and so forth, were in difficulties, because, if they went to a factory for a time to obtain that experience, they were classed as employees. The proviso will effectually overcome that difficulty and enable those youths to obtain the experience they require. Anything we can do to enable those young people to prepare themselves for work in the line of life in which they seek to work is all to the good, and the lifting of any restriction within reason to assist them to that end is most desirable. The Bill contains provisions regarding the making of regulations concerning dangerous trades—those actually dangerous in themselves and those injurious to the workers employed therein. I regard the provisions of the Bill, excepting on one point, as eminently

fair. They provide, in short, that when the regulations have been drafted, they shall be advertised, and if there is any objection to the regulations, it has to be made to the Minister, who is then to appoint some competent person to report to him upon the objection. Unless we have something further than the term "some competent person" there will be a danger of an interested party being appointed. It would be possible, though probably unlikely, that the report would be obtained from the particular officer of the department who had recommended the original regulation. In a matter of this kind a report should be obtained from a purely disinterested party. I suggest that the competent person should be a resident magistrate or the industrial registrar of the Court of Arbitration. Failing the inclusion of some such amendment, there is a possibility of something that is intended to be perfectly fair becoming rather unfair at some future time. I wish to refer now to the attempt to define "second-hand furniture." The definition, in my opinion, is not very satisfactory. The ordinarily accepted meaning of the phrase "second-hand furniture" is fairly well recognised. Second-hand furniture includes third-hand, fourth-hand, and even one hundred-hand furniture. It ceases to be new furniture immediately it has been used by one person. Yet, if the definition is to remain in the Bill and the generally accepted meaning of the term is not relied upon, "second-hand furniture" may be construed as being confined to actual second-hand furniture, namely, furniture that has been used by one person and is in the hands of another. I shall attempt, in the Committee stage, to improve that definition. There is a proposal in the Bill to delete the word "knowingly" from Section 97 of the Act. I believe it is an essential ingredient of the offence referred to there, that the person should be proved to know that he was doing wrong. It is reasonable that the prosecution should be in a position to prove at least prima facie that the defendant knowingly did wrong, and that he should not be in a position of having to answer a charge when there is only evidence to the effect that wrong has been done, and not evidence that he knew he was doing it. If the amendment is passed, I think any possibility of a bona fide mistake being proved is lost so far as the defendant is concerned. The position in regard to the local option, if I may call it so, as to the half-holiday during every week is to be considerably altered. I notice now that there is not only the choice between Wednesday and Saturday, as existing heretofore, but a choice between Saturday and any other week day. That seems to me quite all right. In the evidence given to the select committee it was clearly shown that in some districts there is a demand for the half-holiday to occur on days other than Wednesday and Saturday. The peculiar limitations of certain districts seem to make the residents desire that the half-holiday should fall on some other day than those mentioned. I personally am quite prepared to agree to the proposals of the Bill in that regard; but I do not think that once a poll has been taken in a district under the new provision, certain small shopkeepers should be eligible, as provided in the Bill, to select whether they will close their shops on that day, the day chosen by the people of the district, or on some other day. As I understand the Bill, it proposes that they should be entitled either to accept the day assented to by the electors of the district, or to select Saturday in lieu of that day. I am of opinion that they should be obliged to take their half-holiday in common with the remainder of the people in the district, who will be bound by the judgment of the electors at the poll. Those provisions should receive attention when the measure is in Committee. Nor do I see any reason for the proposal to deprive women and young persons of the 44-hour maximum week which under Section 125 of the Act they have apparently enjoyed for some years. I am inclined to the view, in all the circumstances, that that proposal of the Bill is in the nature of a retrograde step. I have noticed from the Minister's remarks that he proposes to take some action in regard to that amendment, and I shall agree with him in doing so. The remainder of the Bill I see no cause to comment upon, except to say that in Committee I shall have some observations to make on the amendment which the Minister has placed on the notice paper. I support the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Sleeman in the Chair; the Minister for Employment in charge of the Bill.

Clauses 1 to 6—agreed to.

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

Mr. WATTS: Why is it proposed to repeal Section 23 of the Act by this clause, and Section 24 by the next following clause?

The MINISTER FOR EMPLOYMENT: Clause 6 proposes to alter completely the principle of registration of factories. If the provisions of the Act were strictly enforced at present, a person who assumed occupancy of a factory prior to its registration would be required to cease operations immediately if a defect were later discovered, and would be liable to a daily penalty for every day that he continued to use the premises until registration was properly effected. The amendment proposed in Clause 6 provides that the registration of a factory will not be dependent on the suitability or otherwise of the premises, which will become liable to be used immediately they become a factory. If the premises are found to be unsuitable, the Chief Inspector of Factories is empowered to forbid their use even although automatic registration has been granted. If later they become defective for any reason, the Chief Inspector, or other inspector, will be empowered to require the defects to be remedied. The issue of a certificate of registration is at present tantamount to an intimation that the premises are not defective, although they may be defective. At present, if during the currency of registration an occupier is called upon by requisition to remedy defects, he frequently complains, and states that the fact that the registration has been granted to him ought to be sufficient to ensure that his factory is not defective. So Clauses 7 and 8 are consequential upon the effect Clause 6 of the Bill will have in relation to the amendment of Section 20 of the Act. Section 20 deals with the examination of the factory, requisitions for defects to be remedied, and so on. Section 23, with which this clause deals, sets out that upon an inspector being satisfied that the factory is not defective, registration shall be effected by an entry in the register. We are now providing that registration shall be automatic on application; so it is unnecessary to have Section 23 retained in the Act, because that sets out that registration shall be effected after certain inquiries have been made by an inspector and after certain defects, if any exist, have been remedied. Clause 6 proposes to alter the principle of registration, and aims to establish automatic registration following the reception of an application. Section 23 is no longer necessary, and neither is Section 24, which is repealed by Clause 8.

Mr. WATTS: I am not quite clear on the matter yet. The point I have in mind is that under the new proposals, notwithstanding the registration of a factory—that is to say, after it has been registered—if the Chief Inspector is dissatisfied he may forbid the premises from being used, and if he forbids them from being used, he refunds the fee paid for registration and the occupier must forthwith deliver up the current certificate of registration to the Chief Inspector for cancellation. So we have arrived at a position where, if the factory has been registered under the automatic system and is found to be unsatisfactory, and thereupon the inspector has forbidden its use and called up the certificate for cancellation, then after the certificate has ceased to exist there is no subsequent provision, although the factory owner has complied with the requisitions made and put his factory in order, for the inspector to be obliged to issue him with a new certificate. I was under the impression that Section 23 of the Act, or some similar section, should be retained in order to oblige the inspector in those circumstances, having cancelled the original certificate and had his requisitions complied with, to issue a new certificate.

The MINISTER FOR EMPLOYMENT: Clause 6, which alters the principle of registration, provides that the registration shall be automatic upon application, and also empowers the Chief Inspector to make certain inquiries and to require certain defects, if they exist, to be remedied. The Chief Inspector would only forbid premises from being used as a factory in the event of the occupier of the factory refusing to carry out the Chief Inspector's requisitions to have defects remedied. Ordinarily the registration of a factory would continue until and beyond the time when the factory occupier remedied the defects, but if the factory occupier, after being requested to do so by the Chief Inspector, refuses to remedy defects, then power is given in Clause 6 to enable the Chief Inspector to forbid any further use of the premises as a factory. Because of the altered principle of registration, it is necessary that Sections 23 and 24 should be repealed.

Clause put and passed.

Clause 8—agreed to.

Clause 9—Amendment of Section 27 of the principal Act:

The MINISTER FOR EMPLOYMENT: There is an error in the clause. Owing to action in another place, Clause 71 of the Bill has become Clause 53. Accordingly I move an amendment—

That in Subclause 2 the words "seventy-one" be struck out and "fifty-three" inserted in lieu.

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

Clause 10—Amendment of Section 32 of the principal Act:

The MINISTER FOR EMPLOYMENT: I ask the Committee to delete this clause because the same wording appears in Clause 46 of the Bill. Although the Council gave a great deal of attention to this Bill, two clauses were left in dealing with the same matter.

Clause put and negatived.

Clauses 11 to 14—agreed to.

Clause 15—Rule regarding employment:

Mr. WATTS: I move an amendment—

That after "operations" in line 5 of proposed new Section 41A, the words "of such person" be inserted.

The MINISTER FOR EMPLOYMENT: I understand that the member for Katanning moves for the insertion of these words so as to make legally sure that the working operations referred to in the clause are the working operations of persons employed in the factory. The clause makes it clear that the occupier cannot be covered. In line 2 of the proposed new section, the occupier is definitely excluded. However, I have no objection to the amendment. To make the clause read correctly, I think the word "the" should be inserted before "working operations."

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

Clauses 16 and 17—agreed to.

Clause 18—Amendment of Section 45 of the principal Act:

The MINISTER FOR EMPLOYMENT: I move an amendment—

That in line 2 of Subclause (1) all the words after "by" be struck out, and the following inserted in lieu:—"deleting the whole of paragraph (g), and inserting in lieu thereof a new paragraph, as follows:—

(g) Except with the permission in writing of the Chief Inspector, which shall only be granted on the ground of old age or infirmity, no woman over twenty-one years of age shall be employed in a factory, shop or warehouse at a lesser rate of wage than the lowest minimum rate prescribed for a woman over twenty-one years of age in any award or industrial agreement made under the provisions of the Industrial Arbitration Act, 1912-1935, and for the time being in force, and no male person over twenty-one years of age shall be employed in a factory, shop or warehouse at a lesser rate of wage than the lowest minimum rate prescribed for a male person over twenty-one years of age in any award or industrial agreement made under the provisions of the said Act and for the time being in force."

Clause 18 provides that no adult woman shall be paid less than the minimum rate of wage provided for in any award or industrial agreement. I explained, when introducing the Bill, that under the Act at the present time it is possible for an adult woman to be employed at a wage as low as 10s. a week, and for an adult male to be employed at as low a rate as 35s. a week. The Legislative Council has travelled a certain part of the way in endeavouring to prevent adult workers being employed at the low rates I have mentioned. It has provided in this clause that no adult woman shall be employed at less than the minimum rate provided for in any award or industrial agreement in connection with women over 21 years of age. If that principle is a right one to apply to the employment of women in factories who are not covered by an industrial agreement or award, it is equally desirable, necessary and fair that the same principle should be applied to adult males. The amendment provides that the same protection shall be given to adult males as it is proposed to give to adult females.

Mrs. CARDELL-OLIVER: I move an amendment on the amendment—

That all the words after (g) in line 6 of the amendment be struck out, and the following inserted in lieu:—"Notwithstanding the provisions of paragraph (a) of this section, except with the permission in writing of the Chief Inspector, which shall only be granted on the ground of old age or infirmity, no person over 21 years of age shall be employed in a factory, shop or warehouse at a lesser rate of wage than the lowest minimum rate prescribed for a male person over 21 years of age in any award or industrial agreement made under the provisions of the Industrial Arbitration Act, 1912-35, and for the time being in force."

Paragraph (a) of Section 45 provides for certain payments to be made to all persons

over and under 21 years of age. Then, in paragraph (g), an exception is made in respect of women over the age of 21. My amendment carries the section a step further, and covers both males and females. It allows for no inconsistency in either paragraph (a) or paragraph (g). I was surprised to find that in the Bill received from the Council the wording of this clause was the same as that in the Bill introduced here last year, and not as we amended it. I felt that that was rather unfair to this House. Every member of the Labour Government agrees with the principle of equal pay for equal work, and that is what I am driving at in this amendment. At the present time many girls are taking men's jobs, and it is only because we have this inequality. If we could have equal pay for equal work, I am sure there would be more boys in employment. Although women do not want to be displaced, industry would be benefited as the result of efficiency from both male and female employees if we had equality of wages.

The MINISTER FOR EMPLOYMENT: I cannot see my way to accept the amendment on the amendment. The right tribunal to decide the issue as to whether the principle of equal pay for equal work should be initiated is the Arbitration Court.

Hon. C. G. Latham: You did not think so last year.

The MINISTER FOR EMPLOYMENT: It is quite easy to say that equal pay should be given for equal work, but who is to say that an adult woman in a factory would do work equal to that of an adult male? While the ideal of equal pay for equal work might be desirable, and although with the passing of time that principle may come to be partly if not fully recognised, and operative, nevertheless the whole question is one that should be thoroughly investigated before we seek to impose this principle upon factories, shops and warehouses that are not covered by any award or industrial agreement at all. It seemed to me the hon. member suggested that her objective was the wholesale sacking of women employees in factories and shops, so that men might be employed in their places.

Mrs. Cardell-Oliver: No, I did not say that.

The MINISTER FOR EMPLOYMENT: I am sorry if I slightly misunderstood the meaning of what the hon. member did say. Probably what she meant was that the acceptance of this amendment would have that effect. I will oppose the amendment.

Mr. HUGHES: It is recognised by those with an inner knowledge of the industrial movement that it would be a great step forward in improving the conditions of the workers if we were to establish equal pay for the sexes. There has been extensive displacement of male labour by women, purely because a woman will accept a lower rate of pay. If the job carried equal rates of pay, in many cases men would not have been displaced by women. So it is not a question of the wholesale replacement of women by men. It was a puny effort on the part of the Minister to misrepresent the hon. member who moved the amendment on the Minister's amendment. The Minister says this House is not the tribunal to deal with what wages shall be paid. If it were not the proper tribunal, we would strike out from the parent Act the whole of Section 45, because that section in its first paragraph sets out that a person employed in a factory shall be paid a certain rate of wages. So Parliament has already taken it upon itself to deal with the question of wages. I hope the day will come when Parliament will say that, irrespective of any Arbitration Court award or conditions of work, there shall be a minimum rate of pay and of conditions for all work. In the city to-day there are married men with one or two children compelled to work for £2 or £2 10s. per week, simply because there is no industrial award governing their employment. If we had a minimum rate of pay, as intended by the amendment on the amendment, no person could be employed below that minimum rate. The Minister's amendment seeks—I think rightly—to extend that exemption from Clause 18 not only to women over the age of 21 years, but also to males over that age. So the Minister's amendment deals with the very thing which he says is the peculiar province of the Arbitration Court. All that the member for Subiaco desires is that there shall be a minimum rate of pay fixed for men and a minimum rate of pay fixed for women, but the minimum for the woman shall be the same as that for the man. If that is going to bring about wholesale dismissals of women it must be because at present there is wholesale employment of women at a lower rate than that paid to men. There is no

question of relative efficiency. If the employer is obliged to pay the same minimum to both sexes he will then have his choice of employing either a man or a woman. In many instances there is certain work more efficiently performed by a woman than by a man irrespective of what the wages may be. I hope the Committee will agree to the amendment on the amendment, as indeed the Committee did last year. Equal pay for the sexes will react as well for the man as for the woman.

The MINISTER FOR EMPLOYMENT: The hon. member has covered a lot of ground and, incidentally, committed against me the offence that he said I committed against the member for Subiaco. What I said about the amendment on the amendment was that Parliament ought not to decide this principle in respect to factories and shops which are not covered by an industrial award or agreement. I would have no objection to Parliament deciding the principle if it were to have general application. For years past the Arbitration Court has delivered hundreds of awards and agreements regarding which applications have been made by the unions for equal rates of pay, but except in isolated instances that object has not been achieved. My objection is not to Parliament deciding the principle, but that it ought not to be decided under this Bill which has a restricted application.

Mr. WATTS: There are some industries and shops and factories where it is essential that women ought to be employed. I can think of a number of shops of that nature. It seems to me we ought to take a little longer time for inquiry into this subject than will be available this afternoon. There are many shops, employment in which is especially suited to women, and where there is not much room for men. In such instances the argument about the displacement of men cannot apply. Still, the time must come when differentiation between the sexes, whether by legislation or by award, will have to be settled. I think the Arbitration Court should give this matter very careful consideration, because it will have to be settled before very long.

Mrs. CARDELL-OLIVER: The Minister said that the question of wages should rest with the Arbitration Court. But this question arose here last year, and I think it was the Leader of the Opposition who said that he thought so too. I am not dealing so much with the wage as the principle of equality of sexes in respect to wage. Parliament should direct the court on that question. Out of 900 trades that are known women are employed in about 88. If equality of sexes were made the order of the day women would excel in those trades for which they are suited both physically and mentally. We do not want to see women in trades that are unsuited to them, or men in trades that are unsuited to them. I have seen women in some countries moving huge logs, and others, who were not in a fit condition at the time, carrying bricks up ladders. In Victoria in 1896 the rate of wages paid to females as compared with males was one to three, and at present it is about one to two. I am not advocating a "back-to-the-kitchen" movement, such as Hitler is advocating. If we have equality of wages for the sexes, boys and girls and men and women will have an equal chance. Women are willing to accept hardships if there are hardships to be endured. They are willing to stand up to hard work on an equal footing. Competition in industry should be in efficiency regardless of sex. Women are not afraid of being unemployed if employment is based on equality. They will not be unemployed, because in some trades they are absolutely efficient, and employers would engage them in preference to males. In those trades in which they are inefficient men will take their place. I hope the Minister, whose party has advocated equality of sexes in the matter of wages, will vote for my amendment.

Hon. W. D. JOHNSON: I can understand the member for Subiaco, for propaganda purposes, making this move. What we have to do is to see whether the big mass of working women and girls would be safe under the suggested provision. The Minister proposes a practical way to make use of the existing machinery in the existing system of employment. The basic wage is fixed not with recognition of equality. This is not the occasion to tinker with that question for the purpose of introducing industrial reform. The court fixes the wage for women and girls. The Minister wishes that this wage shall be guaranteed. Those who are strongly organised can always maintain their claim to that wage. The weaker organisations and those who are not organised will also be protected, for wherever the worker is employed she

will receive the wage established by the Arbitration Court. If the Committee adopts the hon. member's suggestion these workers will be deprived of the protection aimed at on their behalf by the Minister. If the member for Subiaco wishes to organise industry in the way she has indicated, she will have to go into the highways and byways and preach about it for a long time before she gains her ambition. It was a difficult task in the early days to obtain protection for women workers, but to-day they are to an extent organised, though not as strongly as are the men. What the hon. member should do is to get the women into a position to maintain their rights to a wage comparable with their production. It is not under this measure that such a step should be taken. I know that in some trades it has been comparatively easy to organise the women because of the numbers engaged. Women workers have had their conditions alleviated, not by propaganda or speeches, but by organisers going amongst them day and night, and encouraging them to join an organisation, and by collective bargaining having their rights recognised. I appeal to the hon. member not to persevere in her amendment, which amounts only to propaganda.

Mrs. CARDELL-OLIVER: The member for Guildford-Midland says this is propaganda.

Hon. W. D. Johnson: It cannot be anything else.

Mrs. CARDELL-OLIVER: I might be personal, but it has been one of my ideals not to be personal in this Chamber. The Labour Party is allowing women to be exploited by not giving them equality with men. How can Labour members not vote for my amendment and yet subscribe to their party platform? In this House they have the opportunity to carry their platform into practice, but they do not do so. It is mere hypocrisy on their part. Last year many members voted for the same thing. What has changed them in the meantime? Have they become capitalists or employers, or are they in with the big shops that are really paying big dividends upon the cheap labour of these girls?

The MINISTER FOR EMPLOYMENT: My amendment has every reasonable chance of being approved by Parliament, for already half the principle has been agreed to. Complete approval of the principle by Parliament would place women and adult workers generally in a position to receive the minimum wage provided for them under awards delivered by the court. The adoption of my amendment will obviate the danger of adult women being employed in factories, shops and warehouses at 10s. a week, and adult males being employed at 35s. a week. Acceptance of the amendment moved by the member for Subiaco would endanger the acceptance of any part of the principle we are seeking to achieve. I am convinced that Parliament would not accept the suggestion. We would, therefore, get nothing, and the adult women and male workers concerned will remain in the same position on the low wage scale that they have been in during past years.

Mr. HUGHES: Under the parent Act no woman over the age of 21 shall, without the permission of the Chief Inspector, be employed in any factory, shop or warehouse, at a lesser rate of wages than the lowest minimum rate prescribed for women in any award or industrial agreement for the time being in force. Then there is the provision regarding women "over the age of 21 years." That will ensure that women of that age shall be paid the minimum rate. If the amendment proposed to Clause 18 is agreed to, it will mean that a woman over 21 years of age must be paid the minimum rate for an adult woman. I cannot see that there is any danger of the amendment on the amendment jeopardising the position. If neither amendment were carried, the Bill, as amended, would ensure the payment of the minimum wage for a woman. If the amendment on the amendment be agreed to, then, should the Bill go to a conference between managers, we could give way on that matter and arrive at a compromise in that way. I do not think the fate of the Bill will be jeopardised at all.

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

Ayes	12
Noes	30
Majority against	18

AYES.

Mr. Boyle	Mr. Patrick
Mrs. Cardell-Oliver	Mr. Sampson
Mr. Hughes	Mr. Seward
Mr. Latham	Mr. Thorn
Mr. Mann	Mr. Warner
Mr. North	Mr. Doney

(*Teller.*)

Noes.	
Mr. Coverley	Mr. Needham
Mr. Doust	Mr. Nulsen
Mr. Fox	Mr. Raphael
Mr. Hawke	Mr. Rodoreda
Mr. Hegney	Mr. Shearn
Mr. Hill	Mr. F. C. L. Smith
Miss Holman	Mr. Styants
Mr. Johnson	Mr. Tonkin
Mr. Keenan	Mr. Troy
Mr. Lambert	Mr. Watts
Mr. Marshall	Mr. Welsh
Mr. McDonald	Mr. Willcock
Mr. McLarty	Mr. Wise
Mr. Millington	Mr. Withers
Mr. Munsie	Mr. Wilson
	(*Teller.*)

Amendment on amendment thus negatived.

Mrs. CARDELL-OLIVER: I move an amendment on the amendment—

That in line 6 of the proposed new paragraph (g) after "than" the words: "the basic wage prescribed for males or" be inserted.

The MINISTER FOR EMPLOYMENT: I am afraid the insertion of the words proposed would make the paragraph incapable of interpretation. It would mean that a woman must receive not less than the basic wage or the minimum rate of wage prescribed in any award or agreement. There is no definition of "basic wage," so that it might be construed to mean the basic wage for a female. I am inclined to think that the amendment on the amendment would create no end of confusion and trouble. If the hon. member's object is to achieve by this means what she failed to do with her previous amendment, I do not think that it is the right course to adopt.

Amendment on the amendment put and negatived.

Amendment put and passed.

The MINISTER FOR EMPLOYMENT: I move an amendment—

That in line 3 of Subclause 2 "seventy-one" be struck out, and the word "fifty-three" inserted in lieu.

This will merely correct a similar error to that which we dealt with earlier.

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

Clause 19—agreed to.

Clause 20—Amendment of Section 47 of principal Act:

The MINISTER FOR EMPLOYMENT: A similar alteration is necessary in this clause. I move an amendment— —

That in line 3 of Subclause 2 "seventy-one" be struck out, and the word "fifty-three" inserted in lieu.

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

Clause 21—agreed to.

Clause 2—New sections; Minister shall direct inquiry before submitting regulations to Executive:

Mr. WATTS: I move an amendment—

That in line 3 of Subsection 1 of proposed new Section 62B, after "competent person" the words "who shall be either a resident or stipendiary magistrate or the Industrial Registrar of the Court of Arbitration" be inserted.

I gave my reasons for the amendment when I spoke on the second reading, and I do not propose to say anything further now until the Minister has expressed his opinion of the proposal.

The MINISTER FOR EMPLOYMENT: The clause deals with special regulations concerning dangerous trades and processes within those trades, and sets out that regulations may be issued for the purpose of eliminating whatever dangers may be found to exist. It further provides that notification of proposed regulations shall be given to those who are interested, and those persons are given the right to object to anything contained in the proposed regulations. Then the clause proceeds to set out that should the Minister not amend or alter any draft regulations to which objection has been taken, he shall, before recommending the Governor finally to make the regulations, direct that an inquiry be held by a competent person. The member for Katanning seeks to provide that that competent person shall be either a resident or stipendiary magistrate or the Industrial Registrar. The amendment, if accepted, will in practice have a very limiting effect. There might be, and conceivably could be, other persons in the community far more competent, because of special training and experience in the industries concerned, to conduct inquiries instead of a resident magistrate or the registrar of the court.

Mr. Doney: Who would be more competent?

The MINISTER FOR EMPLOYMENT: Men with experience in the ownership, control or management of factories; men who had served from boyhood to manhood in factories. As a result of practical experience, those people would be far more competent to conduct a satisfactory and safe inquiry than would a magistrate or the regis-

trar of the court. The acceptance of the amendment would limit the field from which competent persons could be chosen for the purpose of conducting inquiries.

Mr. WATTS: It is not the person who has had experience in the factory who will be more competent. He would probably be influenced in his judgment more than an officer of the department concerned. A person who by qualification and experience would be able to weigh and form a judgment on the evidence offered would be more competent.

Mr. SAMPSON: There is no reference in the definition clause to "competent person." If we leave it as it is in the Bill that the Minister shall appoint a competent person, one might ask for a definition of the term. On what basis would a person be adjudged competent? Moreover, we know that a practical man, who might be the proprietor of a business, would be entirely embarrassed when he got into court. The surroundings would embarrass him. He might be most anxious to do the right thing, but would be overwhelmed by the legal atmosphere, which we know always has a distressing effect on a stranger. Surely the Minister has nothing against the Industrial Registrar of the Arbitration Court, a man who has a great deal of experience in industrial legislation?

The Minister for Employment: You propose to limit our choice.

Mr. SAMPSON: He could be a resident magistrate or a stipendiary magistrate. Moreover, the ordinary employee or foreman cannot always be regarded as a competent person. He might also succumb to the blandishments, or persuasive eloquence, of the Minister. Then what would be the result? The amendment is reasonable, and I am not prepared to allow highly technical matters to be determined by a 'competent person," even though he be a justice of the peace.

The Minister for Employment: Not from Swan.

Mr. SAMPSON. The Minister might approve of one from Northam, or perhaps from Cunderdin. Would that mean competence?

The MINISTER FOR EMPLOYMENT: The member for Swan has indulged in heavy humour, but he has not displayed that customary lucidity that we always expect from him. The clause will enable the Minister to appoint a resident magistrate, a stipendiary magistrate, or the registrar of the court, to conduct an inquiry if the Minister, in his opinion, thinks that any one of those persons is the most competent available to conduct the inquiry. Some of the inquiries will probably be extremely technical, and to obtain a satisfactory result it would be necessary to have the services of an expert.

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

Ayes	14
Noes	24
Majority against ..	10

Ayes	
Mrs. Cardell-Oliver	Mr. Seward
Mr. Ferguson	Mr. Shearn
Mr. Hill	Mr. Stubbs
Mr. Mann	Mr. Thorn
Mr. North	Mr. Warner
Mr. Patrick	Mr. Watts
Mr. Sampson	Mr. Doney (*Teller.*)

Noes	
Mr. Collier	Mr. Needham
Mr. Coverley	Mr. Nulsen
Mr. Doust	Mr. Raphael
Mr. Fox	Mr. Rodoreda
Mr. Hawke	Mr. F. C. L. Smith
Miss Holman	Mr. Styants
Mr. Hughes	Mr. Tonkin
Mr. Keenan	Mr. Welsh
Mr. Lambert	Mr. Willcock
Mr. Marshall	Mr. Wise
Mr. McDonald	Mr. Withers
Mr. Munsie	Mr. Wilson (*Teller.*)

Amendment thus negatived.

Sitting suspended from 6.15 to 7.30 p.m.

Clause put and passed.

Clause 23—Amendment of Section 65:

The MINISTER FOR EMPLOYMENT: Subclause 2 refers to Section 71 of the Act. I move an amendment—

That "seventy-one" be struck out and "fifty-three" inserted in lieu.

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

Clauses 24 to 28—agreed to.

Clause 29—Repeal of Section 94 and insertion of new section:

Mr. WATTS: I move an amendment—

That in line 6 of the proposed new Section 94 all the words after "by" be struck out and the words "any person for his own use and not for resale has been used by such person prior to a subsequent sale to some other person" inserted in lieu.

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

Clause 30—agreed to.

Clause 31—Amendment of Section 103:

Mr. WATTS: I move an amendment—

That all the words after "aforesaid," in line 8 of the proposed new subsection, be struck out.

I cannot see any reason why, after a poll has been held and the day fixed on which shops shall be closed for the half-holiday, there should be an option for small shops to close on that day or on Saturday if the day selected by the poll is some other day than Saturday.

The MINISTER FOR EMPLOYMENT: The principle in the new clause regarding the half-holiday for small shops is somewhat different from the provision in the Act. The small shops are a special type and the occupiers receive special consideration because of deserving circumstances. In view of the fact that the matter has been investigated by the select committee, and there has been no opposition in the Council to this departure, the amendment should not be accepted. The new method will assist the occupiers of small shops by giving them an opportunity voluntarily to decide on which day the half-holiday shall be observed.

Mr. WATTS: If the poll fixed Tuesday afternoon for the half-holiday and there were two small shops in one centre and one of them decided to close on Tuesday while the other decided to close on Saturday, the position, to my mind, would not be satisfactory.

Amendment put and negatived.

Clause put and passed.

Clauses 32 to 36—agreed to.

Clause 37—Amendment of Section 125:

The MINISTER FOR EMPLOYMENT: As mentioned on the second reading, the Council, probably inadvertently, provided to deprive women and boys employed in shops of the 44-hour working week that they now enjoy. I am sure members here will not approve of that. I move an amendment—

That paragraph (a) be struck out.

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

Clauses 38 to 41—agreed to.

Clause 42—Amendment of Section 130:

Mr. WATTS: I propose to vote against the clause, which seeks to strike out of paragraph (a) the word "knowingly" and out of paragraph (b) the words "to his knowledge." A penalty such as is provided should not be inflicted on the defendant if he did not know the entries in the records were false. Knowledge is a necessary ingredient of the offence.

The MINISTER FOR EMPLOYMENT: If this clause is deleted we may as well delete the appropriate section of the Act. The section is useless to deal with people who make false entries in the books and records they are required to keep. Prosecutions have been tried; and although those responsible for them have known that the entries were false and that the person making those false entries made them knowingly, it has been impossible to prove this. In 99 cases out of 100 it is practically impossible to prove that someone has knowingly made a false entry. That is the experience of the department. The select committee and the Legislative Council have both accepted the view that the word "knowingly" in this section should be deleted, although in other sections they refused to delete it as asked for in the original Bill.

Mr. DONEY: Unless it is possible to show that a false entry was made knowingly and wilfully, the prosecution is not entitled to succeed. The retention of the word "knowingly" is essential in the interests of justice. I have received requests from public bodies to endeavour to secure the retention of the word.

Clause put and negatived.

Clauses 43 to 52—agreed to.

Clause 53—Citation of principal Act as amended; reprinting:

The MINISTER FOR EMPLOYMENT: Clause 53 stood as Clause 73 in the original Bill. As amended by the Legislative Council, the Bill does not affect Sections 45, 42, 46, 47, 65 and 27 of the principal Act, but does affect Sections 35 and 48. Accordingly I move an amendment—

That in paragraph (b) of Subclause 2 the words "forty-five, forty-two, forty-six, forty-seven, sixty-five, and twenty-seven" be struck out, and "thirty-five and forty-eight" inserted in lieu.

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

New Clause:

The MINISTER FOR EMPLOYMENT: I move—

That the following be inserted to stand as Clause 22:—

22. Section fifty-two of the principal Act is repealed, and the following substituted therefor:—

Factories must cease working at the time prescribed for cessation of work by employees under award, etc.

52. (1.) Where under the provisions of any award now or hereafter in force under the Industrial Arbitration Act, 1912-1935, and its amendments the employees in any factory or in the principal or one of the principal departments of any factory in any industry are required to cease work on any day at any hour then—

(a) all factories in that industry, whether there are employees employed or engaged therein or not; and

(b) all employees who may be engaged or employed in any such factory; and

(c) the occupier of any such factory, shall cease working operations on that day not later than the hour fixed for the cessation of work under the said award, and shall continue the cessation of work until the time fixed or determined under the award for the commencement of work by such employees.

(2.) Nothing in this section shall prohibit the working of overtime by employees in a factory in accordance with the provisions of any award, nor prohibit the occupier of any factory from working in the factory with his employees during such time as they may be lawfully working overtime.

(3.) In this section the term "award" includes an industrial agreement which has been made a common rule under the provisions of the Industrial Arbitration Act, 1912-1935, and its amendments.

This clause was in the original Bill. It was inquired into by the select committee, the majority of whose members reported against its acceptance. In the debate on it in the Council, following the presentation of the select committee's report, a majority of members in a division agreed to the retention of the clause for the purpose of enabling it to take the place of Section 52 of the principal Act. At a later stage of the Bill's journey through the Legislative Council the clause was recommitted, and as the result of another division was struck out, although the majority was not large. The Government feels that the provisions of the clause are such as to warrant consideration by this Committee, and that the control of overtime working in certain industries should receive the approval of Parliament. The working of overtime to-day is controlled in factories where persons are employed under the provisions of an award, but there is no control of overtime work in factories where no employees are employed under an award. In recent years there has been a fairly rapid and rather extensive development of the partnership idea. This applies especially to the baking industry and the furniture-making industry. Many of these partnerships have not been entered into bona fide for the purpose of establishing genuine partnerships, but more for the purpose of enabling reasonable control of overtime in factories to be dodged. Although probably all of the partners in such a concern, except one, are really workers and therefore should be governed by an award which would control the amount of overtime to be worked, nevertheless, no one being employed, they can work any amount of overtime. As a result they have obtained a most unfair trading advantage over concerns restricted as to the amount of overtime that can be worked. The new clause has been drafted with the object of placing at any rate some restriction on the overtime to be worked by concerns of this nature. I trust, therefore, that the Committee will agree that the adoption of the clause is advisable.

Mr. WATTS: Mr. Chairman, is the clause in order, and within the scope of the Bill?

The CHAIRMAN: How so?

Mr. WATTS: There is no reference in the Bill to this particular subject.

The CHAIRMAN: The new clause is quite within the scope of the Bill, and perfectly in order.

Mr. McDONALD: I understand that this clause was not recommended by the select committee of another place, which had the opportunity of making full inquiry. I feel disposed to accept the select committee's recommendation. I fully appreciate what the Minister has said as to partnerships which are not bonafide and may seek to evade industrial laws and awards, and which therefore it is desirable to restrict in their operations. However, the clause may impose certain disabilities upon quite genuine employers, as I read it. I do not think we would be justified, because certain people abuse the terms of industrial laws, in placing what may be a vexatious restriction on people who, on the whole, observe those laws, but who perhaps desire to exert a little more activity than usual in order to forward their affairs. Under the new clause, as I read it, not only must employees cease work at the usual hour, but the occupier of the factory himself must cease operations at that usual hour. In a country like Western Australia,

where we have very few manufacturers, and where more manufacturers would be the means of employing many people and particularly the youth of the State, I do not think we should be too restrictive in our laws. A measure of this kind would materially affect the struggling man who is just starting to build up an enterprise which might be of some value to the State. In the absence of overtime, it is possible that such a man would not be able to progress at all. The restrictions will do more harm than good.

New clause put and passed.

New clause:

The MINISTER FOR EMPLOYMENT: I move—

That the following new clause be inserted to follow Clause 36:—

Amendment of s. 121.

37. Section one hundred and twenty-one of the principal Act is amended by inserting in Subsection (2) after the word "shilling," in line three of the said subsection, the words "and sixpence."

This section in the Act deals with the amount to be paid as overtime rate, and also makes provision for the payment of a meal allowance. The Legislative Council agreed to increase the rate of meal allowance from 1s. to 1s. 6d. in regard to persons employed at a factory, but rather illogically did not agree to the proposal to increase the amount with respect to persons employed in shops.

New clause put and passed.

Title—agreed to.

Bill reported with amendments and the report adopted.

Third Reading.

Bill read a third time and returned to the Council with amendments.

BILLS (4)—RETURNED.

1, Health Act Amendment.
2, Financial Emergency Tax.
3, Reserves.
4, Road Closure.

Without amendment.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT (No. 1).

Second Reading.

Debate resumed from the previous day.

MR. WATTS (Katanning) [8.8]: I do not propose to deal with the majority of the matters referred to in the Bill save to say that I am in agreement with them. There is one clause, however, with which I am not in agreement and that is the clause which makes provision to amend Section 107 of the Act relating to industrial boards and provides that boards may be appointed for defined districts. If such boards are to be appointed I can see a distinct possibility of there being a clash of decisions from time to time. While I recognise that there are provisions which enable the Arbitration Court itself to limit the operations of these boards in such circumstances, the provisions are wide enough to enable boards at no great distance apart to arrive at different conclusions regarding similar matters. It must be borne in mind that the decisions of industrial boards are subject to appeal. Both sides, I understand, have at times appealed from the decisions of such boards and in the circumstances the less the House takes this clause to its bosom, the better it will be. It must not be lost sight of that the arbitration law at the present time is a distinct branch of the law which requires a distinct technical knowledge. Without that knowledge, part of which at the present time consists of case law, and precedent, it is difficult to arrive at a satisfactory conclusion regarding industrial matters. More and more the arbitration law is becoming dependent upon previous decisions, and more and more it seems necessary, in consequence, to allow those who are experienced both in legal and industrial matters, so far as possible, to control the question of conciliation and arbitration. That is why I regret that there are no provisions for an alteration in the constitution of the Arbitration Court as was discussed by the select committee in its report. The select committee suggested that in order to lighten the congestion at the court there should be an assistant president, and in accordance with the amendment to the Act which was proposed, the other members of the court would be done away with, except the president himself. Every thinking worker in this country will agree that the constitution of the Arbitration Court does require amendment and the Act in that regard does need altering, but not by the establishment of boards for defined districts as suggested in the Bill. An independent president of legal and industrial knowledge and of a sound and sympathetic nature is the sort of man

required to deal with these cases. Often, the position of the president is this—and this state of affairs will be perpetuated with the appointment of district boards such as are suggested—that the decision of the employers' representative is set off by the decision of the employees' representative, with the result that the president is the person who arrives at the actual conclusion of the court. For this reason, and because I think there are other and better ways in which the congestion which occurs from time to time in the Arbitration Court might be relieved, I intend to oppose the provisions in the Bill having relation to boards being appointed for defined districts, and also intend to oppose certain other amendments that are contained in the same clauses. Otherwise, I propose to support the Bill.

MR. MARSHALL (Murchison) [8.13]: I shall support the remains of what was a fairly good measure. I have not risen specifically to make any lengthy comment on the contents of the Bill as it now appears before this Chamber, but I do wish to say that it is a remarkable fact that both this Chamber and another place can constantly pass and expedite legislation beneficial to other sections of the community, whereas immediately any industrial legislation is presented, it is disembowelled and mutilated and stonewalled so long as those opposed to it can raise sufficient breath to maintain that policy of stone-walling. The original Bill was the outcome of the knowledge of those who have had to do their work in the Arbitration Court. That Bill was framed upon experience and did no one an injury. It facilitated Arbitration Court business, making it possible for the employer and the employee to get to the court, but evidently because it did that, another place has taken the opportunity of so mutilating it as to make it impracticable and positively useless. I am getting quite tired of this sort of thing. Only last night two or three pieces of legislation, all for the benefit of the primary producers, went through in less than ten minutes. and we on this side agreed with it all. But immediately there is a piece of industrial legislation brought down for the benefit of the unfortunate industrialists, we find the measure disembowelled and mutilated. It is intolerable to think that no section of this community can get any advantage by industrial legislation, and yet we wonder why Communism is rapidly spreading. We know that the Arbitration Court is from 18 months to two years behind with its work, and in the meantime all cases cited before that court must of necessity wait until the cost of living has gone up enormously, when the worker can get no advantage whatever from an increase in wages. Almost every quarter the basic wage is useless, for those going to the court for an increase of wages cannot get their cases dealt with. And this was the state of affairs when we took office, for the court was then two years in arrear with its work. Exactly when we are going to take up a definite attitude against another place for interfering with legislation of this sort, I do not know, but I enter my emphatic protest against the treatment being meted out to the working section in this State. Never can we bring down a piece of industrial legislation but it is mutilated in another place. As soon as there is any legislation devised to benefit the worker, there is trouble, but if it is legislation for the farmer or the business man or the investor, there is no trouble about it.

Mrs. Cardell-Oliver: And if it is for women, you want to give it the go-by.

Mr. MARSHALL: I will give the opposite sex as much justice as I would give to any section of the community. The hon. member has never found me bitterly attacking any section of the community.

Mrs. Cardell-Oliver: But you spoke against it.

Mr. MARSHALL: I hope the hon. member is not like the member for East Perth who, when anyone disagrees with him, imagines there is no good whatever in the Party. I found the member for Subiaco voting against my measure, but I did not attack her on that score. However, I rose merely to enter my emphatic protest against the manner in which industrial legislation is treated on every occasion. Another place attacks it with all the venom that is peculiar to another place. Although every other section of the community can get whatever it desires, industrial legislation is doomed to political execution before it is fairly introduced.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Withers in the Chair; the Minister for Employment in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Amendment of Section 87:

The MINISTER FOR EMPLOYMENT: This clause deals with the setting up of boards of reference and also with the powers those boards shall have. The Bill, when originally brought down in another place, aimed at giving boards of reference authority to inquire into any matter arising out of the dismissal of or refusal to employ any person or class of persons. I move an amendment—

> That after paragraph (a), the following paragraph be inserted:—
> (b) by adding at the end of paragraph (b) the words "including any matter arising out of the dismissal of or refusal to employ any person or class of persons."

In many instances, men have been dismissed for unjust reasons, and we know that victimisation frequently takes place, so it is felt that the boards of reference should have authority as proposed in the amendment.

Hon. C. G. LATHAM: I do not propose to allow the Minister to provide for inquiries into the dismissal of or refusal to employ, etc. This is quite a new idea in arbitration law, and I am surprised that the Minister should have the temerity to move the amendment. The amendment is the very best way to kill the Bill, for the Arbitration Court will have to go around the country inquiring why Bill Jones was dismissed.

Mr. Marshall: That is not so.

Hon. C. G. LATHAM: But it is in the amendment. I hope the Committee will not agree to this. To-day the Arbitration Court has more to do than it can attend to, and if it is to go about making these petty inquiries, its work will be considerably increased.

Mr. MARSHALL: This is another example of the knowledge the Leader of the Opposition has of industrial legislation, of the Bill, and of the amendment. This will put no obligation on the Arbitration Court at all.

Hon. C. G. Latham: It ought not to.

Mr. MARSHALL: Only recently I had the trouble of negotiating a settlement with the Big Bell management in a dispute that was due to the lack of such a provision as is contained in the amendment. All that the amendment proposes to do is to make it possible for boards created under the Arbitration Court to function in cases of emergency. Had that provision been in the Act, the dispute at the Big Bell mine could have been settled in 24 hours. The court creates the board of reference, and the board will have the right to adjudicate upon any dispute arising out of dismissals.

Hon. C. G. Latham: You have not read the clause.

Mr. MARSHALL: But I know what is intended. However, I merely rose to put the Leader of the Opposition right, and having done that I will support the amendment.

Mr. WATTS: I am afraid the court has to come into this matter, despite what the hon. member had to say. This deals with Section 87 of the Act, which provides that the court may assign a board of reference to deal with a dispute, to which it is proposed by the amendment to add "dismissal of or refusal to employ any person or class of persons." Presumably, before the board of reference takes any action, the court must give it jurisdiction. What is more important is, I think, the statement made by the select committee of the Legislative Council in regard to this matter, as follows:—

> Evidence was adduced that this clause would create such an amount of work that the board would be almost continuously sitting, and further would take away from an employer the right to select his employees. No evidence was adduced to support the clause.

Notwithstanding that the select committee had before it any number of industrial representatives, no evidence was adduced to support the clause. In view of that, I say the Legislative Council was justified in concluding that the clause was not required.

Mr. McDONALD: The select committee of another place heard evidence from representatives of industrial unions and other people. Unless I can be shown that its recommendations were wrong, I intend to follow them. I also read some of the evidence that was given, including that of the representatives of the Chamber of Mines. It appears that 7,000 men are engaged in the mining industry. I understand all are engaged on a daily contract, that they can give their employers a day's notice, and the employers can give them a day's notice. In that industry there is a good deal of temporary employment, and men transfer from one temporary job to another. The evidence was that there might be a tremendous lot of work placed upon

boards of reference, which would constitute a very severe strain upon the arbitration machinery. I am not sure that the amendment is wanted either by the workers or the employers. To embark upon a number of these inquiries would be so to extend the field of operations for the arbitration system as to constitute a big strain upon it.

The MINISTER FOR EMPLOYMENT: The adoption of this amendment would not add many additional duties to the court. Section 87 provides that the court may appoint boards of reference for certain purposes. All that it has to do is to receive the application for the appointment of a board of reference, and decide whether one is justified. In recent years the number of individual employers has greatly decreased, and the tendency is for companies to take their place. Personal contact between the owners of the concern and the employees has to all intents and purposes disappeared. There is an increasing tendency for all sorts of methods to be used in dispensing with the services of employees, who may take what is considered by the management to be an undue interest in industrial affairs with a view to improving conditions for their fellow workers. The member for West Perth illogically contended that the same principle should be followed in the case of the employer as applied in the case of the employee. If a worker is wrongfully dismissed, his income is cut off, and the dismissal becomes a very severe matter. On the other hand, the employer has no difficulty in filling the vacancy.

Mr. MARSHALL: A board of reference is just as fair in its constitution as is the court itself. To say that such a board could not adjudicate upon a wrongful dismissal is to show a want of confidence in such board. There is nothing wrong in a man working industrially for the sake of his family and his fellows. Because he does so he is victimised. All we ask is that an independent tribunal shall adjudicate upon cases of wrongful dismissal. In the Big Bell instance the A.W.U. made an investigation, and found that the employee in question had not been victimised. No action was taken, therefore, to have an independent tribunal appointed. Had it been possible to establish a board of reference then, I might have prevented the cessation of work.

Mr. HUGHES: This amendment will not give the board of reference the right to inquire into all aspects of a dismissal, and there is nothing to say that the employer shall re-employ the man after the decision has been given. The court may appoint a board of reference, and may assign to it certain duties. The Act does not say that a board may inquire whether an employee has been wrongfully dismissed or not; only into any matter arising out of such dismissal. A board of reference would, therefore, be of little use to the man who has been wrongfully dismissed. If a court of review has to be set up for every dismissal of an employee, two or three more presidents will be required. Every person who is bound by an award and is dismissed will require the Arbitration Court to appoint a board to inquire whether or not he had been rightfully dismissed. It would be very difficult to prevent men from seeking the appointment of such boards. If that position arose the Arbitration Court, which cannot handle the business before it now, would become more busy than the general Supreme Court and certainly one judge could not handle the task. It is unfortunate that men are victimised for standing up for their own rights or for those of their fellow employees. The most unfortunate part is that such victimisation takes place even when the employer is a Labour Government. In branches of the service controlled by the present Government, employees are dead scared of making complaints and standing up for their rights, because they are afraid that victimisation will follow. Anyone with experience as a union secretary knows that constituted authority is always intolerant of criticism, and those who endeavour to do something for their fellowmen workers run grave risk of victimisation. It is quite common that when a man becomes active in doing something for others and he happens to be unemployed, work is found for him 600 or 700 miles away. If the Minister had some experience, and the member for Murchison had had more experience, as a union secretary, they would appreciate the fact that everyone who was dismissed would seek the appointment of a board to inquire into his dismissal. What is the use of setting up a board to inquire into the dismissal of a man unless the decision is binding upon the employer, not only to reinstate the worker, should he prove that his dismissal was unjustified but, further, to retain him in his position? Unless we go further and

make the decision binding it will be merely fooling the workers.

The MINISTER FOR EMPLOYMENT: We have had a very weird interpretation of the amendmen.

Mr. Marshall: And by the member for East Perth, who is a lawyer.

Mr. Hughes: When you know as much about these matters as I do, you will be able to speak.

Mr. Marshall: I know all right.

The MINISTER FOR EMPLOYMENT: That interpretation, I presume, is allegedly born of his experience in one or other of the five or six paid positions he holds. I am afraid the hon. member's experience——

Mr. Hughes: On a point of order. I would ask the Minister to detail the five or six paid jobs that I hold, references to which he keeps repeating.

The CHAIRMAN: That is not a point of order.

The MINISTER FOR EMPLOYMENT: No, it is a point of interruption. I detailed the positions very clearly the other night, and at the first opportunity, when the Standing Orders permit me so to do, I shall detail them again with great pleasure.

Mr. Watts: You made them up to four, not five or six.

The MINISTER FOR EMPLOYMENT: The amendment provides that a board of reference shall have the right to inquire into any matter arising out of the dismissal of, or refusal to employ, a worker. It has been weirdly suggested that we will give the board of reference power only to do something that was not explained by the member for East Perth. Is the contention that a man's dismissal was wrongful not a matter arising out of his dismissal? Of course it is, and that is what the amendment aims to establish. The amendment will provide the right of the worker to obtain a board of reference for the purpose of inquiring into his wrongful dismissal. The member for East Perth had another argument to buttress up his opposition, and he suggested that every person who was dismissed would ask for the appointment of a board of inquiry. An appeal is available to railway men who are dismissed. Can it be said—or if said, can it be proved—that every man dismissed from the railways has exercised that right of appeal? Of course not. Only those who feel they have been wrongly dismissed exercise that right. Those dismissed for carelessness, drunkenness, or some other such cause, do not appeal, for they know that such appeals would be regarded as futile and vexatious. I trust the amendment will not be smothered up by irrelevancies and misrepresentations that are not justified.

Mr. HUGHES: In reply to the statement of the Minister as to where I gained my experience, it was not true to say that I have five paid jobs.

The Minister for Employment: It may be six.

Mr. HUGHES: The Minister has earned a reputation in this Chamber for untruthfulness. He always has the word "misrepresentation" in his mouth, yet we all know he seems to be quite incapable of speaking the truth. He knows, as well as I know, and as you, Mr. Chairman, know, that I have not five or six paid jobs—unless he counts every client of mine as constituting a paid job. If he does, then I have 500 or 600 jobs, or perhaps more. The Minister is very brave regarding the statements he makes in this House, but he will not make them outside, because he may face, as he nearly did face a little while ago, a serious libel action. He was only saved from one recently because the witness was a Government employee and could be intimidated.

The Minister for Employment: You squibbed that.

Mr. HUGHES: That witness was in the Government service and——

Mr. Marshall: What has all this got to do with the clause?

Mr. HUGHES: And he was prevented——

The Minister for Employment: I will tell you something about that one of these days.

The CHAIRMAN: Order! What has all this got to do with the clause?

Mr. HUGHES: What have the Minister's five jobs that he talks about, to do with it? What I am talking about has just as much to do with the clause as that, and if you, Mr. Chairman, allow the Minister to get up in this Chamber and repeat statements that he knows are untrue, and if he is to be permitted to use this House for the dissemination of lies and libels that he dare not utter outside, I am going to take the opportunity to reply to him. If he makes those statements outside, he will not be able to intimidate witnesses this time. It is not very difficult for me to prove the untruthfulness, the repeated untruthfulness, of this particular Minister. The deplorable feature

is that this Minister does not seem to have any work to do beyond the manufacture of untruthful statements, which he is allowed to make under cover of privilege in this House.

The CHAIRMAN: In connection with this Bill?

Mr. HUGHES: Exactly. After all, I suppose it suits the people who employ him. I cannot imagine anyone employing the Minister apart from the people he has so far doped at Northam. I have been able to find employment, and I have not had to flee from my native State.

The Minister for Employment: You have not got a native State.

Mr. HUGHES: I have been able to stand up in the State and earn a living. I admit that the Minister was very patriotic when he left his country for his country's good.

The CHAIRMAN: Order! This is only wasting time. Let us deal with the Bill.

Mr. HUGHES: I am not wasting time.

The Minister for Employment: You are, deliberately.

Mr. HUGHES: When the Minister makes statements that are not true, I am entitled to reply.

The CHAIRMAN: He mentioned something about the five jobs.

Mr. HUGHES: Where are the five jobs?

Hon. P. D. Ferguson: Echo answers, where!

Mr. HUGHES: Like another gentleman who made a statement, and when I called for a show-down he crawled out like the miserable skunk that he is, by saying that he had no wish to enter into any wrangle with me. If the Government is going to be run by gentlemen whose chief characteristic is their capacity to make false and lying statements it is time that some member stood up and exposed them.

The CHAIRMAN: The hon. member is absolutely out of order, and he cannot pursue that line of talk.

Mr. HUGHES: I have no wish to pursue it, but if it is introduced into this Chamber one is entitled to reply.

The CHAIRMAN: In certain circumstances.

Mr. HUGHES: What are the circumstances? Is the Minister to be allowed on the floor of the House to make statements he knows to be false and which he makes under privilege and has not the manliness to make outside?

The CHAIRMAN: I would like the hon. member to get back to the question before the Committee.

Mr. HUGHES: All I ask is that if statements are made I should have the right to answer them. I did not introduce them and had they not been introduced, there would have been no need for me to answer them. After all, I can sympathise with the Minister in charge of the Bill because he knows nothing at all about industrial arbitration or the working of the Industrial Arbitration Act. Has he ever seen the inside of an industrial arbitration court? When he fled from South Australia he got a job working for industrial courts. What does he know about industrial matters? He is purely a professional blow-in, an agitator from South Australia, a man who never earned a shilling in his life as——

The CHAIRMAN: I have already warned the hon. member that he must stop this line of talk. He is distinctly out of order.

Mr. HUGHES: My opinion is just as reliable as that of the Minister on questions involving industrial arbitration, and I have already dealt with the amendment on its merits. If my opinion is wrong, why does not the Minister show where it is wrong? He cannot because he has had no industrial experience. I hope the Committee will not agree to the amendment.

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

Ayes	21
Noes	17
Majority for	4

Ayes.	
Mr. Coverley	Mr. Nulsen
Mr. Cross	Mr. Raphael
Mr. Doust	Mr. Rodoreda
Mr. Fox	Mr. F. C. L. Smith
Mr. Hawke	Mr. Styants
Miss Holman	Mr. Troy
Mr. Lambert	Mr. Willcock
Mr. Marshall	Mr. Wise
Mr. Millington	Mr. Withers
Mr. Munsie	Mr. Wilson
Mr. Needham	*(Teller.)*

Noes.	
Mrs. Cardell-Oliver	Mr. Patrick
Mr. Ferguson	Mr. Sampson
Mr. Hill	Mr. Seward
Mr. Hughes	Mr. Thorn
Mr. Latham	Mr. Warner
Mr. Mann	Mr. Watts
Mr. McDonald	Mr. Welsh
Mr. McLarty	Mr. Doney
Mr. North	*(Teller.)*

Amendment thus passed; the Clause, as amended, agreed to.

Clause 6—agreed to.

Clause 7—Amendment of Section 90 of the principal Act:

The MINISTER FOR EMPLOYMENT: I move an amendment—

That the following paragraph be added to the proviso in paragraph (b):—

(e) Notwithstanding anything hereinbefore contained any parties bound by an award may at any time enter into an agreement varying all or any of the terms thereof, and subject to the express sanction of the court such agreement may be registered by the court, and shall become binding on the parties to the agreement.

The section in the Act to which the clause refers deals with the currency and review of awards. The Legislative Council has accepted most of the clauses in the original Bill, but it has deleted certain portions of this clause which it is desired to have re-inserted. The amendment I have submitted sets out what is required. The clause in the Bill provides that at least 12 months shall elapse before an award which has been made may be amended, and at least another 12 months shall elapse before any further amendment can be made. The amendment I have submitted will enable the parties bound by an award voluntarily to agree at any time before the period of 12 months has elapsed to apply to the court for the purpose of varying the terms of the award, and it is also provided that the agreement may be registered by the court and shall become binding on the parties to the agreement subject to the express sanction of the court being obtained.

Mr. WATTS: I thought we were endeavouring to minimise the work of the court so that there might be a greater prospect of the expeditious handling of the work. The amendment will have an exactly opposite effect. I have no desire to be unreasonable; I appreciate to the fullest extent the Minister's intention with regard to this particular amendment, but is it not unreasonable that a period of 12 months should be allowed to elapse before application can be made to alter an award of the court, especially as there is already a provision with regard to matters which, when the court is making an award, it expressly states the court may entertain applications. There is some reason on both sides why an award, once made, should last the full 12 months and when amended should last another 12 months without further alteration. Matters that would require consideration should be those not of wages, but of conditions of employment only. If there were any fluctuation in the cost of living that would be taken into consideration and an adjustment made accordingly. In the interests of both sides there should be some stability in an award and this Committee should not lend itself to any proposal that would have the effect of causing matters to be dealt with that could stand over.

Amendment put and passed.

The MINISTER FOR EMPLOYMENT: I move an amendment—

That the following paragraph be inserted after paragraph (b):—

(c) by adding the following paragraph at the end of the section:—

For the purpose of this section where an industrial agreement has become an award under the provisions of section forty the date when the court declares the industrial agreement to be an award shall be deemed to be the date of the award.

This was in the original Bill, together with a number of other proposals regarding industrial agreements and awards. The Council deleted certain proposals for the purpose of declaring agreements awards, and thought it necessary to follow that up by deleting this paragraph, whereas the paragraph is still necessary. We are not endeavouring to have reinserted something that the Council took out of the Bill regarding industrial agreements being made awards, but it is reasonable to ask that when an industrial agreement has been made an award under Section 40, the date on which the agreement was made an award shall be deemed to be the date of the award. That will enable industrial agreements so dealt with to be handled in a similar manner to the awards, as provided in the clause.

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

Clause 8—Amendment of Section 97:

The MINISTER FOR EMPLOYMENT: I move an amendment—

That paragraph (b) be struck out.

In the original Bill we provided that industrial magistrates, when dealing with claims for wages short-paid, should be compelled to order the payment of the amount of short-paid wages. The Council deleted that, and now proposes to go a good deal further than the parent Act. The acceptance of this paragraph would make it even

more difficult for men short-paid to obtain the money due to them. It is difficult enough at present for a worker to prove to an industrial magistrate that he has been short-paid, and then have to go to some other court to recover the money.

Mr. WATTS: If an order is made for wages short-paid to be paid to a worker, and a penalty for not paying the wages is imposed, the two amounts are added and are recoverable. The paragraph proposes that the payment of the wages shall be enforced as if the order had been made under the Master and Servant Act. Before we are asked to vote on the amendment, the Minister should explain his objections to the Master and Servant Act.

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

Clause 9—agreed to.

Clause 10—Amendment of Section 101:

The MINISTER FOR EMPLOYMENT: Section 101 deals with enforcement orders that may be made by industrial magistrates. The clause proposes to give industrial magistrates additional powers as provided in paragraph (a). Paragraph (b) provides that no proceedings before an industrial magistrate may be continued while an application in reference to the same or a similar matter is pending before the court. The wording of paragraph (b) would lead to much confustion. Industrial magistrates would never know where they were, and there would be delay that will be obviated if the paragraph is deleted. We can safely leave it to the judgment of magistrates to determine whether certain business before the court makes it undesirable to proceed with any particular enforcement of proceedings. I move an amendment—

That paragraph (b) be struck out.

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

Clause 11—agreed to.

Clause 12—Amendment of Section 106:

The MINISTER FOR EMPLOYMENT: The original Bill provided that an appeal against the decision of the Arbitration Court should be available only when imprisonment was imposed without the option of a fine. The Bill has not only been altered to the extent of deleting that provision, but Clause 12 now provides that there shall be an appeal practically for every penalty inflicted by industrial magistrates. One of the main principles of arbitration legislation is that the court and the authorities set up by the court shall as far as possible complete the whole of the matters with which they deal. The objective has been to keep arbitration away from the ordinary courts, but Clause 12 would have the effect of sending a thousand and one matters to the ordinary courts on appeal, and the result would be unsatisfactory and detrimental to the functioning of arbitration legislation. I ask members to vote against the clause.

Mr. WATTS: I have often wondered why the provisions of the Arbitration Act were such as to invite magistrates to fine a man less than £20. The object was to prevent his appealing. The proposition before us comes as a result of an attempt to take away the right of appeal without a fine of £20. Magistrates have been obliged and often asked to fine an employer £20 so that he might appeal, but if the original proposal had been adopted, the magistrate would have had to order imprisonment before the employer could appeal. Consequently the Council has taken the bull by the horns and provided that there shall be an appeal in every case. Is there any great objection to the right of appeal against any decision? A fine of £20 is not necessary to warrant an appeal in a case where the point involved should be settled by a superior court. In the event of a bona fide error, a fine of 10s. would amply meet the case. Grave doubt might exist as to whether there was any offence at all. The magistrate might think that an offence had been committed, and yet, to give the defendant the right of appeal, he must impose a minimum penalty of £20. In every case there should definitely be the right of appeal to a superior court. It is most unlikely that there would be appeals except where considerable doubt existed as to the law.

Mr. McDONALD: I would like the recommendation of the select committee retained. The Minister's amendment seeks to negative it. The matter was explained by Mr. Nielsen, the secretary of the Transport Workers' Union. He said that in the old days there was a desire to make appeals more difficult, because it was thought that employers would have the resources to appeal but that the unions, being limited in their funds, would have difficulty in appealing. Mr. Nielsen

went on to say, however, that that state of affairs had now altered, and that the unions had the necessary organisation and funds to enable them to protect members by submitting to the courts of the country any matter which ought to be submitted in the interests of any individual member. I agree with Mr. Nielsen's view that appeals should be allowed to all—not only when a person is fined, but also when the case is dismissed. I hope the Minister will redraft the clause so as to allow of an appeal both by the prosecuting union and by the convicted defendant.

Amendment put and negatived.

Clause 13—Amendment of Section 107:

The MINISTER FOR EMPLOYMENT: I move an amendment—

That in paragraph (a), lines 4 and 5, the words "or the refusal to make any order altering, varying or amending an award" be struck out.

The clause proposes to give additional powers to boards; and one of the additional powers is that of being able to alter, vary or amend an award when application is made to the board for such purpose. The clause as drafted also sets out that the board may refuse to make any order along those lines. Having given the matter consideration, I think it unwise to suggest to a board that it has the power to refuse to do this, that, or the other thing. Actually a board would have power to refuse if circumstances warranted a refusal. But if we set out such things in the legislation, it is quite conceivable that a board would act on the suggestion in certain circumstances.

Amendment put and passed.

Mr. WATTS: I move an amendment—

That paragraph (b) be struck out.

As I said on the second reading, the proposal to create boards for defined portions of the State only, so that the exercise by the board of its functions shall apply only to particular defined portions of the State, is not likely to do much good and may do some harm. I have discussed the matter with people far more competent than myself to judge of the effect of the proposal. It is to be remembered that the decisions of industrial boards are subject to appeal to the Arbitration Court itself, but it seems fairly certain that the appointment of boards in various parts of the State would mean the appointment of persons who had had at most only a little industrial experience, and that its decisions would be likely to be the subject of appeal and further argument. The industrial arbitration law is getting well settled on a somewhat different basis from other sections of the law, and is becoming more and more something that should be left in the hands of persons who have had long experience in connection with it. Conflict would result as to decisions on similar matters in the same industry in various parts of the State.

The MINISTER FOR EMPLOYMENT, These boards can be set up only after their setting-up has been recommended by the court. That, in my judgment, is a protection against those difficulties which the member for Katanning foresees. It is not at all likely that many local boards will be set up, but in the past it has been found desirable to establish them. Western Australia is a very large country, with many industries. The idea behind the proposal is to empower the court to recommend the setting-up of local boards and thus to overcome difficulties now existing in connection with industries operating in portions of the State that are difficult to reach.

Amendment put and negatived.

Clause, as previously amended, agreed to.

Clause 14—Amendment of Section 163 of the principal Act:

The MINISTER FOR EMPLOYMENT: The clause deals with Section 163, which sets out that it shall be the duty of the Registrar, whenever a total or partial cessation of work occurs in or in connection with any industry, to make immediate inquiry into the cause thereof, and if after such inquiry he shall be of opinion that any person has committed or is committing any breach of the Act or of any industrial agreement or award of the court, he shall forthwith acquaint the court and the Crown Law officers accordingly. The clause proposes to add to that section that when the court and the Crown Law officers have received from the Registrar a report as provided, the Crown Law officers shall take such proceedings as may be warranted. Those responsible for having the clause included in the Bill can have had little practical experience in dealing with industrial disputes; otherwise they would have known that nothing is more calculated to spread a dispute or to lengthen its duration than hurriedly to commence prosecutions

against those who may be involved in it. In practice, that is found to be a pouring of oil on the fire. It is reasonable and safe to allow the officers of the Crown Law Department to use their own judgment as to whether an immediate prosecution is justified or not. The passing of the clause would not tend to assist the cause of industrial peace.

Clause put and negatived.

Clauses 15 to 17—agreed to.

Title agreed to.

Bill reported with amendments, and the report adopted.

Third Reading.

Bill read a third time, and returned to the Council with amendments.

BILLS (2)—RETURNED.

1, Lake Avenue Resubdivision of Land.
2, Dairy Products Marketing Regulation Act Amendment.
Without amendment.

BILL—SPECIAL TAX ASSESSMENT ACTS REVISION.

Second Reading.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [9.47] in moving the second reading said: This Bill and the Special Tax Acts Revision Bill which will be brought forward subsequently go practically together. They set out to achieve a similar purpose. What are known as special taxation Acts appear on the statute-book and it is desired, now that the House has agreed to the principles adopted in the uniform assessment Act, to bring these Acts into line. As I mentioned somewhat earlier in the session when we were discussing the uniform taxation Bill, it is necessary to introduce other measures to bring the existing taxation Acts on to one common basis. That is the object of the two Bills that have been prepared. The several special tax assessment Acts known as the Financial Emergency Tax Assessment Act, the Hospital Fund Act, and the Gold Mining Profits Tax Assessment Act, depend largely for their basis on other taxation legislation. The first two Acts mentioned depend upon the Land and Income Tax Assessment Act, 1907, and its amendments, and adopted the basis of the income under those Acts with a provision that certain statutory exemptions allowable under the Land and Income Tax Assessment Act were not to be allowed in the Financial Emergency Tax Assessment Act. The Gold Mining Profits Tax Assessment Act depended for its basis on the Dividend Duties Act. The basis of taxation under the Income Tax Act has been altered as has already been pointed out by the Income Tax Assessment Act. The Income Tax Assessment Act, 1937 repeals the Land and Income Tax Assessment Act, 1907, and its amendments, and also the Dividend Duties Act, 1902, and its amendments. In view of the altered basis and in view of the repeal of the Land and Income Tax Assessment Act, 1907, and its amendments, and of the Dividend Duties Act, 1902, and its amendments, it is unsafe to rely on any principle of interpretation and references to the Land and Income Tax Assessment Act, 1907, and the Dividend Duties Act, 1902, as made in the several special tax assessment Acts, should be taken to relate to the provisions in the new measure. While it is a principle of interpretation that where in any Act reference is made to any other Act or to any provision thereof, such reference shall be deemed to include a reference to all Acts amending such other Act and to all Acts amending such amending Acts or any of them, and to any Act substituted for such other Act, or for any of such amending Acts; or to the corresponding provision of the amending or substituted Act—that is really a quotation from Section 14 of our Interpretation Act, 1918—a number of considerations preclude reliance on this rule. Firstly, the new taxation measure lays down a basis of taxation which although substantially the same contains some differences. They do not "correspond." Secondly, generally speaking, the scheme of the new Bill is to tax companies on the same basis as individuals, whereas as the law now stands, they are taxed separately on the basis of the Dividend Duties Act. Nor is the basis the same for individuals. Thirdly, it is desirable that important Acts such as these special tax assessment Acts should be kept constantly consolidated and revised, and all obsolete references deleted. By dealing with these Acts in this way, not introducing any new principles, but substituting the existing language

in the newly passed uniform assessment legislation in these three particular Bills, and combining the three in one Bill, we will have a ready reference so that any business man, accountant, taxpayer, or anybody else concerned with taxation law, will be able to consult it when necessary. We will have all our laws dealing with taxation based on the uniform assessment Act, and that will give tremendous satisfaction to those dealing with taxation matters. The purpose of the Bill is to revise the special tax assessment Acts and bring them into line with the new income tax assessment Act. Later the Special Tax Acts Revision Bill accompanying this one will be introduced to give effect to the same principle. All the special tax assessments Acts mentioned in this Bill have been brought into line with the new Act, and provision is made in the Bill, after dealing with each Act affected, to have the Acts immediately reprinted with all amendments, and by this means there will emerge at the end of the session a complete set of assessment laws all properly referenced and available to lawyers, accountants, commercial men and other interested members of the public. No alteration in principles has been made except in regard to shipping companies, which for some reason I am unable to explain, were exempted from the provisions of the Hospital Fund Act, 1930. I have not been able to discover why that was done. There is some correspondence on the matter which does not, however, throw much light on the subject. Under this Bill provision is made for these companies to be brought into line with others. If there was any reason to exempt them then, there is less reason to exempt them now, because under the old law which will be found in Subsection (6) of Section 6 of the Dividend Duties Act, 1902, those companies were charged on all inward and outward freight on an arbitrary basis of 6¼ per cent. of 5 per cent. on inward and outward traffic including passenger fares; 6¼ per cent. of the profits on sales of coal or other goods; and 6¼ per cent of the profits of vessels trading exclusively within the State. To-day shipping companies trading exclusively within the State will be assessed on a true income basis, while overseas vessels are specially provided for in another part of the Income Tax Assessment Act, 1937, and they will not, under the new law, have to pay income tax, except in regard to outward trade. Members will see that these are only comparatively trivial alterations made to bring these Acts into conformity with the uniform Assessment Act which was recently passed to the satisfaction of most people. I move—

That the Bill be now read a second time.

HON. C. G. LATHAM (York) [9.56]: The Premier has given me an advance copy of the Bill, and I desire to expedite its passing. Usually a Bill of this nature would receive opposition from this side of the House. It purports to amend three Acts but they are so much in line with each other that it is easy to group them together in this way. When the reprint is made we will have the legislation for reference only because the parent Acts themselves will contain the necessary alterations. When I first saw the Bill I thought it was rather formidable, but it is set out quite clearly and is divided into three parts, each dealing with the respective parent Acts—the Financial Emergency Tax Act, the Hospital Fund Act, and the Gold Mining Profits Tax Act. It is not difficult to follow. When I looked through it, I found it, as the Premier has explained, a measure for bringing the old law into uniformity with the new. There are three alterations in the Bill. The first is that referred to by the Premier. It deals with shipping companies which have escaped the hospital tax previously. The second has relation to the taxing of the interest secured by individuals from Government stocks while companies were excluded. I think the Premier will find now that the companies are brought under this taxation. So any company that has invested in Government stock will now pay tax on that stock. Then there is a third alteration, which is that insurance companies will now be taxed on their profits from rents. Those are three alterations, but all are in conformity with the legislation we have already passed. We gave very full consideration to that earlier Bill when passing it, and now we should be leaving ourselves open to a good deal of litigation if these amendments were not made. But there are sections of the Act, some of which will require re-numbering. I have gone carefully into this Bill and I hold that we should tell the public what the alterations are. I think I can safely say it is not the intention of the Government to put up some scheme in the concluding hours of the session. In this Bill there are only

the three alterations I have already recounted. I desire that the Bill should reach another place quickly so that the members there should have opportunity to discuss it I appreciate the courtesy extended to me by the Premier in letting me have an advance copy of the Bill. I will support the second reading.

MR. McDONALD (West Perth) [10.3]: I also have to acknowledge the courtesy of the Government in supplying me with an advance copy of the Bill. I have but little to add to what the Premier and the Leader of the Opposition have said. There are only three alterations in the taxation, and they cannot be described as other than the removal of anomalies which previously existed in the taxation law. I see no reason why those anomalies should not be removed, as they have been in the Bill. The consolidation of the law is very necessary and it will be a great convenience to the public. I will support the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Read a third time and transmitted to the Council.

BILL—SPECIAL TAX ACTS REVISION.

Second Reading.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [10.10] in moving the second reading said: The remarks I made in moving the second reading of the preceding Bill apply equally to this Bill, so I will content myself by moving—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Read a third time and transmitted to the Council.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT (No. 2).

Council's Amendments.

Schedule of 34 amendments made by the Council now considered.

In Committee.

Mr. Sleeman in the Chair; the Minister for Works in charge of the Bill.

No. 1. Clause 6—Delete:

The MINISTER FOR WORKS: This amendment and following amendments relate to the abolition of plural voting. I do not propose to elaborate on the principle at this stage. The object of this part of the Bill is to limit the votes to one for each taxpayer, and also to allow one vote only in cases where there is property in more than one ward. This is a matter of Government policy, and we propose to adhere to the principle as set out in the Bill that passed this Chamber. I move—

That the amendment be not agreed to.

Mr. DONEY: I had hoped the Minister would gracefully retire from the position he occupied. Since I have been here, the plural voting issue has been debated seven times.

Mr. Cross: It is time it was fixed up.

Mr. DONEY: Yes. This Chamber should recognise it has made a mistake. The Government has tried to foist upon the people something that is not warranted. I believe the Minister brought down this Bill only with the idea of being loyal to an ex-comrade. The public has not evinced any liking for this particular principle; in fact, a huge majority is against it. The Government should not endeavour to force something upon the people that they do not want.

Question put and passed; the Council's amendment not agreed to.

No. 2. Clause 7:—Delete.

No. 3. Clause 8:—Delete.

No. 4. Clause 9:—Delete.

No. 5. Clause 11:—Delete paragraphs (a), (b), (c), (d), and (e).

No. 6. Clause 16:—Delete.

No. 7. Clause 17: Delete.

No. 8. Clause 20:—Delete paragraphs (b) and (c).

No. 9. Clause 21:—Delete.

No. 10. Clause 22: Delete.

On motions by the Minister for Works, the foregoing amendments were not agreed to.

No. 11. Clause 25:—Insert the words "or the secretary of a road board" after the word "district" in line 25 of page 9 and line 35 of page 11, respectively.

And, consequentially, Insert the words "road board secretary" after the words "town clerk" where they appear in lines 29 and 41 of page 9, and in lines 2, 10, 13, and 38 of page 10, and in lines 23 and 39 of page 11: and, To insert the words "road board secretary's" after the words "town clerk's" in line 43 of page 10.

The MINISTER FOR WORKS: This is a proposal that the secretary of a road board shall be entitled to take votes. The contention is that unless he is given ballot papers, the Act will be unworkable. As secretaries to road boards are responsible persons, and this merely includes them in the list of those who can take votes, I will agree to the amendment. I move—

That the amendment be agreed to.

Mr. DONEY: This is purely a matter of convenience, and places secretaries of road boards in the same position as town clerks.

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

No. 12. Clause 25:—In proposed new Section 109 (6), page 10, Insert the words "and every road board secretary and every person apointed by the Minister" after the word "municipality" in line 28.

No. 13. Clause 25:—In proposed new Section 109 (6), page 10, Insert the words "road board secretary or other person appointed as aforesaid" after the word "clerk" in line 30.

No. 14. Clause 25:—In proposed new Section 109 (6), page 10, Delete all the words after the word "thereof" in line 31 down to and including the word "section" in line 34.

No. 15. Clause 37:—Add at the end of the clause a proviso, as follows:—

Provided that any council outside the metropolitan area, as defined under the Road Districts Act, 1919-1934, may sell or dispose of stone and materials to any person for any purpose.

On motions by the Minister for Works, the foregoing amendments were agreed to.

No. 16. Clause 43—Delete paragraph (a):

The MINISTER FOR WORKS: I cannot accept this amendment. It is consequential on the deletion of Clause 48 dealing with placing the responsibility of payment of rates on the owner only. The Bill placed the responsibility for the rates on the owner but the Council has sought to restore the occupier to joint responsibility in that respect. The municipality has a sufficient security in that it has first claim on the property, which is the ratable factor. I move—

That the amendment be not agreed to.

Mr. DONEY: I have no strong feeling regarding the amendment, and I do not know that any great harm would be worked if we agreed to it. At the same time I agree with the Minister and favour relieving the occupier from responsibility with regard to overdue rates. That should be the responsibility of the owner. Of course, I understand that very infrequently do municipal councils make claims against occupiers for the recovery of overdue rates.

Question put and passed; the Council's amendment not agreed to.

No. 17. Clause 44:—Delete:
No. 18. Clause 46:—Delete:
No. 19. Clause 48:—Delete:
No. 20. Clause 49:—Delete:

On motions by the Minister for Works, the foregoing amendments were not agreed to.

No. 21. Clause 51:—Delete:

The MINISTER FOR WORKS: As the owner is now responsible, it is necessary to retain the clause. I move—

That the amendment be not agreed to.

Mr. DONEY: I again join with the Minister in disagreeing with the Council's amendment. The Act gives the local authority the right to recover overdue rates by means of distress, and the Council's amendment seeks to restore that right, which the clause takes away. I do not like distress. It is true that recourse is made to that method only in extreme cases, but even so I do not like it because it generally means that the mother and the family are made to suffer because of the stupidity and pigheadedness of the husband.

Question put and passed; the Council's amendment not agreed to.

No. 22. Clause 53: Delete:

The MINISTER FOR WORKS: The Council by this amendment seeks to alter the order of preference in respect to the

distribution of any money derived from the sale of property for the recovery of rates. I propose to adhere to the original order of preference set out in the clause. The Road Districts Act, which was passed considerably later than the Municipal Corporations Act, embodies practically the same schedule with the same order of preference as that set out in the original Bill.

Mr. Doney: But even so, that is not any argument for its acceptance this time.

The MINISTER FOR WORKS: I think it is, because I propose to see that the Government is protected. The amendment will place a municipal council in a preferential position compared with the Government in connection with the division of the spoils.

Mr. Doney: You have not given us any reason.

The MINISTER FOR WORKS: I desire to give first preference to the Government. I know this is a sore point with municipalities, whose difficulty arises from the fact that in many instances the lots have little value. I candidly admit I do not know how we can get over that difficulty, but all municipalities are not confronted with that position. Definite values attach to blocks of land in municipalities and where they are of any considerable value all requirements will be met. I move—

That the amendment be not agreed to.

Mr. DONEY: I am sorry the Minister is so obstinate. The view taken by the Council in this instance is reasonable. The Minister has not been able to give a single reason why the Government should have priority over local authorities. Municipal councils foot the bill and therefore are entitled to claim preference after court fees have been met. If the amount involved is small, it means the local authority will receive no return at all after the fees have been paid.

Question put and passed; the Council's amendment not agreed to.

No. 23. Clause 53:—Insert (on page 29), after the paragraphs under "Firstly," the following:—

"Secondly—In payment of all rates and interest due to and expenses incurred by the council and the local authority under the Health Act, 1911-35."

No. 24. Clause 53:—Delete all words after the word "State" in line 21, page 29, down to and including the word "land" in line 27.

No. 25. Clause 53:—Insert the word "and" after the word "department" in line 35.

No. 26. Clause 53:—Delete the words "the council and the local authority under the Health Act, 1911-1933," in lines 35 and 36.

No. 27. Clause 53:—Delete subsection (2) of proposed new Section 429, on page 30.

On motions by the Minister for Employment the foregoing amendments were not agreed to.

No. 28. Clause 54:—Delete the words "aero and motor-vehicles" in line 36, and substitute the words "aero-motor vehicles and motor vehicles."

The MINISTER FOR WORKS: I have no objection to this amendment; it certainly clarifies the clause. I move—

That the amendment be agreed to.

Mr. NORTH: It is pleasing to see that another place is very air-minded and is displaying so much technical knowledge.

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

No. 29. Clause 54:—Delete the word "aero" in line 11 of page 31, and substitute the word "aero-motor."

The MINISTER FOR WORKS: This amendment is consequential on the amendment we have just agreed to. I move—

That the amendment be agreed to.

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

No. 30. Clause 56:—Delete.

No. 31. Clause 61:—Delete.

No. 32. Clause 62:—Delete.

No. 33. Clause 65:—Delete.

No. 34. Clause 68:—Delete.

On motions by the Minister for Employment the foregoing amendments were not agreed to.

Resolutions reported, and the report adopted.

A committee consisting of Mr. Doney, the Minister for Railways and the Minister for Works was appointed to draw up reasons for not agreeing to certain of the amendments made by the Council.

Reasons adopted, and a message accordingly returned to the Council.

BILL—DRIED FRUITS ACT AMENDMENT.

Second Reading.

Debate resumed from the 11th November.

MR. THORN (Toodyay) [11.15]: In discussing this continuance Bill, one could enter into a consideration of the whole ramifications of the Dried Fruits Act, but I have no desire to do that because I have taken the opportunity on previous occasions to explain its operations. The growers appreciate the action of successive Governments in continuing this legislation. It was first enacted in 1926 and has proved of great assistance to the industry. Before we secured this control the growers were very disorganised and were playing a game of cut-throat with each other and consequently were not getting the best results from the industry. Under this legislation, however, they do get some results from their labours. With all due respect to the opinion held by some members, I believe it will be necessary, as time goes on, to introduce more legislation of this type. This Bill contains one or two amendments, apart from the continuance provision. The first amendment deals with the appointment of a commercial man as chairman. When Mr. J. N. Cox, of Coolup, resigned the position of chairman through ill-health, the Minister thought fit, under powers vested in him by the Act, to appoint a commercial man as acting chairman. Members of one organisation on the Swan object to that appointment. They say they are of opinion that we should retain the five grower members on the board. I should like to point out that while expressing their views, which I am here to do as representing the whole industry, although the Viticulturists' Union of the Swan protested against the alteration, the members of the board are also members of the Viticulturists' Union. I have consulted three members of the board and each admits that since the appointment of a commercial man as chairman, the business of the board has been facilitated considerably and he has been of great assistance. Each of the Dried Fruits Boards in the other States—South Australia, Victoria and New South Wales—has a civil servant as chairman, a nominee of the Government. I do not wish to see that happen here. The present intention to appoint as chairman a man possessed of commercial knowledge would be a far greater assistance to the board than a civil servant could be. Another objection that the organisation raises is that if we are going to have a commercial man as chairman we should have a man not connected with the industry. It is hard for me to agree with that. Surely to goodness a man with commercial knowledge connected with the industry is in a far better position to guide and assist the board than a commercial man not connected with the industry! Therefore, I find it rather difficult to agree with that view. I feel that the board is fortunate in having the services of Mr. A. H. Dickson.

Members. Hear, hear!

Mr. THORN: He has been for many years manager of Henry Wills & Co. and has played a very important part in assisting the fruit industry in this State. I am sure that the apple growers of the South-West would support me in that statement. They have been most willing to finance any section of the fruit industry, and it is a well-deserved compliment to this gentleman that the Minister has seen fit to give him the appointment. I feel that the destinies of the Dried Fruits Board are quite safe in his hands.

Mr. Sleeman: Do you think the consumers are safe in his hands?

Mr. THORN: The board has no power whatever to fix prices. Its duty is purely to assist in the orderly marketing of the product.

Mr. Sleeman: What is orderly marketing?

Mr. THORN: The board has no power to fix prices. The hon. member will find no reference to price-fixing in this legislation.

Mr. Marshall: No, but you regulate the output so that the price will be adjusted accordingly.

Mr. THORN: We would be falling down on our job of ensuring orderly marketing if we did not endeavour to export the surplus out of the State. Does not that apply to every section of primary production and to orderly marketing in any shape or form?

Mr. Marshall: Then we should send the surplus labour out of the State to force up the standard of living.

Mr. THORN: If the hon. member could do that, doubtless he would. But I do not see that that is any reason why members should object to a proper control of the dried fruits industry. Another point is that the growers still have four representatives on the board—four out of a total of five—and that therefore the power remains definitely in their hands. So I have no fear

for the future of the industry. Another proposed amendment is the life of the Act. I regret that it has not been possible to make the measure permanent. It has been on the statute-book since 1926, a period of 11 years, and has proved a workable measure. We have had ample opportunity to judge of the operation of the Act. The Government might well make it permanent. However, I fully understand the Minister's reason for continuing the measure for only two years. In the past the life of the Act has been extended for three years, but this time the Minister has determined upon a two-years extension. The reason he gave is that he wants the expiration of the Act to coincide with the expiration of the board. Although as a representative of that section of the fruit industry I would like to see the Act made permanent, I repeat that I have no fear for the future.

Mr. Raphael: Why did not your Government make the Act permanent? It was introduced by a Labour Government.

Mr. THORN: The measure has proved perfectly workable, and of benefit to the producer. After all, it is the policy of every Government to assist in the orderly marketing of primary products, with a view to securing to the grower at all events a fair deal.

Hon. P. D. Ferguson: The legislation is also for the good of the consumer.

Mr. THORN: Yes. The legislation provides for proper inspection, and the final result is the production of a far better article. Thus the consumer benefits. I hope the House will agree to the continuance of the Act, and also to the amendments the Minister has seen fit to propose. I have much pleasure in supporting the second reading.

MR. BOYLE (Avon) [11.25]: I also have pleasure in supporting the Bill, and commend the Minister for having brought down amendments. The dried fruits industry of Western Australia is especially fortunate insofar as it is part of the one Commonwealth industry which has a common organisation. Every State of the Commonwealth has a Dried Fruits Act, excepting only Queensland. There is no price fixation under these measures, as the member for Toodyay (Mr. Thorn) pointed out; therefore this is purely a growers' measure. The Dried Fruits Act really controls agents and dealers generally, while the Commonwealth board controls the export of dried fruits from Australia. The appointment of Mr. Dickson as chairman of the board is surely open to very little question on the part of growers. That gentleman has proved himself a great friend of the producer of every type, and I am quite sure that the appointment of one member other than a grower on a board of five does not impinge upon or interfere with the principle of growers' control of the board. Speaking from a good deal of experience in the East, I do not object to representation on such a board of any particular section of the community as long as the growers have control by a majority.

MR. SAMPSON (Swan) [11.27]: I endorse the remarks of the member for Toodyay (Mr. Thorn). Undoubtedly the position secured by Western Australian dried fruits has been achieved by reason of the quality of the country in the Swan district, which was described by the late Mr. C. J. deGaris, himself a vigneron of acknowledged capacity, to be equal to the best grape-growing country in the world. Yet even with that advantage, in the absence of a control Act it was impossible for those engaged in the industry to make a living. To-day that condition is altered somewhat, but even now it is a difficult job. We must realise—I know the Minister realises it—that control is becoming universal. As was stated last night in regard to the New Zealand export trade in frozen lambs, full acknowledgment and control has been given under the Dominions Export Control Act. Again, even in Conservative England the House of Commons has acknowledged the need for orderly marketing and has approved legislation making the lot of the English farmer bearable. It has proved to be a most valuable action and the result is much to the advantage of the Mother Country. In Canada, too, particularly in the Okanagon Valley of British Columbia, great efforts are continually being made to secure control of what is termed tree fruits and vegetables. Without that control it would be impossible for the growers even in that rich country to withstand the difficulties they have to face and make a living. I realise that there is very little need at this stage to advocate the continuance of this measure. I agree with the member for Toodyay (Mr. Thorn) that it should be placed permanently on our statute book and accordingly that the need for the constant re-

newal of the provisions of the Act should not be necessary. I support the Bill.

MR. SLEEMAN (Fremantle) [11.31]: I am amused at the attitude of some of the members opposite. Take the remarks made by the member for Avon (Mr. Boyle). He said he had no objection to the Bill so long as the growers had a majority on the board. That is not a bad idea from the growers' point of view, but what would the same member say if we wanted a majority on the Arbitration Court? It would be a different thing altogether.

Hon. C. G. Latham: You already have it.

Mr. SLEEMAN: Members opposite tell us they are agreeable to having orderly marketing, and the way they have orderly marketing is to have a majority on the board which sees that the wages of the growers are kept up. Of course that is orderly marketing! It has been said of some of these industries that those engaged in them would rather feed their pigs with the products than have a glut on the market. If there is a glut on the market the wages of the growers come down. I have no objection to the grower getting a reasonable price, but I have a decided objection to members on the other side of the House putting up this plea for the growers, and when it comes to the workers, preaching another tale. Then consider the attitude of the growers' representatives in another place. They complain that this Bill has not been made permanent. What is the attitude of the representatives of the growers in another place when the Lotteries Bill comes up for discussion? I do not think members representing the Country Party on the other side of the House will say that the lotteries are not doing good for the country. Yet we find that the growers' representatives in another place confine the Lotteries Bill to one year.

Hon. C. G. Latham: One is a business and the other is a disease.

Mr. SLEEMAN: They are both businesses and good businesses for the country members. The member for Avon (Mr. Boyle) the member for Katanning (Mr. Watts) and the member for Mt. Marshall (Mr. Warner) admit the good work done by the Lotteries Commission.

Mr. SPEAKER: We are not discussing the Lotteries Commission.

Mr. SLEEMAN: I am just comparing the two Bills and the attitude of members opposite towards them. If it is good to make the Dried Fruits Act a permanent measure, it is equally logical to say that the Lotteries Act should be made permanent on account of the good it is doing for the State. I consider that we should postpone this measure until after the Lotteries Bill has been discussed and then give a quid pro quo. If they agree to do the right thing with regard to the Lotteries Bill, we will agree to do the right thing by the Dried Fruits Bill. I hope the Minister will postpone this measure.

MR. HEGNEY (Middle Swan) [11.35]: The Minister is to be commended for introducing this continuance Bill because it was a Labour Government that introduced the first Dried Fruits Act in this State. It is, however, a remarkable thing that notwithstanding the consideration the Labour Government has given the dried fruit growers of this State, it gets little support from them in return. In the Middle Swan electorate I have discussed the matter with the growers. I have also referred them to the fact that it was the Scullin Labour Government which gave them a protection of 6d. a lb. on dried fruits, but they say it is of no advantage. Nevertheless, they will not ask for it to be lifted. The growers themselves are not unanimous about this Bill. I have had communication with a section of the industry which has urged that the Bill be not amended in the direction indicated. They desire to have that other representative on the board; they say he should not be one who is engaged in commercial pursuits, and that the basis of election of members of the board also should be altered. I have not had an opportunity to come into close contact with these people. They are not in my electorate but in portion of the electorate of the member for Toodyay (Mr. Thorn). Evidently, however, there is not unanimous support for this Bill from the growers of dried fruits. The Labour Government gets very little support from them in spite of what it seeks to do for them, and notwithstanding the fact that it is the Labour Government that introduced the Bill in the first place and has continued it from time to time. I believe it is sound in principle. In spite of the Government's concern for these people, however, I am speaking from experience when I say that they denounce the Government because the Gov-

ernment does not do this or that for them. The Labour Government has done a tremendous amount of work for the primary industries in this country without thanks or consideration. I hope that if this Bill becomes law these people, in 12 months' time, will give consideration to the fact that the measure was introduced and has been perpetuated by a Labour Government, and will give that Government more support in days to come than they have in the past.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Read a third time and transmitted to the Council.

BILL—LOTTERIES (CONTROL) ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the previous day.

HON. C. G. LATHAM (York) [11.41]: I am glad to see the Bill introduced in its present form. A few minutes ago we heard reasons given why the Bill should not be passed as an annual measure, but there is little similarity between this and other taxing Acts which we bring down every year. These Bills are an annual occurrence, but it is a pity that this Bill should be brought before the House every year. Of course it is not a compulsory taxing measure but a voluntary one. However, it is helpful to the Government. This year the Government has obtained something like £80,000 from it. It is not likely this Government or any other Government is going to forego that sum which comes in in a voluntary manner. I know there is an idea in the minds of some members that we should have a fixed period for the operation of this Act, but I am not one of those who believe that. As a matter of fact we are drawing revenue from an undesirable source. We cannot regard the lotteries as something of credit to the State. However, there is a certain section of the people who think that legalised gambling should be permitted and if this facility were not afforded them, they would send their money out of the State to gamble it elsewhere. We spend on advertising too much money received from this source. I would like all our tickets to be issued from one office, as is done in Sydney. This is legalised gambling. We seem to have set ourselves out to encourage people to gamble. I do not think that is a function of Government at all. In fact, we should discourage it as much as we can. It is interesting to contrast the attitude of members now towards this measure compared with what it was when the Act was introduced. This year an experiment was made of having a 10s. sweep. That cannot be regarded as having been a success and I hope it will be the last of its kind that the Lotteries Commission will attempt to run. It was not fully subscribed. Secondly, people who expected to get prize money were let down, inasmuch as they should have been paid the full prize. Instead of that they were paid pro rata. Then the commission paid on the sale of tickets is far too high. Fancy 1s. for every 10s. worth of tickets sold!

The Minister for Justice: In error they sold some of the 10s. tickets for half-a-crown.

Hon. C. G. LATHAM: Is that so? I do not think there could have been many sold. Again far too much of this money goes to the promoters; between 14 and 15 per cent. of it goes in that way. One in every ten of these sweeps is run for the people who sell the tickets, and the whole of the proceeds of that sweep go to the ticket sellers. That is far too much to pay. I hope that during the year the Commission will give some consideration to the views expressed in Parliament. I am afraid that while we do talk about these things, no serious attempt is made to meet the desires of the members of the House, although we represent the people. Some consideration should be given to our views. In my opinion 8 per cent. would be quite sufficient to pay for the sale of the tickets. Also I think we should discourage advertising by neon signs and in the newspapers. I want to refer to the conditions that prevailed regarding the printing to be done for the lotteries. For a long time the Commission just got a price for someone to do the printing, and apparently all was well. But suddenly the Commissioners called for tenders for the printing. Having done that,

why did not the Commissioners deal with those tenders themselves and make a selection? Instead of doing that they called in an outside body to consider the tenders and make the selection, which was verging on the ridiculous. That is a blot on the business acumen of the Commissioners. We pay them substantial salaries to manage the business, and then after calling for tenders they have to invite outside people to come and judge the tenders. The lotteries are run on the confidence the people have in the Commissioners, and if those Commissioners do not show that they are capable of managing the business, how can they expect the people to have confidence in them, more particularly when they associate themselves with a trade union? Why should the secretary of a trade union go in to decide upon those tenders? The sooner the Commissioners learn to keep away from industrial and political organisations the better.

Mr. Rodoreda: He was a qualified man.

Hon. C. G. LATHAM: In what way?

Mr. Rodoreda: He was a printer.

Hon. C. G. LATHAM: I have heard it said that he was a journalist, a printer and a compositor. Probably he was a printer's devil also. Anyway, the Commissioners should keep away from political organisations and do their own work themselves. Since the Bill is to have only the usual annual life, I will support it.

MR. TONKIN (North-East Fremantle) [11.52]: I cannot agree with the hon. member as to the action of the Commissioners in dealing with the printing tenders. I think they did the right thing. They have to be sure that anyone entrusted with their printing shall be able to do the work and supply the tickets at the proper time.

Hon. C. G. Latham: Fancy Boans getting outsiders to supervise their printing!

Mr. TONKIN: But this was not Boans. In this instance the duplication of a single number in a consultation would be the end of the Commission. So the Commissioners have to be most careful about the numbering of the tickets. Then other things have to be done. For instance, certain result slips have to be prepared and sent out, and there is a good deal of work in connection with the printing of tickets. Quite likely the Commissioners decided that as they were not experts in the matter, as they knew nothing whatever about printing and the ability of printing companies to carry out contracts, they should refer the matter to an expert board, and as a result of consideration by that board the Commission saved a considerable amount of money on the printing of the tickets. The board that considered the tenders, came to certain conclusions, and on those conclusions the Commissioners acted, with considerable advantage, inasmuch as the printing of the tickets was positively safeguarded, while no one concerned other than the person who lost the contract, suffered. And of course that person who lost the contract had himself to blame because he could not tender at the price.

Mr. Patrick: Were there not still lower tenders than the one accepted?

Mr. TONKIN: Yes, and that is where the expert board came in. The board was able to show that the persons who put in the lowest tenders would not be in a position to carry out the contract if it were given to them. So the board did not recommend that those tenders should be accepted, whereas possibly if the Commissioners had dealt with the tenders they might have accepted the lowest one.

Mr. Doney: Who composed the board?

Mr. TONKIN: I feel sure the hon. member knows and is only being facetious.

MR. SHEARN (Maylands) [11.55]: In supporting the Bill I do so for the reason given by the Leader of the Opposition, which was that the life of the Act is to be extended for only 12 months. But I suggest to the Minister that he might seriously take into consideration the points mentioned in this debate and refer them to the Commission with a view to some scheme being evolved to render unnecessary a repetition of all this detail next year. It is quite clear that many people disapprove of the enormous sum devoted to commission on and the advertising of the sale of tickets. If that sum were reduced it would, I am sure, remove a certain amount of prejudice that has been set up. As I suggest, the Minister might within the next 12 months, make it clear to the Commission that certain objections that have been raised should be overcome by the Commission, thus saving the time of this House. It should not be the

duty of the House to discuss this matter of managerial details.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1 and 2—agreed to.

Clause 3——

The MINISTER FOR AGRICULTURE: I move an amendment—

That in line 13 "thirty-eight" be struck out and the words "forty-two" inserted in lieu.

My object is to give the Bill a somewhat longer life than the Legislative Council decided upon. Although the Committee might disagree to the relative permanency of the measure it is advisable that opportunity should be afforded for some continuity of policy on the part of the Commission. Although the Commission will continue to be appointed annually, it is desirable that an opportunity be provided for it to work to a more substantial programme and endeavour to have a policy enunciated that it can carry into effect.

Amendment (to strike out "thirty-eight") put and a division taken with the following result:—

Ayes	.. .. ..	25
Noes	.. .. ..	15
Majority for	..	10

AYES.

Mr. Boyle	Mr. Rodoreda
Mr. Coverley	Mr. Sleeman
Mr. Croes	Mr. F. C. L. Smith
Mr. Doust	Mr. Styants
Mr. Fox	Mr. Tonkin
Mr. Hawke	Mr. Troy
Miss Holman	Mr. Warner
Mr. Marshall	Mr. Welsh
Mr. McLarty	Mr. Willcock
Mr. Munsie	Mr. Wise
Mr. Needham	Mr. Withers
Mr. Nulsen	Mr. Wilson
Mr. Raphael	*(Teller.)*

NOES.

Mrs. Cardell-Oliver	Mr. Patrick
Mr. Ferguson	Mr. Sampson
Mr. Hill	Mr. Seward
Mr. Hughes	Mr. Shearn
Mr. Latham	Mr. Thorn
Mr. Mann	Mr. Watts
Mr. McDonald	Mr. Doney
Mr. North	*(Teller.)*

PAIRS.

AYES.	NOES.
Mr. Collier	Mr. Keenan
Mr. Millington	Mr. Stubbs
Mr. Johnson	Mr. Brockman
Mr. Lambert	Mr. J. M. Smith

Amendment thus passed.

The MINISTER FOR AGRICULTURE: I move an amendment—

That the words "forty-two" be inserted.

Mr. McLARTY: I support the amendment. I cannot see how the Lotteries Commission can formulate a policy unless it has some security of tenure. If it is to function in a business-like way it must have a chance to formulate a longe range policy. If members are honest with themselves, they will admit that there is no chance of this commission going out of existence. Already it has brought order into the business of gambling. I do not want to see a reversion to crossword puzzles and to unrestricted gambling. If we can give the commission some security of tenure, that will do away with the possibility of political appointments to it being made. I would not like to sit behind a Government that had got rid of members of this commission purely for political reasons.

Mr. Doney: Do you think the present appointees would be dismissed if there was a change of Government?

Mr. McLARTY: I have no desire to see changes effected every 12 months. I am averse to the wholesale advertising of lottery tickets in newspapers, on the screen and over the air. I hope steps will be taken to prevent that.

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

Clause 3, Title—agreed to.

Bill reported with an amendment and the report adopted.

Third Reading.

Bill read a third time and transmitted to the Council.

BILLS (3)—RETURNED.

1, Electricity.
With amendments.

2, Mortgagees' Rights Restriction Act Continuance.

3, Land Act Amendment.
Without amendment.

BILL—ELECTRICITY.

Council's Amendments.

Schedule of three amendments made by the Council now considered.

In Committee.

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

No. 1. Clause 2—In definition of "electric fitting" on page 2, add after the word "therefor," in line 18, the words, "but shall not include any fitting or apparatus used by the Railway Department for communication or safe working purposes":

The MINISTER FOR WORKS: I move—

That the amendment be agreed to.

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

No. 2. Clause 11, Subclause (2)—Add after the words "capital charges," in line 13, the words "including interest, depreciation, and obsolescence":

The MINISTER FOR WORKS: This amendment deals with matters to be taken into consideration by the committee in fixing the charges. I move—

That the amendment be agreed to.

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

No. 3. Clause 25, Subclause (1)—Add at the beginning of paragraph (d) the words "subject to existing contracts":

The MINISTER FOR WORKS: This amendment relates to the limitation of prices subject to existing contracts. I move—

That the amendment be agreed to.

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

Resolutions reported, the report adopted and a message accordingly returned to the Council.

BILL—INDUSTRIES ASSISTANCE ACT CONTINUANCE.

Second Reading.

Order of the Day read for the resumption from the 21st September of the debate on the second reading.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Read a third time and transmitted to the Council.

BILL—LOAN, £1,227,000.

Council's Requested Amendment.

Amendment requested by the Council now considered.

In Committee.

Mr. Hegney in the Chair; the Premier in charge of the Bill.

Amendment—First Schedule: Item 18.—Delete the words "Advances for Erection of Homes for Renting," and substitute the words "Additional Working Capital."

The PREMIER: The position in regard to the Council's requested amendment is that the words desired to be struck out were included in the Loan Bill in the expectation that legislation would be passed giving the Government authority to proceed under the item. As that legislation has not been passed, there is no purpose in retaining the words. I therefore move—

That the amendment be made.

Question put and passed; the Council's requested amendment made.

Resolution reported, the report adopted, and a Message accordingly returned to the Council.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [12.24 a.m.]: I move—

That the House at its rising adjourn until 2.30 p.m. to-day.

Question put and passed.

House adjourned at 12.25 a.m. (Friday).