

# Legislative Council.

Tuesday, 18th October, 1938.

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

## QUESTION—YOUTH EMPLOYMENT.

*As to Subsidising Federal Grant.*

Hon. A. THOMSON asked the Chief Secretary: As New South Wales, Queensland, South Australia and Tasmania have subsidised by pound-for-pound the Federal grant to provide for technical training and securing skilled employment for youths in their respective States, 1, Does the Government intend to supplement the £14,000 granted to this State by a pound-for-pound subsidy? 2, How many youths have been trained for technical and skilled employment in this State? 3, How many youths have obtained employment as a result of such training? 4, What does the Government propose to do with its portion of the 1938-39 grant provided by the Federal Government for training of youths in technical tuition with a view to their obtaining skilled employment?

The CHIEF SECRETARY replied: 1, The State Government has to finance the whole of the expenditure in connection with maintenance of all such technical training. 2, At present 1,100 are receiving technical training as skilled mechanics at Perth, Midland Junction and Fremantle. There are 700 being trained at Kalgoorlie and Wiluna as skilled mining men. In addition, 250 are receiving training in electric and oxy-welding, motor mechanics, and aero engineering. No students are completely trained at technical schools for technical or skilled employment. They are primarily trained in workshops but such training is supplemented at the technical schools. 3, As far as is known, those who have received such training have obtained employment. 4, Proposals for additional buildings and equipment for the increased technical training of youths have

been submitted to the Commonwealth Government for approval.

## BILL—LOCAL COURTS ACT AMENDMENT.

*Recommittal.*

On motion by Hon. E. M. Heenan, Bill recommitted for the further consideration of Clause 2.

*In Committee.*

Hon. J. Cornell in the Chair; Hon. E. M. Heenan in charge of the Bill.

Clause 2—Amendment of Section 126.

The CHAIRMAN: The clause has already been amended.

Hon. E. M. HEENAN: I move an amendment—

That after the word "bedding" in line 7 of the proviso the words "to the value of ten pounds" be inserted.

If agreed to, the amendment will have the effect of protecting a family's bedding to the value of £10 in all.

Hon. L. CRUICK: What constitutes bedding? Does it cover the bedstead or merely the blankets, pillows and so forth?

Hon. E. M. HEENAN: It covers the mattress, pillows and bedclothes, not the bedstead. The Act protects bedding to a value of £5 for the individual and an extra £1 for each dependent member of his family. The amendment will mean that the bedding for an average family of, say, six persons will be protected to a value of £10 in all. Under the Act the value of the bedding protected could easily exceed £10, so the amendment may be regarded as conservative. A further £10 will then be provided to cover furniture—bedsteads and other household furniture. As the Bill stands at present only £10 is provided for both those items. At the previous sitting, however, I think members were under a misapprehension. Their intention was to protect bedding to the extent of £10 and to protect furniture to the same amount.

The CHAIRMAN: Before any discussion takes place I want to point out that the President, myself and my deputies are always jealous of any wrongful criticism of the actions of the House or of the Committee. In this morning's newspaper there appeared a comment that this Bill was to be recommitted to-day because of faulty amending by the Committee. I desire to correct that statement and to say that the

Committee was not at fault. The fault lay with the draftsman and the member in charge of the Bill, because the provision protecting bedding to the extent of £10 was omitted from the Bill as presented to the House. The proviso as amended reads—

Wearing apparel of such person to the value of £5 and of his wife to the value of £5 and of his family to the value of £2 for each member thereof dependent on him;

That portion concludes with a semi-colon; then the proviso continues—

bedding, household furniture and appliances to the value of £10; implements of trade to the value of £15.

The proposal now is to insert something in the Bill that has not been considered heretofore. It is proposed to have the proviso read, in part—

bedding to the value of £10; household furniture and appliances to the value of £10.

That amendment was not considered previously by the Committee. The omission was the fault of the draftsman, and the member in charge of the Bill must not suggest that the Committee was under a misapprehension when the Bill was formerly discussed, because there was no misapprehension at all.

Hon. G. Fraser: The point is that in the original Bill presented to the Chamber the amount stipulated was £25 and the Committee reduced the figure to £10.

Hon. L. B. Bolton: That covered all the items.

Hon. H. S. W. PARKER: We are asked to pass a Bill and we are not given any reasons to justify our doing so. We have been told that there are harsh creditors who will do this, that and the other; but there will always be harsh people trying to evade their just duties and endeavouring to circumvent the law. I have done my utmost to discover any single instance in which there has been harshness that would provide justification for our amending the law. Members will recall that I spoke of some 2,000 warrants that were issued, and I pointed out that there had been only 32 sales in 21 months. Further information received from the bailiff of the local court indicates that in the past 11 months only ten sales have taken place. In three instances motor cars were sold. I think members will agree that if a man cannot pay his debts, he should not try to run a motor car.

Hon. G. Fraser: He may be using it in his business.

Hon. C. B. Williams: Dodging his creditors.

Hon. H. S. W. PARKER: Exactly; dodging his creditors. If a man were using a motor car in the course of his business, it would not be sold. The bailiff must allow a certain amount to a man in respect of tools of trade. A motor car that is a tool of trade cannot be sold. The next two sales were of the contents of timberyards. One sale was for the non-payment of rent and the other as a result of non-payment of instalments for the purchase of the timberyard. Three further sales were effected at the Perth Hotel at the request of one of three defendants, and the sale was involved in the dissolution of a partnership. I have accounted for eight of the ten sales. The next was a sale of land and the other was the sale of a skating rink. The bailiff informs me that crockery, cooking utensils and necessary furniture such as bedding, etc., are never taken in any circumstances, and he does not know of one solitary case of hardship occasioned by the execution of a warrant. As a member of Parliament I have on more than one occasion been approached by an individual and asked to pay the bailiff to leave a man's premises. Once I was foolish enough to do so. On other occasions I have not done so; but I have never heard of the bailiff selling household goods. I agree with the bailiff that there are practically no instances of hardship. If Mr. Heenan can give me one instance in which hardship has been occasioned, I shall be prepared to reconsider the manner in which I have voted. From the information I have received and as a result of the knowledge I have gained in the course of my professional duties, I perceive no reason why the existing law should be altered.

Hon. E. M. HEENAN: I think members wish to extend the protection provided in this section of the Act over 30 years ago. The Committee has already made an extension by increasing the protection for tools of trade from £5 to £15. I have no complaint on that score although I had hoped that the requested protection of £25 would be granted. I believe members have been under a misapprehension in that the Act protects bedding to the value of £5 for the man and £1 for each member of the family dependent on him.

Hon. J. M. Macfarlane: Mr. Parker says it has never been applied, so why waste time?

Hon. J. Nicholson: There was no misunderstanding.

Hon. E. M. HEENAN: I object to the suggestion that I am wasting time.

The CHAIRMAN: Under the amended provision, bedding could be £1 or 5s.

Hon. E. M. HEENAN: I am proposing £10 whereas at present bedding is protected to the value of £10 or £11 for an average family. The additional protection desired is for furniture. I ask members to agree to protect furniture to the amount of £10. Furniture is not provided for in the Act, and it is only reasonable that the bare requirements of a household should be protected. The Bill as amended stipulates bedding, household furniture and appliances to the value of £10. Two or three beds and a wardrobe would easily make up that value.

Hon. H. Seddon: You are asking us to adjudicate on appliances. What are appliances?

The CHAIRMAN: The amendment deals with bedding only.

Hon. E. M. HEENAN: Bedding is already protected to the amount of about £10 or £11, and furniture should be protected to the extent of £10. Mr. Parker did not indicate the number of warrants of execution issued. In ninety-nine cases out of a hundred warrants of execution are issued, but the bailiff goes along and a compromise is reached, probably that the debtor shall pay half the amount in the current week and the other half a month later.

Hon. H. SEDDON: Under the Act protection was granted for bedding to the extent of £5 for the man and an additional £1 for each dependent member of the family. The Bill proposed that bedding, household furniture and appliances should be protected to the value of £25, but the Committee reduced the amount to £10. Now the hon. member seeks to provide £10 for bedding and £10 for furniture and appliances, thus in effect restoring the amount to £20. While I approve of protecting bedding to the value of £10, the vagueness of the term "appliances" necessitates consideration being given to the provision for furniture and appliances.

Hon. G. FRASER: The amendment is reasonable. If we deleted the word "appliances," the amount provided for furniture would be £10, which is little enough, seeing

that it would include bedsteads and similar articles. In olden times the bedding was often lifted off and the bedsteads were taken.

The CHAIRMAN: The only question before us is whether bedding should be protected to the extent of £10.

Hon. G. FRASER: The other articles are also involved. Such cases could recur and I wish to prevent their recurrence. Ten pounds is little enough to cover the necessary furniture in a home.

Hon. L. CRAIG: Bedding would mean secondhand mattresses, pillows and blankets, and I cannot imagine any creditor desiring to take those articles. He would have to be fairly hard up to do so.

Hon. G. Fraser: It has been done.

Hon. L. CRAIG: The provision means bedding of a maximum value of £10, and poor people are hardly likely to have second-hand bedding worth that amount. I have no objection to the amendment. I agree with Mr. Fraser that "appliances" should be deleted as the term might include such an article as a lawnmower. No case has occurred where bedding has been seized, so the position will not be affected.

Amendment put and passed.

On motion by Hon. H. Seddon, clause further amended by striking out the words "and appliances."

Hon. H. SEDDON: We have now provided for an exemption of £20 for household furniture and bedding. Is that the intention of the Committee? Household furniture should be a new item.

Hon. J. NICHOLSON: The question is whether the exemption for household furniture should not be reduced to £5.

Members: No.

Hon. J. NICHOLSON: That would make the exemption for the two items the sum of £15.

Hon. G. Fraser: That is paltry enough.

Hon. J. NICHOLSON: I do not think that was the intention of the Committee. We are reducing the total amount by only £5 instead of £15. So that the reduction may be more in line with what the Committee decided upon when the Bill was before us previously, there should be a reduction in this amount.

Hon. G. Fraser: Members have slept on it and thought better of their action.

The CHAIRMAN: The hon. member would be in order in moving to reduce the amount to £10; but the impression I gleaned

from Mr. Seddon's amendment was that "ap-  
piances" might mean any article. While  
Mr. Seddon was not desirous of reducing  
the amount, he was desirous of removing  
the ambiguity.

Clause, as amended, agreed to.

Bill again reported with further amend-  
ments.

## **BILL—STATE GOVERNMENT INSURANCE OFFICE.**

### *Second Reading.*

Debate resumed from the 4th October.

**HON. H. SEDDON** (North-East) [5.6]:  
When I moved the adjournment of the de-  
bate a fortnight ago, I was hoping that cer-  
tain information of which we had had the  
benefit in previous years would be made  
available to the House. Unfortunately, how-  
ever, we have not yet received the report of  
the Auditor General and consequently I am  
unable to quote more recent figures regard-  
ing the amount in the insurance fund on  
account of industrial diseases. We are com-  
pelled to await that information. I intend  
to support the Bill to this extent, that the  
State Insurance Office should be legalised  
to deal with claims for workers' compensa-  
tion, because I am satisfied that that is the  
field the State Insurance Office is occupy-  
ing, and occupying, I think, economically.  
As Mr. Williams has pointed out, the ques-  
tion of whether private insurance companies  
could undertake the work of insuring  
against industrial diseases is a moot one:  
even if private companies could do so, it  
would be difficult for them to make the  
money available when required.

As regards the proposal to extend the  
functions of the State Insurance Office to  
include other classes of insurance business,  
I trust the House will watch the Bill very  
closely and introduce such amendments as  
are necessary to restrict the business en-  
tirely to workers' compensation insurance.  
I draw the attention of members to the point  
that this Bill should be held back until the  
Bill amending the Workers' Compensation  
Act is brought forward and passed. We  
should ensure that an amendment of Sec-  
tion 10 of that Act is on the statute-book  
before we authorise the establishment of the  
State Insurance Office. My reason for mak-  
ing this suggestion is that undoubtedly

many persons are avoiding their responsi-  
bility to insure their workers against acci-  
dent, for the reason that the State Govern-  
ment has not yet approved of any insur-  
ance company under the Workers' Compens-  
ation Act. People are thus able to avoid  
their obligations simply because the Govern-  
ment has not taken action.

The circumstances connected with the in-  
auguration of the State Insurance Office  
have been set out very fairly and fully in  
the report of the select committee appointed  
by the Legislative Assembly last year. I  
commend that report to members for per-  
usal, because it is necessary we should have  
the true position regarding the inauguration  
of the State Insurance Office clearly before  
us, rather than coloured accounts of such  
inauguration. In my opinion, the Bill does  
enable the Government to extend the scope  
of the State Insurance Office to classes of  
insurance other than workers' compensation  
and employers' liability. I hope that when  
the Bill reaches the Committee stage the  
necessary amendments will be made to re-  
strict the operations of the State Insurance  
Office to workers' compensation only.

No attempt has been made by the Gov-  
ernment to increase compensation paid to  
single men under the Mine Workers' Relief  
Fund. As we are dealing with insurance,  
I desire to bring forward the position of  
those men, because I consider an improve-  
ment in the compensation payable to them is  
long overdue. Under the Mine Workers' Re-  
lief Fund, single men are receiving the sum  
of 25s. per week. The men receive relief  
from that fund when their compensation  
under the Workers' Compensation Act is ex-  
hausted. Unfortunately, many of those men  
are seriously ill. I regret to say it is an un-  
fortunate fact that if a man in Kalgoorlie  
is found to be what is called "turned down"  
he is not by any means welcomed when he  
seeks board in a boarding house. The board-  
ing house proprietors would far rather be  
without him. The result is that such a man,  
with his 25s. per week, has very frequently  
to make arrangements to get a room or to  
take a camp just at the time when he should  
have good food and home comforts. On  
those grounds, I trust that the Government,  
before the session is over, will do something  
to amend the regulation under which these  
men are paid 25s. per week.

**Hon. C. B. Williams:** In some cases five  
shillings.

Hon. H. SEDDON: The maximum is 25s.

Hon. C. B. Williams: In some cases it is as low as 5s.

Hon. H. SEDDON: I draw the attention of members to the position in which those men are placed. They are sick and weak and have to live as best they can. This suggestion should commend itself to the Government, and I trust the matter will receive early attention, particularly as the Mine Workers' Relief Fund at present has a surplus of £107,000. I asked for certain figures showing the Government's contributions and payments since the first payment of compensation to men under the Miners' Phthisis Act. I also asked for returns of the money that the Government received from the gold profits tax. Although the amount that has been paid out under the Miners' Phthisis Act was stated the other day to be £648,384, I must in fairness point out that of that amount, the sum of £170,000 was taken from the State Insurance Office, and this year the Government took £25,000 from that source.

Hon. J. Nicholson: From the insurance fund?

Hon. H. SEDDON: Yes. That reduced the £648,384 to £478,384. The Government has also received this year the sum of £98,312 by way of gold profits tax. When that tax was introduced, we were told it was to reimburse the Government for the enormous sums of money it had to pay under the Miners' Phthisis Act. That being the case, it is interesting to note that since the gold profits tax was imposed the total amount paid to the 30th June, 1938, was £348,429. The sum still owing to the Government on account of miners' phthisis payments is £129,955, out of the £648,384 already paid. If members look back over the last two or three years they will see that payments under the Miners' Phthisis Act are steadily diminishing, that the Government is being reimbursed at the rate of £25,000 a year from the insurance fund, and that it is also receiving a large sum annually from the gold profits tax. As a consequence, the Government is receiving back more money now than it is paying out on account of miners' phthisis.

Hon. C. B. Williams: What is the Government's third share of the contribution to the Mine Workers' Relief Fund?

Hon. H. SEDDON: The Government's contribution to the Mine Workers' Relief Fund to the 30th June last was £17,124.

Even taking that amount, adding the £54,033 paid under the Miners' Phthisis Act, and then deducting the £25,000 and the £98,312, members will find a comfortable margin coming to the Government as reimbursement for the money paid out in previous years.

Hon. L. Craig: There are contingent liabilities.

Hon. H. SEDDON: There are contingent liabilities under the Mine Workers' Relief Fund, but the Government has accumulated a reserve there of £107,000. A considerable sum has also accumulated under the Workers' Compensation Act on account of industrial diseases. An actuary should be appointed to inquire into all these funds, and ascertain whether the time has not arrived when they should be consolidated. At present the Government is being reimbursed for moneys expended in previous years. In the circumstances I am prepared to support the second reading with a view to moving amendments in Committee. I place these particulars before the House so that members may see how things are going on, and in the hope of inducing the Government to review the payments to single men from the Mine Workers' Relief Fund, and do something to make life more comfortable for them.

On motion by the Honorary Minister, debate adjourned.

## BILL—FAIR RENTS.

### *Second Reading—Defeated.*

Debate resumed from the 4th October.

HON. H. SEDDON (North-East) [5.17]: This is a hardy annual brought forward by the Government to punish people who have provided houses on the goldfields. I use this expression advisedly. Anyone who examines the formula laid down in the Bill, and tries to work it out, will see that a man would be wiser to put his money into the Savings Bank at 2 per cent. than invest it or speculate in house property on the goldfields. One would think that, after the criticism of this Bill year after year, the Government would have looked more closely into the formula and profited by the advice given to it. I can only conclude that the Bill was drafted by someone who knows nothing about houses and certainly nothing about house finance. The measure has

arisen because of the problem of housing, particularly housing on the goldfields. The Government has not introduced it as a means of improving the position existing there. Had a measure along those lines been introduced, members might have been more inclined to be sympathetic and to assist the Government to get it passed. In no circumstances has the Government advanced that argument; nor has it been advanced by a single supporter of the Bill either here or in another place. No one has suggested that the passing of this legislation could possibly induce people to invest money on the goldfields or elsewhere in the building of houses for letting.

Hon. H. Tuckey: Everyone admits that it will not do so.

Hon. H. SEDDON: Then we can only fall back upon the explanation that the Bill has been introduced to punish people who have invested money in houses.

Hon. G. Fraser: To give a fair deal to those who are renting houses.

Hon. H. SEDDON: I do not know that it will have such an effect.

The Chief Secretary: It will prevent exploitation.

Hon. H. SEDDON: I doubt that. The position with respect to housing in the Kalgoorlie and Boulder areas has been and is being dealt with by the amount of building going on each year. With the exception of workers' homes, building in these areas is being carried out by goldfields' citizens with goldfields money. Apart from the credit that is given to some builders by timber companies, the money has had to be raised by the goldfields people themselves. To give members an idea of the extent to which these people are helping themselves, I obtained particulars of the number of applications for building permits received by the three local governing bodies concerned. This will indicate the amount of money invested in private houses on the goldfields. The greater part of this sum has been spent by persons who have provided homes for themselves. One builder with whom I discussed the matter contended that not one house in ten was being or had been built for letting purposes. Most of them had been built by people as homes for their families.

Hon. G. Fraser: You cannot kill something that is already dead.

Hon. H. SEDDON: The number of applications received by the Kalgoorlie municipality in 1938 for dwelling houses was 181,

and in 1937 it was 148. In the Boulder municipality the number of applications in 1938 was 48, and in 1937 it was 49. The road board received 81 applications in 1937 and 75 in 1938. Before 1936 between 500 and 600 dwellings were erected in the Kalgoorlie municipality, 330 in Boulder, and in the road board area about 150, making a total of 980.

Hon. W. R. Hall: Another 500 houses are required.

Hon. H. SEDDON: In all 1,559 houses have been erected since the goldfields began to recover, and there is still room for many more. When I approach this question of housing I contend that the time is long overdue for the Government to tackle the problem instead of wasting time with a measure of this kind. If the Government brought down a Bill to deal with the housing problem, I think it would receive favourable consideration at the hands of this House as well as of another place.

Hon. G. Fraser: What consideration was given to it before?

Hon. H. SEDDON: Before I pass from the number of dwelling houses to be provided on the goldfields, I point out that taking the average value of the houses at between £150 and £450—many cost much more than £450—about £450,000 has been invested there in the last eight years in supplying housing accommodation.

Hon. W. R. Hall: That is not much.

Hon. H. SEDDON: It is not far short of half a million. This money has been found by the goldfields people from their own activities. The expenditure has been a credit to them and shows they have been trying to help themselves. These are the people the Bill is going to punish. Many of them were induced to erect quite expensive houses for letting purposes. In the past rentals have been paid that in no way compared with the value of the properties, but now the landlords are getting a little of their own back. These people, at all events, are helping to solve the problem of housing accommodation. This is the only way to overcome the shortage and the difficulty of high rents on the goldfields.

Hon. G. Fraser: You said just now that only houses here and there were built for letting purposes.

Hon. H. SEDDON: I have quoted these figures to show the position on the goldfields. No one was obliged to invest money in the building of houses there, and the only in-

ducement for people to do so was the return by way of rentals.

The Chief Secretary: Do you say that the rents now being charged are satisfactory?

Hon. H. SEDDON: The best way to deal with high rents is to build more houses. Reference has been made to the New South Wales scheme. That appears to be a more efficient method of dealing with housing than is the workers' homes system in this State. The New South Wales scheme was taken from the one in vogue in Great Britain. It operates through the building societies. As in Western Australia, so in the Old Country building societies are not allowed by law to advance more than 60 per cent. of the value of any house erected. To assist in the housing problem the Government of the Old Country passed legislation whereby 30 per cent. was added to the 60 per cent. raised through the building societies. The result was that the intending home builder was asked to provide only ten per cent. of the cost of his house. I am aware that the provisions of the Workers' Homes Act allow for as small a sum as £5. Seeing that the sum in the hands of the Workers' Homes Board for investment on the goldfields is limited, I think the best way to assist people to build homes of their own is to adopt the British scheme, subsidise building societies, and thereby provide additional finance for the erection of houses.

Hon. J. Cornell: Will the Bill cope with rents that are charged for flats?

Hon. H. SEDDON: It refers only to dwelling houses, not flats.

Hon. J. Cornell: It is in connection with flats that the robbery is going on.

Hon. H. SEDDON: That is where the high rents are being charged to-day. Incidentally I wish to point out that the soundest financial institutions in this State are the building societies. The accounts of any one of them will show that its condition is highly flourishing, and that it encourages thrift. The money is working-class money. In this quarter lies the best approach to the solution of the housing problem. The rates of interest to investors in building societies are from 5 per cent. upwards. The rate of interest to a borrower for the purpose of building a house is 8 per cent.

Hon. G. Fraser: Six per cent.

Hon. H. SEDDON: Eight per cent. is the rate charged by the Perth, Fremantle, Guildford, Bunbury and Northam permanent building societies. I wish now to give

some information regarding the building of houses on the goldfields. The man at Menzies, Beria, Lancefield and on other mining fields receives no assistance whatever if he builds.

Hon. J. Cornell: Nor does the man on the Murchison.

Hon. H. SEDDON: That is so. These men have to do their own financing. The only assistance given by the Government is in Kalgoorlie, where a few workers' homes have been erected. Government activity in this respect is restricted to Kalgoorlie and Boulder, and in the latter city it operates to only a very small extent. The outback worker has to depend on his own resources and assistance from timber firms. Let me draw attention to the slowness of the Government in entering the field. Not until remination day preceding the 1936 election did the then Premier, Mr. Collier, a goldfields representative himself, become convinced of the need for the Workers' Homes Board to extend its operations to the goldfields. Forty homes were built by that board, which is now erecting about four a year. The figures I have given show how goldfields people have attempted to meet the difficulty. In passing, it would be interesting to see how many goldfields members have homes there, or have done anything to help to provide homes there. Most of them cannot get to Perth quickly enough after election. The position should be appreciated by members of the Government and also by supporters of the Government. Fair rents legislation, which is supposed to be intended to meet the occasion, in my opinion will simply make the position worse. Not many goldfields members have houses on the fields. Certainly those who live there have houses there. What I have already stated shows the real attitude of the Government towards the goldfields housing problem.

The Bill proposes to make magistrates valuers of houses. I am sorry for the magistrates, who will have a bit of a job. The Bill really amounts to an instruction to the magistrate that in the opinion of Parliament rents are too high. That is how the measure, if passed, will be interpreted. We have had experience of other restrictive legislation, and how it is interpreted by the courts. The cost of building on the goldfields is much higher than it is in Perth, and on the fields the cost is now much higher

than it was even six months ago. Personally I am prepared to help the man who helps himself. If the Government proposes to assist such people, it should first of all help to provide finance for them.

Reference has been made to the rate at which the Commonwealth Bank lends money to build. On two or three occasions I have approached the bank on behalf of people desirous of building on the goldfields, and the answer I received was that the bank is not prepared to advance money to such people. It has advanced money on various occasions to people who were its clients, and whom it desired to assist to find homes of their own. The Bill provides that the rate allowed, after certain deductions, is to be  $1\frac{1}{2}$  per cent. above the rates which the Commonwealth Bank charges for money for building houses. I repeat, the bank will not advance money for that purpose; nor do I know of any other bank that assists to finance the building of houses for letting. The majority of people investing in houses on the fields for letting purposes have to finance themselves. I would like to find the man who is prepared to lend money for building on the fields at 6 per cent., because I could furnish him with employment for all the money at his disposal for that purpose. Money cannot be got at 6 per cent. to build houses on the fields. The rate is considerably higher, especially if the houses are for letting. No provision whatever is made in the formula for return of capital. I ask again, are people likely to build houses on the fields under those conditions? A man would be far safer to leave his money in the Savings Bank at 2 per cent. than he would be to build under the conditions contained in the Bill. Members who have lived on the goldfields will recollect what happened not many years ago. Houses that had cost £500 or £600 or £700 were sold for ridiculous sums. I have seen a £500 house sold for £50 or £60, and other houses at corresponding prices.

Hon. J. Cornell: The Grand Hotel at Boulder was sold for £800.

Hon. H. SEDDON: The result is that money is not made available for building on the goldfields. The formula in the Bill takes no account of bad debts or of unoccupied periods. Even to-day there are cases where goldfields owners find that they have to wait before they can get tenants for their houses. People go in for flats rather than dwelling

houses. In the circumstances I cannot support the Bill. I do not believe it can solve the problem of goldfields housing, and I do believe that the passing of the measure would rather intensify the trouble. I suggest to the Government, that if it is sincere in its expressed desire to overcome the housing shortage, it should go into the question of financing a building society and thus inducing people to find funds to build their own homes.

#### *Personal Explanation.*

Hon. G. FRASER: I desire to make a personal explanation as regards rates of interest charged by building societies in the metropolitan area. Mr. Seddon stated the rate as 8 per cent. I have been in touch with the secretary of a building society in the metropolitan area, and he informs me that the rate of interest on a sliding scale is 6 per cent. I deem it only right to make that correction.

#### *Debate Resumed.*

HON. J. CORNELL (South) [5.41]: As regards the housing problem, I am concerned only with that part of the State which I have the honour to represent. In passing let me remark, with reference to the metropolitan area, that in the course of a discussion yesterday with an ex-official of many years' standing of the Builders and Contractors' Association I was given the illuminating information that to-day the builders of flats, which appear to be all the rage, are budgeting for the return of their money within five or six years. That is to say, apartments for which a rent of £2 per week is charged would represent a capital cost of about £450, whereas the erection of a cottage to afford similar accommodation would cost about £800 or £900. On the best of authority I understand that such is the position with regard to flats. If there is exploitation of flat tenants by flat owners in the metropolitan area, the Bill makes no provision whatever to overcome that difficulty. I have further been given to understand by this authority that one can buy, for cash or on a reasonable deposit, in the metropolitan area dwelling houses erected during the last two years at 85 per cent. of the actual cost. The people who have put them up are prepared to cut their losses to the extent of 15 per cent. and get out.



I agree with Mr. Seddon that there is only one possible solution of the housing problem—the provision of more houses. If the Bill passes, the only place on the goldfields of Western Australia where it would be applied is the Kalgoorlie-Boulder district, and only to a limited extent in the case of Boulder. There, as Mr. Seddon has stated, the local people have found half-a-million pounds to expend in the building of houses. You, Mr. President, who can carry your memory back 40 odd years, are aware, and Mr. Holmes is also aware, that the people who found money for building on the goldfields, especially in the case of hotels, operated on the basis of a return of capital within eight years. That was the case 40 years ago, and some mighty holes have been dug in the Golden Mile since then. Forty years' exploitation means that the Golden Mile has no longer so great an expectation of life as it had at the beginning of that period. I presume eight years is the term within which return of capital invested in building is looked for on the goldfields to-day. There the remedy lies largely in the extension of the workers' homes system. I know civil servants in Boulder, men in good positions, family men, who have endeavoured for the last 18 months to secure workers' homes in Boulder but have not yet been able to do so, although they are in a position to meet their obligations. The Government will not do anything. Now the Government asks that people should to a certain extent endeavour to ease the position by agreeing, as Mr. Seddon has said, to a policy of grab, and to declare that no more than such-and-such a rent shall be charged, a rent based on a set rate of interest. If we investigate the question of the maximum rate of interest we find that it amounts to just the figure that can be paid by an investor who desires to erect a building.

The Bill follows largely that which was in operation in New South Wales. I am not sure whether it was introduced by the late Mr. John Storey or by Mr. Lang. The Government that followed the Labour Government, however, repealed the Act, but one matter that was not repealed was child endowment. I know what the position is regarding rents at Norseman where the people consider that the district has entered on a new lease of life. Residents there are endeavouring to build houses for themselves, places in which they can shelter their wives and children, and they are doing that with-

out assistance from anyone. I do not know whether houses are being built at Norseman, or even at Coolgardie, for letting purposes.

Hon. J. J. Holmes: Do you think houses will be built if we pass this Bill?

Hon. J. CORNELL: I am sure they will not. The remedy for the position that exists is more houses. In the course of about three years the Workers' Homes Board has built about 45 houses on the goldfields. I venture to say that if there was justification for the building of 45 dwellings, there was every justification for the building of 400. Why has not the board built more houses? The reason given by the board is that the investment is not sound, that the life of a goldfield is limited, and that in the not distant future the property will not be an asset at all. Now we say to some of the people who are taking a risk, "Where the Government is not prepared to venture the taxpayers' money, you shall be subject to your rent being fixed." The position is altogether illogical and, like Mr. Seddon, I feel disposed to vote against the Bill. Regarding the other provisions, I do not think it matters a tinker's damn whether the Bill is passed or lost.

**HON. E. M. HEENAN** (North-East) [5.50]: This is the third occasion on which I have risen to support a Fair Rents Bill, and reluctantly I have had to come to the conclusion that there seems to be very little prospect of getting a measure like this through the House. Even if the Bill is not passed, I consider that a good deal of benefit will follow from the discussion that has taken place during the debate on the second reading. I want to impress definitely upon members that on the goldfields we have a housing problem; we have had it for years past, and the last two or three years do not seem to have alleviated it to any great extent, in spite of the considerable amount of building that has taken place, as was indicated by Mr. Seddon. But these are the facts: there are many people who, due to their occupations, will always be obliged to rent houses. Then there is another section of the community who, through no fault of their own and perhaps, in some instances, through faults of their own, can never provide enough funds with which to build their own homes. A man with family commitments may never be able to accumulate enough of the wherewithal to build a home for himself. I have come into contact with quite a number of people in that category.

I have said to some of them, "Try to get £100 together and then we will endeavour to borrow another £100 or £200 to help you to build a home." If a man should by any chance manage to save something like £100, the next thing we hear is that he has met with an accident, and for two or three months he is on half-pay. That man may have three or four children, and he runs up debts that he can never get clear of. And so it goes on. Then try to borrow money on the goldfields! I tell members that if any of them has £15,000 or £20,000 available now, he can get for it in Kalgoorlie 12½ per cent. or more. It is almost impossible to borrow money in Kalgoorlie, even at 12½ per cent. Up to date the Government has made little or no attempt to deal with the housing problem on the goldfields.

Hon. H. S. W. Parker: Why is the interest rate so high there?

Hon. E. M. HEENAN: Because the people of Western Australia, who are largely composed of city dwellers, have a peculiar complex regarding the goldfields. They consider that the goldfields are here to-day and likely to be gone to-morrow. I am sorry to say that quite a number of goldfielders themselves support that complex. But let us remember that the goldfields have existed for over 40 years and have many institutions and bodies doing wonderful work to dissipate the impression that the goldfields are likely to collapse. Modern mining methods have altered that outlook completely, and men in a position to speak say that the goldfields to-day have at least 20 years of life before them.

Hon. H. S. W. Parker: They are the wealthy people of the goldfields, are they not?

Hon. E. M. HEENAN: The men who have expressed that opinion are authorities like the manager of the Lake View and Star, and the manager of the Great Boulder, and theirs is a considered opinion regarding the future life of the goldfields.

Hon. G. B. Wood: Why do not they invest their money in the building of a few houses?

Hon. E. M. HEENAN: That is not their job in life—worrying about housing schemes or lending money. I hope that goldfields members particularly, and others interested in the welfare of this wonderful State of ours, will do what they can to dispel the idea that the goldfields are going to collapse, and that we must be wary about investing money in that part of the State.

Hon. J. Nicholson: Would you advance money on a farming property in an isolated district rather than on property in the city?

Hon. E. M. HEENAN: Unfortunately, I have no money to invest.

Hon. J. Nicholson: But if you had?

Hon. E. M. HEENAN: I am afraid I will have to pass over the hon. member's interjection. The point I wish to drive home is that we must do our utmost to dispel the belief that we must be afraid of the goldfields. I agree with Mr. Seddon that the Government has not done much to solve the housing problem in that part of the State. In the past a few wise men, whose keen business sense I admire, acquired a number of houses on the goldfields. Only as far back as ten years ago the houses were purchased very cheaply, and ever since then there has been an acute shortage, and the investors have reaped their reward, and a reward, too, that would astonish members of this House. Figures have been quoted to show how rents have appreciated, and the wonderful profits that are being made by landlords. We have allowed that state of affairs to continue because, apparently, we are afraid of the goldfields. Last year a proposal was submitted to the House that £10,000 should be allotted to build wooden houses for letting purposes in the city. That, however, was turned down. But on the goldfields what we want is a sound scheme to deal with the housing problem. We require 200 or 300 houses to be built at a cost not exceeding, say, £300 each, which would be the limit a working man would be able to pay.

Hon. C. B. Williams: In the meantime there is exploitation.

Hon. E. M. HEENAN: In the meantime, a majority of members seem to think it is not right for us to interfere with rental values; the situation, however, certainly warrants our interference, and the Bill, which would have the effect of controlling rents, should be carried by this House.

HON. L. B. BOLTON (Metropolitan): [6.0] The Bill is on all fours with the measure placed before the House last session. I opposed last year's Bill, and I intend to vote against the measure now under discussion. Much has been said regarding lack of faith in the goldfields, but to my mind those who have least faith in the fields comprise the Government of to-day. The only possible way of overcoming the house-

shortage on the goldfields is for the Government to provide sufficient money to enable workers' homes to be erected there. Most of those who made money on the goldfields in past years have certainly not invested their savings in building houses at Kalgoorlie or other goldfields centres. On the other hand, some of the most successful farmers of to-day secured the nucleus of their financial strength on the fields.

Hon. H. Seddon: And lost the money in farming.

Hon. L. B. BOLTON: Not necessarily so, because I know quite a number of successful farmers who came from the Eastern Goldfields many years ago. Probably they had some knowledge of land and selected holdings in good districts. Several such men in the Midland areas have made a lot of money out of farming. I agree with the contention raised that little money is made out of building houses for others to live in. Each day the number of fools doing that grows less. If little profit could be derived formerly from house building, the possibility of obtaining a profit at all will certainly largely disappear if the added restrictions embodied in the Bill become law. Most decidedly the proposed legislation will not help to overcome the house shortage difficulty anywhere. On the other hand, if the Bill became law, a definite stop would be put to the investment of further money in house property, not only on the goldfields but in the city and suburbs. Apart from flats, most of the buildings erected to-day are for residential purposes and not for letting. To my knowledge very little money is being invested in the metropolitan area in house property for rental purposes. Those who have invested in that direction know how unpayable it is. That point has been made perfectly clear during the course of the debate. I repeat that if the object is to overcome the house shortage on the goldfields, the better way would be for the Government to provide the necessary finance to enable workers' homes to be erected there. I shall oppose the second reading of the Bill.

**THE HONORARY MINISTER** (Hon. E. H. Gray—West—in reply) [6.5]: I have been disappointed at the reception accorded the Bill. The discussion has been almost wholly academic. I trust that before I conclude my reply, I shall be able to persuade some members to change their attitude. Most

of us will agree that something should be done to prevent the exploitation of people who find difficulty in obtaining houses in various parts of the State, but very few are willing to commit themselves to the principle of the determination of fair rents by the court. As on previous occasions when similar measures have been before the House, the arguments used by members in speaking against the proposed legislation have been contradictory to a degree. On the one hand, anybody might gather from the statements made that investment in house building is dependent solely on the prospect of unrestricted returns, and, on the other hand, that the passage of the Bill would not affect rentals to an appreciable extent because, in general, they are not in excess of the level that would be fixed by the court. Again, certain members while expressing their intention to vote against the Bill, stated that a case had been made out for the control of rents on the goldfields. Mr. Baxter, for example, said—

As to the goldfields, I am prepared to support a measure to afford some control there.

If the hon. member's statement was really genuine, he will vote for the second reading with a view to remedying in Committee what he considers to be the short-comings of the Bill.

Hon. C. F. Baxter: That is for you to do, not for me.

**THE HONORARY MINISTER:** Every member has the right to move to amend a Bill in order to overcome defects. Mr. Craig, too, might be induced to reconsider his attitude when I point out that the Bill does not provide, as he says it does, for a maximum return of 1½ per cent. above the Commonwealth Bank overdraft rate. That applies also to Mr. Seddon's attitude. There seems to have been some misconception regarding the matter. Clause 8, dealing with the basis of determination of the fair rent, sets forth that the court shall determine the fair rent at a rate of not less than one and a half per cent. above the rate of interest which is, for the time being, charged upon overdrafts by the Commonwealth Bank of Australia on the capital value of the dwelling house, plus certain charges and allowances.

Hon. G. Fraser: That is merely the minimum.

**THE HONORARY MINISTER:** Yes. It is competent for the court to fix a rate for

the goldfields that would take into consideration the probable short life of the fields and the necessity for a quick return on the capital.

Hon. H. S. W. Parker: How will that assist the rent-payers on the goldfields?

The HONORARY MINISTER: If the hon. member will be patient, I will deal with that point. The Bill does not state that the court shall fix any particular maximum; it simply lays down the basis for determining the minimum rental. Therefore it is ridiculous for members to state, as Mr. Baxter did, that the general application of this measure warrants an amendment of the Title to read—"The Rents Restriction Bill," or that the Bill represents an attempt to force all persons who own houses for letting purposes to sacrifice those interests and look for other investments. The court will give its decision having regard to all the factors brought under notice, but in no case will its determination be less than the figure arrived at by taking into consideration the matters mentioned in Clause 8. Mr. Baxter asked—"Who is to determine the capital valuation?" Members who have read the Bill will be aware that Clause 5 provides in Subclause (5) for the taking of evidence by declaration. Subclause (1) of Clause 8 stipulates that the capital value shall be the capital sum which the fee simple of the property comprising the dwelling house and the land occupied therewith might be expected to realise if offered for sale upon such reasonable terms and conditions as a bona-fide seller would require. The necessary evidence as to the capital value of any property can be obtained easily at very little cost. In municipalities, the information would be available at no cost. Members will see that it will be quite easy to arrive at the proper value, taking all the circumstances into consideration.

Hon. C. F. Baxter: That difficulty will not be so easily overcome.

The HONORARY MINISTER: If the builder should require his money back in eight or ten years' time, that would be a factor to be taken into consideration when fixing the value of a property on the goldfields.

Hon. H. Seddon: Not necessarily.

Hon. C. F. Baxter: Not at all. An expert valuer would have to be appointed.

The HONORARY MINISTER: That would be quite simple.

Hon. J. Nicholson: I am afraid the rent that would be obtained would not make the proposition sufficiently payable to secure a return of capital within eight years.

The HONORARY MINISTER: That would be taken into consideration. In fact, if the history of goldfields here and elsewhere in Australia is traced back for 30 or 40 years, members will find that, in proportion to wages paid, rentals were never so high as they are to-day.

Hon. J. Cornell: Everything has gone up.

The HONORARY MINISTER: Even allowing for the increase in wages, rents are higher to-day.

Hon. H. Seddon: No, not in proportion to wages.

The HONORARY MINISTER: Yes, they are. However, the necessary evidence as to the capital value of property, such as a dwelling house, could be obtained merely by going to the Town Clerk's office.

Hon. C. F. Baxter: That would provide the valuation of a property for rating purposes but that would not be the valuation necessary for a business basis.

The HONORARY MINISTER: Quite so, but that would be on a business basis. A suggestion by Mr. Baxter was that even if the Bill were passed, it would not matter whether the rents were increased or reduced because the movement would be reflected in the basic wage adjustment. At no time has the statement been made that the enactment of this measure would affect the pocket of the average tenant one way or the other. The Arbitration Court, in determining the basic wage, takes into consideration average rentals for four and five-roomed houses, and as I pointed out in moving the second reading of the Bill, it naturally follows that where the rent paid by the worker is in excess of the average taken by the court, his standard of living is correspondingly reduced below the level to which the court says he is entitled. On the goldfields, for example, there exist considerable discrepancies between the minimum and maximum rents, although, of course, the majority of tenancies are let at rentals approximating the average. Taking rentals for Kalgoorlie and Boulder, I find that in numerous instances they are as high as 35s. and 40s. per week, though the average is 27s. 9d. per week.

Hon. H. Seddon: Some very low rentals must be charged to secure that average.

The HONORARY MINISTER: In other words, certain workers are forced to reduce their expenditure on other necessities of life by as much as 12s. 3d. per week in order to have a roof over their heads.

Hon. J. Cornell: Who compiled those figures?

The HONORARY MINISTER: They were taken from the returns placed before the Arbitration Court, and I think I can guarantee them.

Hon. H. Seddon: You have quoted the rents above the average, but not those below the average.

The HONORARY MINISTER: I have quoted the average and also some higher rentals charged.

Hon. H. S. W. Parker: Some rentals must be as low as 14s. a week.

The Chief Secretary: The figures show that there has been exploitation.

Hon. H. Seddon: But the figures represent one side of the argument.

The HONORARY MINISTER: Rentals that are low will not be affected by the Bill; the people who pay more than the average are those we desire to assist. The effect of the enactment of the measure will be to bring all rentals to a figure approximating the average, thus enabling the worker to allocate his expenditure in the manner intended by the court.

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

The HONORARY MINISTER: Several members have suggested that the solution of the rents problem is bound up with the construction of homes for the people. This is simply dodging the issue, and does not justify members in taking the stand that property owners should have the right to demand exorbitant rents. In any event a large proportion of the working population could not possibly be expected to purchase homes of their own. Their wages are only sufficient to enable them to pay a reasonable rent. They have no security of employment, and, finally, no security of tenure in any particular part of the State. Last year when a sum of £10,000 was earmarked in the Loan Bill for the erection of wooden cottages for letting purposes, the members to whom I have referred demonstrated their sincerity by rejecting the proposal. I submit that the acceptance by the House of that

proposal would have been a marked contribution to the solution of the housing problem and would have had the effect of reducing rents at least to a small extent. To-day it is more than ever necessary to make some provision to ensure that people are given an opportunity of procuring houses at reasonable rentals. Therefore I hope that those members who voted against the housing scheme last year will cast their votes in favour of the Bill in order that some measure of protection may be given to those tenants who at present are being exploited by the landlords.

I strongly resent the implication made by members that the Government is not sincere in bringing forward this legislation. No one can deny that excessive rents are being charged in industrial areas in the greater Perth district, in Fremantle, and on the Eastern goldfields. Parliament has a definite obligation to protect at least 6,000 odd families that are on or below the broad line. Men on relief works, and their wives and families, should command the sympathy of members of this Chamber, and every possible endeavour should be made to ensure that their meagre earnings are protected from rapacious landlords and others who ruthlessly extract as much as possible from people, the vast majority of whom are innocent victims of our present lop-sided society.

The men on casual work, relief work and mines on the goldfields are at present the chief victims of rack renting. There is definite merit in this legislation. While admitting that a very large proportion of people in settled areas now purchase homes on the time payment principle—which in many instances is a more lucrative proposition to the landlords than the letting of houses—I would point out that a relatively large number of people is forced by economic disabilities to pay rent. These people must be protected, and should be protected by this Chamber.

Many members will be surprised to know that the British House of Commons recently passed a Rent Restriction Act. This has been in operation in England for some months. Mr. Seddon mentioned the housing schemes that were being undertaken in the Old Country. I should like to stress the fact that, in the big cities and the provincial towns and villages of England, gigantic building schemes are in operation. Slum areas are being abolished and large building

enterprises are being embarked upon with the assistance of Government funds.

Hon. L. Craig: Only with the assistance of Government funds. The Government is not building houses.

The HONORARY MINISTER: The Government has introduced special legislation to enable local authorities to embark on large building schemes. According to the newspapers in the Old Country, those schemes are in operation in practically every village.

Hon. L. Craig: The Government is assisting the building societies, is it not?

The HONORARY MINISTER: Yes, and the local authorities.

Hon. L. Craig: That is different altogether from the Government building houses.

The HONORARY MINISTER: One can hardly imagine the extent of the building schemes being undertaken in England at present. People are being pushed out from the provincial towns into the villages, and building is taken place in centres where no houses have been erected for centuries.

Hon. L. Craig: That is different from the present Government's policy. We advocate Government assistance for the erection of buildings.

The HONORARY MINISTER: Much stress has been laid on the inactivity of the Government.

Hon. L. Craig: You are endorsing that.

The HONORARY MINISTER: Members know as well as I do the financial requirements of the Government in this State. We are pushed for money. We cannot get enough from the Loan Council to embark upon one-third of the undertakings that are urgently needed in this State.

Hon. E. H. H. Hall: You spend a lot in the wrong direction.

The HONORARY MINISTER: How can the House condemn the Government for inactivity in regard to housing schemes when we are trying as much as possible to meet our obligations in so many directions?

Hon. J. J. Holmes: You found enough money for trolley buses.

The HONORARY MINISTER: Not much is said about trolley buses nowadays. The people are clamouring for more of them because they have been demonstrated to be a remarkably good paying proposition and a great benefit to the public. The only trouble is—

The PRESIDENT: Order! We are discussing the Fair Rents Bill.

The HONORARY MINISTER: Mr. Seddon quoted the vast housing schemes that were being undertaken in the Old Country. He instanced the activity of local authorities and building societies designed to meet the housing shortage. In spite of that activity, however, the House of Commons has been compelled to pass rent restriction legislation to protect from rapacious landlords those workers who cannot be provided with homes. That legislation has been passed by a Conservative Government. Surely such a lead should be good enough for members of this Chamber. Not a Labour Government, but a Conservative Government passed that legislation. Mr. Chamberlain's Government agreed to that legislation because, despite the tremendous building schemes in operation, the public had to be protected against rapacious landlords.

Hon. J. J. Holmes: The whole point is, will the Bill result in more houses being built?

The HONORARY MINISTER: This is not a housing scheme. The intention of the Bill is to bring the rents charged by rapacious landlords down to the level of those charged by decent landlords.

Hon. J. Cornell: It will check building.

The HONORARY MINISTER: It will do nothing of the kind.

Hon. J. Nicholson: Not a house will be built.

Hon. G. Fraser: People have not been building for renting purposes for 15 years.

Hon. H. S. W. Parker interjected.

The PRESIDENT: Order! I must ask members to refrain from interjecting.

The HONORARY MINISTER: If such legislation is required in the Old Country, it is also required in Western Australia, especially in the metropolitan area and on the goldfields. Surely this Chamber can safely follow the policy of a Conservative Government in Britain which, perhaps unwillingly, was forced to pass legislation to protect its people from unscrupulous landlords. I repeat that the large majority of reputable landlords will not be affected by the Bill. A minority of landlords, however, use the present house shortage to their own advantage, without regard to the citizenship rights of our people, and the passing of this legislation is vitally necessary in order that those landlords may be dealt with effectively.

Because the Bill will steady the operations of grasping landlords, and protect our people who are on the lowest rung of the

economic structure, I would ask the House to pass the second reading. Members may then exert their best endeavours to improve the measure, if that is possible, in Committee. The fact that a similar Bill has been repeatedly rejected by the Chamber in the past is no argument for its rejection on this occasion.

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

Ayes	..	..	..	7
Noes	..	..	..	16

Majority against .. .. . 9

AYES.	
Hon. J. M. Drew	Hon. W. R. Hall
Hon. G. Fraser	Hon. W. H. Kitson
Hon. E. H. Gray	Hon. C. B. Williams
Hon. E. H. H. Hall	(Teller.)

NOES.	
Hon. E. H. Angelo	Hon. J. M. Macfarlane
Hon. C. F. Baxter	Hon. W. J. Mann
Hon. L. B. Bolton	Hon. J. Nicholson
Hon. J. Cornell	Hon. H. S. W. Parker
Hon. L. Craig	Hon. H. Seddon
Hon. J. A. Dimmitt	Hon. H. Tuckey
Hon. V. Hamersley	Hon. G. B. Wood
Hon. J. J. Holmes	Hon. G. W. Miles
	(Teller.)

PAIRS.	
AYES.	NOES.
Hon. E. M. Heenan	Hon. J. T. Franklin
Hon. T. Moore	Hon. H. V. Piesse

Question thus negatived.

Bill defeated.

## RESOLUTION—YAMPI SOUND IRON ORE DEPOSITS.

### *Commonwealth Embargo.*

Debate resumed from the 13th October on motion by the Chief Secretary to concur in the Assembly's resolution as follows:—

That this Parliament of Western Australia emphatically protests against the embargo placed by the Commonwealth Government on the export of iron ore from Australia, in view of its disastrous effects upon the development of the State. We consider that the information available does not warrant such drastic action, and we urge the Commonwealth Government to remove the embargo.

**HON. J. CORNELL** (South) [7.46]: As I have already addressed the House on the amendment, which has since been disposed of, I have no intention of speaking at length on the motion. I wish to compliment Mr. Miles upon his marathon effort to undo and contradict what his colleague Mr. Holmes did and said on the question of the embargo and on Yampi Sound generally, and also upon his support of the Chief Secretary's refuta-

tion of Mr. Holmes's remarks. The acid test of where a member stands as a public man is the attitude of those who elect him to Parliament. In that respect Mr. Holmes and Mr. Baxter are amongst the elite in that they have had no opposition since they were first returned to the House. Further, Mr. Holmes was re-elected unopposed in the midst of the controversy about the embargo on the export of iron ore. The hon. member had the courage of his opinion and said what he thought. He was fortified by his knowledge of the North, and he had the courage to express himself in the quarter where it most mattered. The powers-that-be had decided that the embargo should be imposed. There are many aspects of Mr. Miles's remarks that call for comment. He said that if the operations at Yampi were to be continued, possibly the system of air-conditioning might be applied to boats carrying iron ore and thus improve the conditions for shipping cattle to Japan. I have heard the hon. member draw upon his imagination many times, but on this occasion I consider he excelled himself.

The time is not opportune for the Council to vote one way or the other upon this motion. We are given to understand on the best authority that the lawful course is being pursued in the Commonwealth Parliament and that the feeling of the Senate will be taken on the question of the application of the embargo by means of regulation. This week a motion to disallow the regulation will be moved in the Senate. Anyone conversant with our Standing Orders will understand the Standing Orders of the Senate, which provide, as do our rules, that discussions on motions for the disallowance of regulations shall take precedence of all other business. While I felt disposed to vote against the motion, I think, in view of the development in the Federal Parliament, that we should not be asked to vote one way or the other at this stage. The question we have to consider first and foremost is what constituted authority is best qualified to determine whether an embargo shall be imposed upon the exportation of a commodity from Australia having its ramifications throughout the Commonwealth. The embargo does not apply specifically to Yampi; it applies to all the States of the Commonwealth, and as the decision of the Commonwealth Government will be tested in the Senate, and as the Senate is elected, not on a population basis but on a State basis with equal repre-

sensation from all the States, we should rest content until the atmosphere is cleared by the decision of the Senate. If the Senate does not disallow the regulation imposing the embargo, what is the use of this House concurring in the protest? On the other hand, if the embargo is disapproved by the Senate, there is no need to concur in the resolution because the embargo will cease to exist. Therefore the Council should await the decision of the House that is capable of dealing with the question from an Australian viewpoint.

Let me refer to the attitude of all political parties, particularly in the House of Representatives, to the imposition of the embargo. With the exception of a mild protest voiced by Mr. Gregory, the whole of the Western Australian representation in the House of Representatives was practically silent. As regards the Federal Labour Party, the whole of that great organisation as represented in the Federal House was also silent. This attitude of silence, we must remember, has been adopted within a year of the elections for that House. Had the question been decided by a party vote in the Senate as constituted before June last, the numbers would not have been worth considering, but 18 new members have taken their seats in the Senate and will decide whether the regulation shall be allowed. The Opposition has grown from, I believe, three, to about 16.

Hon. C. B. Williams: A lot of those Labour men will stick to the Eastern States and will not bother about Western Australia.

Hon. J. CORNELL: The Senate is a new body, and it is the body that will decide the question. If we concur in the resolution, what effect will it have? None at all. If we vote the motion out, what effect will that have? None at all.

The Honorary Minister: Why lie down under it?

Hon. J. CORNELL: Why does the hon. member's Australia-wide party lie down under it?

Hon. G. Fraser: It is quite an open question.

Hon. J. CORNELL: It is a question of the imposition of an embargo against the export of iron ore from Australia, not from Western Australia, and the party with which the hon. member is associated remains dumb. Yet the Labour Party in this State says that the embargo should not be imposed. The proper party to say whether the im-

sition of the embargo is wrong is the Australia-wide party, and it has remained dumb.

Hon. G. Fraser: Individuals there please themselves.

Hon. J. CORNELL: Then all I can say is there has been a wonderful unanimity amongst them. I am given to understand that the main reason for the Labour Party's remaining silent on the question of the embargo is that the great industrial section of Australia is behind it. I hope this motion will be adjourned until such time as the Senate has pronounced upon the motion being tabled in that House for the disallowance of the regulation.

HON. G. B. WOOD (East) [7.56]: During the debate some extraordinary statements have been made in order to bolster up the case against the imposition of the embargo on the export of iron ore. One is that trade in live cattle could have been established with Japan. I have had quite a lot to do with moving stock overland from the North, by train from the East and by boat from the North, and so I claim to know a little about the matter. Immediately stock is put on a boat, if it has to be transported through the tropics or brought south from Derby, it immediately starts to lose condition. The trip from Derby to Fremantle used to take six days on a fairly fast boat. From Point Samson it used to take about three days. The distance from Derby to Japan is about three times as great as from Derby to Fremantle. By one route the distance is not quite so great, but by another route it is more than three times as great. Therefore on a conservative estimate, it would take three times as long to transport stock to Japan from Derby as to Fremantle from Derby.

Hon. J. Craig: Nearly three weeks.

Hon. G. B. WOOD: That is so. There is another factor worthy of consideration. We were told that steamers already laden with as much iron ore as they could carry were to be used for the conveyance of the stock. Iron ore can be shipped only in tramp steamers, because otherwise the freight charges would be too heavy. Therefore to transport cattle on the hoof from Derby to Japan would take about one month.

Hon. L. Craig: The cattle would not be alive on arrival.

Hon. G. B. WOOD: I assure members that the cattle would not be edible on arrival in Japan. When cattle are being shipped,



the idea is to fill the boat with cattle. Nobody would want to top up a boat with 50 or 60 head of cattle. I suppose not more than 100 head of cattle could be carried on a tramp boat after she had been loaded with iron ore. Members might contend that stock is shipped from England to Australia. That is true, but the stock that comes from England is stud stock, and is stable or stall-fed all the way out. That is quite a different matter from dealing with wild cattle on a long trip. We used to consider that because the stock ate so little during the three days' trip from Point Samson to Geraldton, it was hardly worth feeding them. Yet cattle being brought south from Derby were gradually approaching a cool climate, whereas to go to Japan they would, in having to cross the equator, traverse a climate that would gradually become hotter.

The Honorary Minister: In the old days they used to take livestock right round Australia.

Hon. G. B. WOOD: I do not know how it was done. We have also been told that the rivers of the North could be dammed to permit of irrigation. I have lived in the far North and I know what an impossible proposition it would be to attempt to dam any of the rivers. In flood time the rivers sometimes spread out for a distance of 12 miles, and an enormous dam would have to be erected to permit of irrigating the land. The suggestion was made that a dried fruits industry could be established. Even if such an industry could be established in the North, the position regarding the world market for those products is such that we would have great difficulty in disposing of dried fruits. That suggestion can therefore be dismissed.

The embargo has been blamed for many things. It has been blamed because the development of the North and the Kimberleys is held up. The Kimberleys were first opened up, through goldmining, in 1878. Why has not something been done to develop the Kimberleys during the intervening years? Every opportunity has been given for their development, if it were possible to develop them, so that that objection has been put forward merely as an excuse. We have also heard about the possibility of developing the North by the influx of 2,000, 3,000 or 20,000 Jews.

Hon. C. B. Williams: What are they going to live on?

Hon. G. B. WOOD: The suggestion has been made seriously.

Member: There are not enough Christians in the North for the Jews to live on.

Hon. G. B. WOOD: Everybody knows that Jews are not good settlers. What would they live on in the North? I am not making the statement in derogation of the Jews. It has been proved in the past that they must live on some other section of the community.

Hon. G. Fraser: In other words, they do not like hard work.

Hon. G. B. WOOD: Mr. Holmes has been referred to by someone as a pessimist and a croaker. I am glad we have some pessimists. Some of the propositions that have been made in this debate with a view to developing the Kimberleys would only spell tragedy. We have had two or three tragedies in Western Australia through such settlements. I am a pessimist and a croaker when a proposition is put to me to settle the Kimberleys by some wild-cat scheme.

Most members have got away from the actual question of the embargo, so I am returning to it. I honestly think the Federal Government had good reason to place the embargo on the export of iron ore, not only from Western Australia but from the whole of Australia. I do not believe, as Mr. Hamersley suggested, that Western Australia was singled out to get the cane. I have been a secessionist for many years, and always will be; but I am not permitting my secessionist ideas to run away with me on this occasion. I do not think the Federal Government singled out Western Australia at all. I see no reason why it should have done so. I am opposed to the motion and if there is a division on it, I shall vote against it. Perhaps we are a little premature in debating the motion at this stage.

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

## BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

*Second Reading—Defeated.*

Debate resumed from the 4th October.

HON. H. SEDDON (North-East) [8.3]: The remarks I have to make on this Bill are few, although I would have liked a little longer time to go further into details. Although the Bill was introduced by the

Chief Secretary and spoken to by a number of members, I think it was not spoken to by a single Labour member. The Bill is similar to the one brought down last year; with the exception of one or two clauses, it could be called the same Bill. The recommendations of the select committee appointed to inquire into the Bill that was brought forward last session could well be embodied in the Bill when it reaches the Committee stage. I hope the Bill will pass the second reading, in order that we might make those amendments to it, although last year another place gave scant consideration to our amendments and eventually dropped the Bill. That, however, is no reason why the Bill cannot be dealt with again on the same lines, because many amendments are necessary in order to make our industrial legislation more effective and efficient. I content myself with supporting the Bill, in the hope that it will reach the Committee stage, when we shall be given an opportunity of placing our amendments on the notice paper, and amending the Bill in accordance with the recommendations of the select committee. The findings of the select committee have not been controverted, nor has any further evidence been adduced beyond that which was given to the select committee.

**HON. J. CORNELL** (South) [8.5]: I support the second reading of the Bill. I do so for the reason that practically no amendment of our Industrial Arbitration Act has been made for the past 12 or 13 years. If we are to adhere to the principle of the settlement of industrial disputes by arbitration, then we must amend the Act from time to time as the experience of the Arbitration Court and other bodies indicates. I am convinced that many amendments are necessary. For that reason I shall support the second reading of the Bill, which I hope will reach the Committee stage.

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West—in reply) [8.7]: I have been twitted by several members during the debate with the statement that a Bill of this kind has been introduced year after year for some years past, and that the Government has not seen fit to take specific notice of the opinions of members on the particular amendments that are included in the present Bill. Similar remarks have been made about other measures. The Government is

accused of doing a certain amount of window-dressing because an election is to take place next year. That accusation was not made last session, when no election was imminent. I do not think it right to say that, as the policy of the Government is represented in measures of this kind, we should not bring such measures before the House because of an impending election. We are at least giving members an opportunity of again expressing their views on what is, after all, one of the most important subjects with which Parliament can deal. There is no more important matter, from an industrial point of view, than this question of arbitration. I was pleased to hear Mr. Cornell's remarks a few moments ago. He pointed out that if we are to adhere to the policy of arbitration for the settlement of industrial disputes, we must necessarily keep our Industrial Arbitration Act up to date, and that can only be done by agreeing to essential amendments from time to time. The record of this House in that direction is very poor indeed. I have had the privilege of introducing a number of amending Bills, and it is indeed hard to recall any occasion when an amending Bill of this kind has received the approval of a majority of members.

Hon. C. B. Williams: We will die of shock when one does.

**THE CHIEF SECRETARY**: Mr. Baxter, in opposing the Bill, said members were confronted with a Bill that was composed almost entirely of clauses that had been rejected on many occasions. I am wondering whether he really meant that or not. Again I ask the question whether he really read the Bill. Reference to the report of last year's select committee will indicate that the committee considered nine of the 26 clauses and six subclauses to be advisable for the better working of the Act. All of the proposals that were approved by the select committee have been included in this year's Bill, while certain provisions that the committee suggested should be eliminated have not been brought forward on this occasion. Amongst the omitted provisions are those relating to—

- (a) Appeals from dismissals.
- (b) Minimum penalties for breaches of awards.
- (c) The exercise of the powers of the court by the President or commissioners before a conference.

(d) The cancellation or amendment of existing awards or industrial agreements.

(e) The appointment of ordinary industrial magistrates.

(f) Presumption of payment for services.

The amendments considered desirable by the select committee and re-embody in this year's Bill comprise a formidable list. The main proposals are—

(a) Conciliation proceedings to be taken "at any time after a dispute has been referred into the court."

(b) Court to have power in industrial disputes to consolidate references and all or any matters before the court, and to give any direction it deems expedient.

(c) (1) Board of reference to be empowered to deal with questions arising from industrial agreements. (2) Court may be appealed to in regard to any determination or decision of board appointed under this section.

(d) Court to have power to interpret or amend awards while the "awards are in force," instead of "during the term."

(e) Provisions for enforcing awards or orders of the court extended to those made by industrial or other boards.

(f) Court to determine what constitutes breach of industrial agreement.

(g) Procedure in respect to intended references to court not to apply to any counter proposals or claims made by parties respondents to dispute.

(h) Local boards to be constituted by the court for the purpose of operating in a defined portion of the State only.

(i) Amendment to enable President or commissioners to hear and determine matters in dispute on application in writing by majority of parties to dispute.

(j) Awards, industrial agreements and other matters published in "Industrial Gazette" to be admissible as evidence.

This list indicates that there is very little justification for Mr. Baxter's contention. Moreover, the Bill embodies several new proposals that have not previously been discussed in this Chamber. For example, we are providing that an employer may not dismiss a worker by reason of the employer's being charged with any breach of an award. Mr. Baxter, I think, mentioned a case in point where this had actually happened. The defendant was charged at the instance of the Barmaids and Barmen's Union with a breach of Section 132 of the Act, in that he dismissed a barman employed by him merely because the barman was an officer or member of the complainant union. In summing up, the magistrate observed that the facts and circumstances strongly supported the inference that the defendant dismissed his employee because he suspected him of having

given information to the union, which led to defendant's conviction for a breach of the award. He found, however, that while the defendant's action might be described as victimisation in one sense, it did not constitute victimisation as provided by Section 132 of the Act, and therefore the offence was not proved. This will give members a concrete instance on which to base their opinion as to whether it is desirable to insert in the Act a provision to give protection to workers under such conditions.

Another provision, which was not included in last year's Bill but which has provoked considerable criticism, is the amendment setting out that an award shall not prescribe as a penalty for its breach any forfeiture of wages or privileges. Mr. Baxter said—

The obvious intention of the clause is to interfere with the jurisdiction of the Arbitration Court.

Parliament has already laid down penalties against both employers and workers for breaches of awards, and the Government therefore feels that the court should not have the power to impose additional penalties, more especially when they result in the double penalisation of one party only and, at the same time, benefit the other.

This question has been a source of serious industrial unrest on more than one occasion during the past 12 months. In several industrial centres where incidents of this kind have occurred, trouble that has been on the eve of coming to the surface could easily have reached major dimensions. We desire at all times to prevent industrial unrest. Members have said it is strange that, despite the Industrial Arbitration Act, we are never entirely rid of disputes in industry. My experience has been that some of the biggest disputes have risen from merely trivial matters. That is a remarkable feature of some of the biggest industrial troubles that have arisen. At the same time, we know from our own industrial history that Western Australia will compare more than favourably with any other part of Australia.

Hon. J. Cornell: It is characteristic of life that the little things upset us most.

The CHIEF SECRETARY: Some of the biggest and most disastrous disputes with which I have been associated have occurred over trivial matters that could have been adjusted by a little trouble and common sense. Once an industrial trouble occurs, difficulty

is always experienced in settling it. We have endeavoured to provide against that sort of thing in this Bill.

The Act prescribes that a worker who goes on strike may be prosecuted and fined for doing so. The gold mining award provides that the worker who goes on strike shall be penalised by the deduction of one day's holiday pay for each day he is out on strike. Thus a worker may be both prosecuted for a breach of the Act and penalised for a breach of the award for the same offence. This is a most objectionable provision. The proposal to prohibit penalty clauses should appeal to Mr. Parker.

Hon. H. S. W. Parker: Do you think I would go on strike?

The CHIEF SECRETARY: I may recall that the hon. member took exception to a provision which he stated might permit of the double prosecution of an employer and his foreman. If the argument he used was good enough for the employer, it must be good enough also for the employee.

One of the main objections to penalty clauses is that they make provision for future deductions of pay. Thus, if a worker returns to employment after a strike, his employer can deduct from his future earnings holiday pay to make up the penalty for the past offence.

Hon. J. J. Holmes: Has not the award kept the miners at work?

The CHIEF SECRETARY: I do not think so. Under this provision a man, who may have been one of those on strike and have been penalised under the award, may be working alongside another who started his employment in the mine after the strike. The latter will receive all the privileges under the award, while the other may have to work a long time without any. The first man will have sacrificed something he would have received in the future that he earned in the past. This sort of thing creates a lot of dissatisfaction. I imagine the court thought it was introducing something that would act as a deterrent, and have the effect of prevailing upon men to remain at work until their grievances had been adjudicated upon. In matters of this kind we frequently reach the point where men declare that they can go no further, and can no longer tolerate a continuance of certain disabilities. It does not take long to precipitate a dispute in, say, the mining industry. Very often the employer, or his executive officer, or one of the leaders of the men, may precipitate

trouble by saying or doing something in an unguarded moment.

Hon. J. Cornell: Even members of Parliament may be thrown out for a while.

The CHIEF SECRETARY: A dispute may arise that will affect hundreds if not thousands of men. In my experience it is the pinpricks that generally create all the trouble.

The provision for the appointment of a chief industrial magistrate is another new proposal that members have not previously had the opportunity to discuss. The purpose of this amendment is to enable cases awaiting decision to be dealt with expeditiously, and so bring about a greater degree of uniformity in the decisions given in the industrial court. It is difficult to understand Mr. Parker's suggestion that the chief industrial magistrate is to have unlimited powers.

Hon. H. S. W. Parker: There is no appeal.

The CHIEF SECRETARY: His powers will simply be those that are conferred on ordinary industrial magistrates under the existing Act.

Hon. H. S. W. Parker: He can do as he likes.

The CHIEF SECRETARY: An industrial magistrate has that power now.

Hon. H. S. W. Parker: The power is unlimited.

The CHIEF SECRETARY: Why should the hon. member object to the chief industrial magistrate being given the same powers, except that he may be employed in any industrial district, and for such length of time as is necessary to dispose of the list presented to him?

Hon. J. Cornell: He might go to Collie or Kalgoorlie.

The CHIEF SECRETARY: Yes, where he would deal with every case on the list presented to him. That would expedite the business of the court and give satisfaction to both parties. Why should members object to this means of settling what might otherwise turn out to be a major dispute?

Most of the opposition to the Bill, however, has been confined to four provisions, namely, the amendments relating to vocational awards, the definition of the terms "worker" and "employer," and the registration of the Australian Workers' Union. The extravagant criticism that has been levelled at the Bill as a whole can be in-

tended to apply only to these proposals. Mr. Thomson said—

The Bill, if it became law, would render more difficult the carrying on of business in any shape or form.

Mr. Nicholson said—

We shall not help the workers of this State if we pass the Bill. We should be doing them the greatest possible injury. We would also destroy the future prosperity of the State.

Could we have more extravagant statements than these?

Referring to the amendment dealing with bogus partnerships, Mr. Baxter said this proposed interference with industry would be detrimental to progress, while Mr. Parker suggested that Clause 10, relating to vocational awards, would have a most extraordinary effect and would create chaos. I find difficulty in following the lines of reasoning adopted by those members.

One of the main reasons for bringing the Bill forward is to eliminate certain practices in industry that have been detrimental to progress and have done workers and employers the greatest possible injury. On various occasions mention has been made of the great amount of unfair competition in different industries owing to employers' indulging in subterfuges to circumvent the awards of the court. So acute has the position become in certain trades that it is almost impossible for the genuine employer who pays award rates and observes award conditions to carry on business successfully in competition with a type of competitor who enters into so-called partnership agreements with his employees. Last year a number of prosecutions was instituted in the Industrial Court, which showed that this condition was particularly pronounced in the lime-burning industry. Bogus partnerships have aroused bitter complaint of unfair competition and undercutting in the baking industry. The so-called partners in some firms work under conditions and for rates of pay that would not be permitted for a moment if those persons were subject to their appropriate award. The Government takes the view that bona fide employers should not be asked to stand up to a type of unprincipled competition that will ultimately have the effect of driving them from industry, and therefore has brought forward an amendment to eliminate this abuse.

While the Bill was being discussed here last session, certain prosecutions in the industrial court showed that these conditions were

especially pronounced in one industry, a small industry it is true, that of lime-burning. Not many years ago numbers of men were engaged in that industry. The reason for the decrease is the unfair competition which made it almost impossible for a good employer of labour to engage in the industry. Members will recollect that convictions were recorded in the cases to which I have alluded. Again, in the baking industry a similar state of affairs existed, as has been explained here by the Honorary Minister.

Now with regard to the definition of "worker," a practice somewhat similar in principle to that associated with bogus partnerships obtains in certain industries where employers and workers defeat the provisions of awards and industrial agreements by claiming that the worker concerned is not employed for hire or reward, but has volunteered for the service performed. The new definition of "worker" provides, *inter alia*, that the term means any person employed or engaged in connection with the employer's business, handicraft, undertaking or calling. Under this provision, a business man would not have to pay award rates to a casual worker chopping wood, as was suggested by one critic of the Bill. On the other hand, if the casual worker were employed in the man's office or on his business premises, he would come within the meaning of the definition.

The proposal to include in the definition of "employer" any steward, agent, bailiff, foreman or manager was strongly criticised by Mr. Parker. Without quoting what the hon. member said, I wish to point out to him that this definition has been on the statute-book in another measure, for 46 years. I refer to the Masters and Servants Act of 1892. Mr. Parker does not complain of the presence of the definition in that Act.

Hon. H. S. W. Parker: Because that definition does not involve imprisonment.

The CHIEF SECRETARY: Mr. Parker does complain of its presence here. The Masters and Servants Act embodies principles similar to those of the Industrial Arbitration Act as to the relationship of master and servant, and permits the prosecution of any person coming within the definition of "employer" for a breach of contract for service. In spite of all of Mr. Parker's objections, no one can claim it has ever been alleged that Section 3 of the Masters and Servants Act has caused hardship, or that there has ever

been any public outcry because all those persons are liable for prosecution.

Hon. H. S. W. Parker: I can give instances of that.

The CHIEF SECRETARY: The hon. member also contended that the amendment would enable a worker to seek redress against both the employer and his manager or foreman. I am advised that if a conviction were obtained against any one person who came within the definition of "employer," the doctrine of *res judicata* would operate to prevent subsequent action being taken against any other person.

Clause 10, which embodies the proposals relating to vocational awards, contains one of the main principles of the Bill. Before the Parker decision, it was "the tendency of the court under its various presidents to construe the definition of 'industry' from the workers' side according to avocation." Although the Full Court of the State rejected that proposition, the case was not taken further, but it is quite possible that the High Court would have agreed with the contention we are now seeking to have recognised. When a union obtains an award governing a certain industry, the workers concerned are protected as to wages, conditions and hours only so long as they are employed in that particular industry. If the amendment became law, every tradesman would enjoy the rates of wages and conditions of employment to which he is entitled.

Several points were raised in connection with the registration of the A.W.U. Mr. Parker asked whether the registration would automatically wipe off the registration of its branches. This would depend upon the nature of the application made by the union. I am advised that if the union simply brought forward an application for registration in those areas in respect of which it has not been registered, the branches already registered would not be affected. If, on the contrary, application were made for registration of the union as a whole, then undoubtedly the branches already in existence would be absorbed in the main body. However, Section 6 of the Act, Subsection 2, provides that any branch of a union may be treated as a distinct society and be separately registered as an industrial union. Accordingly, if the A.W.U. wished to absorb the branches already registered, it would first have to apply to the court for their deregistration. The mere registration of the union would not of itself deregister the

branches. Obviously, therefore, all that the A.W.U. would achieve under the Bill is registration in districts where it has not hitherto been registered.

Objection was raised by Mr. Parker to Subclause (3) of Clause 17, which provides that if an industrial magistrate considers that a question of interpretation of an award or industrial agreement arises, it shall be referred to the court. This provision was inserted on account of a statement made by the Chief Justice of the High Court when a case on Section 101 was referred to the High Court quite recently. The Full Court of Western Australia had decided that as the Act stands the magistrate had no discretion to decide whether a question of interpretation arose or not, but would have to refer any matter to the Court of Arbitration so long as one party to the proceedings demanded such a reference. The Chief Justice of the High Court stated that the decision on this point was wrong, and that the matter was entirely at the magistrate's discretion. No hardship can arise from the present proposal, because, in spite of a magistrate's ruling, an employer always has the right to apply to the Arbitration Court for an interpretation. Therefore, there should be no objection to that feature.

Hon. H. S. W. Parker: Formerly the provision was that if a question of arbitration arose, it should be referred to the court. That is now altered to "if the industrial magistrate considers." It depends entirely on the industrial magistrate.

The CHIEF SECRETARY: Previously, if one party demanded, the question had to be referred to the court for an interpretation. During the debate Mr. Parker raised several points, and especially requested that I should obtain some information as to the appointment of the Deputy President of the Arbitration Court. I have taken the necessary steps to get advice as to what is the actual position. Mr. Parker suggested that while the Deputy President had been appointed quite legally, he was possibly functioning illegally. That, I believe, was the effect of the hon. member's words. Here is the advice I have received from the present Crown Solicitor—

Although I cannot see that Mr. Parker's references to the appointment of an acting President are relevant to the Bill, which does not propose to deal with that matter, I am quite satisfied that the Deputy President as

now appointed is lawfully acting. Section 44 deals with two appointments—an acting President and a Deputy President. The acting President can only be appointed in the case of illness or absence of the President. A Deputy President may be appointed from time to time as occasion demands. This proposition is quite clear if Section 44 is read closely. The first paragraph of the section says that in the case of illness or absence of the President, the Governor shall nominate a person qualified as aforesaid to act as President. If you then refer back to Section 43, which contains the qualifications required of a President, you will find that he shall be a person qualified to be appointed a judge of the Supreme Court. Under these circumstances any person qualified to be a judge of the Supreme Court may be appointed an acting President. If you then read on, in Section 44 you will find that the Governor may from time to time appoint a judge as Deputy President. You will see that the Deputy President must be a judge, whereas the acting President need not be a judge, but can be any person qualified to be a judge. Therefore, although an acting President can only operate in the illness or absence of the President, the Deputy President can operate at any time.

I do not know whether that opinion will meet with the approval of the hon. member, but it covers the point he raised when speaking to the Bill. There are other matters on which I have not touched in replying to the debate, but I do wish to appeal to the House to allow the Bill to pass the second reading so that we may deal with the various amendments on their merits. To agree to every amendment would be most unusual, but surely there must be some good points in the measure, more especially as I have already stated that at least nine provisions contained in the Bill were agreed to by the select committee appointed by this House last year. By permitting the Bill to go into Committee we can at least attempt to bring our Arbitration Act up to date, and in that way make it of more use than it has been in the past. If we can secure the inclusion of the more important of the amendments, satisfaction will be given, not only to the workers who will be affected, but also those who are charged with the administration of the Act. I trust that members will agree to the second reading of the Bill.

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

Ayes	..	..	..	10
Noes	..	..	..	13
				—
Majority against	..	..	..	3
				—

## AYES.

Hon. J. Cornell  
Hon. J. M. Drew  
Hon. E. H. Gray  
Hon. E. H. Hall  
Hon. W. R. Hall

Hon. W. H. Kitson  
Hon. H. Seddon  
Hon. C. B. Williams  
Hon. G. B. Wood  
Hon. G. Fraser  
(Teller.)

## NOES.

Hon. E. H. Angelo  
Hon. C. F. Baxter  
Hon. L. Oralg  
Hon. J. A. Dimmitt  
Hon. V. Hamersley  
Hon. J. J. Holmes  
Hon. J. M. Macfarlane

Hon. W. J. Mann  
Hon. G. W. Miles  
Hon. J. Nicholson  
Hon. H. S. W. Parker  
Hon. H. Tuckey  
Hon. L. B. Bolton  
(Teller.)

## PAIRS.

AYES.  
Hon. T. Moore  
Hon. E. M. Heenan

NOES.  
Hon. H. V. Piesse  
Hon. J. T. Franklin

Question thus negatived.

Bill defeated.

## BILL—PARKS AND RESERVES ACT AMENDMENT.

### Second Reading.

Debate resumed from the 12th October.

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West) [8.51]: The Bill proposes—

(a) A quorum of any board constituted under the Parks and Reserves Act shall consist of not fewer than two members;

(b) A board shall not delegate its powers to a committee of fewer than two members of the board; and

(c) The accounts of the boards shall be audited by the Auditor General and tabled in each House of Parliament.

When introducing the Bill, Mr. Cornell stated that it would affect four boards, namely, the State Gardens Board which was appointed by Sir James Mitchell in 1920, the King's Park Board, and the Rottneest, and the Caves and Reserves Boards of Control which were established in 1896, 1917, and 1914 respectively. Members may therefore have gained the impression that the enactment of this measure would not result in any appreciable addition to the volume of work carried out by the Auditor General's department. Actually there are some 22,000 reserves controlled under the Parks and Reserves Act, 1895. The labour involved in compiling a complete list of the controlling boards from the register would not be warranted, but some idea of the enormous task that Mr. Cornell seeks to impose on the Auditor General may be gained from a list I

have, prepared by Mr. C. R. Hill, officer in charge of the Roads and Reserves Branch.

There are 13 given in the list, and they are as follows:—

Reserve.	Locality.	Purpose.	Board.
14240	Ora Banda ...	Recreation ...	G. H. Brearley, J. Smith and F. Cassin V. Gaz.
10606	Scaddan ...	Recreation ...	Frederick Gilmore, Thomas Crosborough Henchman and Gustav Holznagel.
17490	Byford ...	Recreation ...	R. H. Briggs, John Abernethy, J. Kershaw, J. L. Wallis and J. S. Makin.
17830	Gutha ...	Recreation ...	J. C. Moir, J. Payne, G. Barnes, L. McDonald and L. Ludgate.
18087	Bowgada...	Recreation, racecourse and show ground	L. Walker, A. Payne and P. L. Moss.
18405	Dardanup ...	Recreation ...	T. A. Buscher, M. Clune, T. Tyrrell, J. Strachan and K. R. Clifton.
18745	Burracoppin ...	Recreation ...	J. R. McConnell, E. Bulloch, J. F. Smith, J. Johnstone and T. Bulloch.
19416	Cowaramup ...	Recreation ...	W. Duggan, L. Osborne, and I. C. McKenna.
19568	Mowen ...	Recreation and hall site	T. Busby, G. Grosier and G. A. Hurley.
A20253	Abrolhos Islands	Public Recreation and tourist resort	C. T. Davis, H. J. Foster, L. W. Shephard, A. H. Milford, C. Hosking, W. Trigg and M. J. Day.
20534	Forrest Grove ...	Recreation and Show Ground	J. A. Strugnell, C. W. Campbell, A. Millar, T. Hes, L. Lambert, H. Moulton, W. Morris, A. Dee.
19937	Forrest Grove	Hall site and Recreation	
21059	Wubin ...	Recreation ...	J. Syme, H. R. F. Caulshausen, F. Myers, A. J. Richards and W. Jones.

Hon. L. Craig: Most of those Dardanup people you mentioned have passed away.

The CHIEF SECRETARY: These boards were appointed in the districts named, and there are dozens of others in the far north as well as in the far south of the State. The members were appointed at one time or another. If the Bill be agreed to, those members will have to comply with its provisions, and, as was remarked by Mr. Craig, many of the members may have passed away. Of course someone may have been appointed in their stead without the Government having been advised of the appointment, and so possibly there may be recreation reserves controlled by one or two persons instead of by a board as was originally intended.

Hon. J. Cornell: Let us limit the Bill to the four boards that I mentioned, and to the Auditor General.

The CHIEF SECRETARY: I think I had better proceed to refer to some other matters. When dealing with the State Gardens Board, Mr. Cornell said its accounts were audited by a private firm of auditors. That is not strictly correct. I do not know exactly what he meant by his reference. I rather gathered, from the manner in which he spoke, that the auditors were such that he would not be prepared to take much notice of their reports.

Hon. J. Cornell: No, that is not the position. I inferred that they were not Government auditors.

The Chief SECRETARY: The auditors in question—Messrs. W. Hayes and Co.—are a firm of public accountants and auditors comprising highly qualified and reputable members, differing in no respect from any other reputable firm in the city. The accounts, moreover, are linked up in a measure with those of the Zoological Gardens, which are audited by the Auditor General. The Treasurer and the Treasury receive the accounts regularly, and have a complete knowledge of the operations of those concerns. When the Act was passed originally, substantial grants were made by Treasurers for the development and maintenance of parks and reserves controlled by boards, but even then it was not considered necessary to make provision for audits by the Auditor General. A provision of that description is considered much less necessary to-day than it was then because many of the boards so established receive no grants whatever from the Government. Those boards conduct their own affairs, and surely the hon. member does not submit that it is the business of the Auditor General to say how they shall spend the funds that they earn or borrow on their own initiative. To mention two of the boards referred to by Mr. Cornell, there are Yanchep and Rottnest.



Hon. J. Cornell: Yanchep has no special board.

The CHIEF SECRETARY: Yanchep is controlled by the State Gardens Board, and no Government grant is provided for the purpose.

Hon. J. Cornell: Surely Parliament has a right to know who lends money to the State Gardens Board.

The CHIEF SECRETARY: And the hon. member has every opportunity to ask questions on that point. There is nothing to prevent a member of Parliament from knowing anything at all about the operations of the board.

Hon. W. J. Mann: We have not learnt very much in the past.

The CHIEF SECRETARY: That is the hon. member's own fault.

Hon. J. Cornell: The Premier did not know who comprised the board or who were the auditors.

The CHIEF SECRETARY: That reminds me that the hon. member said the Auditor General did not know who was the auditor for the Rottnest Board of Control.

Hon. J. Cornell: But the Premier did not know.

The CHIEF SECRETARY: Would the hon. member expect the Premier to know every such detail?

Hon. J. Cornell: He gave the wrong names. He mentioned Mr. Morris, who has not been auditor for over three years.

The CHIEF SECRETARY: Is it likely that the Premier would know the details concerning everything that comes within his purview?

Hon. J. J. Holmes: The Auditor General reports to Parliament, whereas a private firm of auditors does not. There is that difference.

The CHIEF SECRETARY: There is that difference, but to my mind it is without a distinction. In dealing with the Rottnest Board of Control and the State Gardens Board, Mr. Cornell was critical from the standpoint that the Auditor General did not know who the auditors were for the former body. Is it to be expected that the Auditor General shall know every action taken by a board appointed by the Government, with which board that officer has no connection? If the hon. member were to ask the Auditor General that question now, he would probably be told the names of the auditors.

Hon. J. Cornell: He has already told me he does not know.

The CHIEF SECRETARY: If the hon. member were to ask him again, I think he would find that the Auditor General does know.

Hon. J. J. Holmes: That is beside the question. The Auditor General does not audit the accounts.

Hon. L. B. Bolton: At any rate, no reflection was intended upon the board.

The CHIEF SECRETARY: I hope not.

Hon. E. H. H. Hall: Mr. Cornell explained that.

Hon. W. J. Mann: I think the Minister is a bit tender.

The CHIEF SECRETARY: I am, because I do not think there is any necessity for this criticism. I have already pointed out that no Government grants are paid in respect of Yanchep or Rottnest. The former has created assets out of its own resources, and its balance sheet is audited by a public accountant before presentation to the Treasurer. The position is fully met by that procedure.

Hon. E. H. H. Hall: Who are the auditors?

The CHIEF SECRETARY: I have already mentioned the name—W. Hayes & Co., a perfectly reputable firm of public accountants.

Hon. J. Cornell: No one suggested otherwise.

The CHIEF SECRETARY: I have already claimed that the position is fully met by the existing procedure. From Mr. Cornell's references to the Rottnest Board of Control, he appeared to suggest that there was something that should not be.

Hon. J. Cornell: On a point of order, I ask that the Chief Secretary withdraw that remark, because I specifically stated that I cast no reflection whatever on the board or its auditors.

The PRESIDENT: I am quite sure that the Chief Secretary will withdraw his statement.

The CHIEF SECRETARY: Naturally I will withdraw, and I am very pleased that Mr. Cornell has made the explanation.

Hon. J. Cornell: I said that during my speech.

The CHIEF SECRETARY: Then I did not hear his statement. I have been associated with a number of highly respectable gentlemen on the Rottnest Board of Control, and I did take exception to the manner in which Mr. Cornell emphasised the fact

that the Auditor General had no knowledge as to who the board's auditors were. The manner in which Mr. Cornell told the House that that was the position was open to no other inference than the one I drew. However, I am pleased that Mr. Cornell has explained his attitude. The Rottneet Board of Control consists of Mr. W. J. Winterbottom; Mr. William Somerville, who is a member of the Arbitration Court; Mr. A. F. Williamson, who was at one time the Government Electrical Engineer; Mr. E. V. B. Henderson, the well-known architect; Mr. Justice Wolff, and myself as chairman. The auditors are Messrs. J. L. B. Weir and Brodrick, chartered accountants, and I do not think any member will question the reputation of that firm. Many years ago consideration was given by the board to a proposal to submit the accounts to the Auditor General for audit. Unfortunately the Auditor General could not give the board an assurance that the accounts would be audited and completed before the end of August each year. Consequently the board considered it advisable that the accounts should be audited by an outside firm, and that has been the position ever since. The Board of Control was created in 1917. The island had been administered for many years by the department which, apparently, could not make a success of the task. The board took over the liability, running into many thousands of pounds, and has not received any grant from the Government from the inception. I claim that the progress of Rottneet Island since the Board of Control was established is due to the fact that this purely honorary board has, from time to time, been peculiarly fitted to direct the development of that resort. The members of the board have been prepared to give freely of their ability, time, and experience in a manner not often encountered in undertakings of such a kind. To-day the board controls assets that could not be replaced, valued at a conservative estimate, at £50,000. It has paid its way and met all its liabilities without receiving any grant from the Government. Notwithstanding all that, Mr. Cornell suggests there is need for the Auditor General to audit the accounts of the board so that Parliament may know what it is doing.

Hon. J. Cornell: Is there any reason why Parliament should not know?

The CHIEF SECRETARY: There is no objection to Parliament being informed as

to what the board is doing. The board's reports, financial and otherwise, are presented annually to the Minister for Lands, and there is certainly no objection to any information being disclosed when required.

Hon. J. A. Dimmitt: The board has done a splendid job.

The CHIEF SECRETARY: Of course it has.

Hon. J. Cornell: No one denies that.

The CHIEF SECRETARY: With other members of the board, I get a little heated when I hear suggestions that things are not as they should be.

Hon. J. Cornell: I again ask the Minister to withdraw that implication, which is grossly unfair.

The CHIEF SECRETARY: I withdraw.

Hon. J. Cornell: I protest against the insidious manner in which the Minister is endeavouring to read into my speech something I did not say.

The PRESIDENT: Order! The Chief Secretary has withdrawn the remark.

The CHIEF SECRETARY: The experiment of Government audits has been tried with cemetery boards. This is obligatory under the Act, except where control is vested in a road board. Considerable confusion was caused by this provision owing to the difficulty experienced by the departments in placing various committees, trustees or other responsible persons. As a result this particular section of the Act has become a dead letter. In explaining the proposals which stipulate that not less than two members shall form a quorum or committee, Mr. Cornell said—

Let me say right here that personally I have nothing but the best of feelings and the greatest respect for members of the State Gardens Board. However, two members constitute a board and one can form a quorum.

The chairman of the board points out that he undertook his responsibilities for the Zoo only upon the understanding that he would be permitted to carry out his policy without interference.

Hon. J. Cornell: He was working under an Act of Parliament. How did he get that authority?

The CHIEF SECRETARY: I will show the hon. member in a few moments. At the time, the gardens were in a very bad state and practically bankrupt, and he felt that a cumbersome system of boards did not lend itself to efficient management. Dealing with

the question in 1932, the then Premier, Sir James Mitchell, wrote a memorandum from which I will read an extract—

The committee to be advisory only, the chairman to have the full powers of a director and to be permitted to carry out his policy without interference.

Hon. J. Cornell: That is an evasion of the law.

The CHIEF SECRETARY: I do not know that it is.

Hon. J. Cornell: It is an evasion of an Act of Parliament.

The CHIEF SECRETARY: I would like to quote an extract from a letter of the Premier, Sir James Mitchell, to Mr. Clydesdale, who was at that time chairman of the Zoological Committee. The letter is dated the 4th March, 1932, and is as follows:—

You have made a suggestion to me that the State Gardens Board should take over control and so far as I am concerned, I am willing to fall in with that suggestion, but it is for members of the State Gardens Board to agree. The difficulty in the way, however, is that the Act requires that there must be a committee and trustees. To get over this difficulty I suggest that a member of the committee retire, that Mr. Shapcott be appointed to the vacancy as president and trustee, and that the State Gardens Board be the executive. I realise that the committee of necessity meets infrequently and their work must of necessity be more or less advisory. Of course the trustees must accept responsibility of setting straight the bank position and of course they must gradually liquidate the debt to the bank. The State Gardens Board have at their disposal an organisation and resources and facilities which can be used with value to the zoo.

Hon. J. J. Holmes: Who signed that?

The CHIEF SECRETARY: Sir James Mitchell.

Hon. J. J. Holmes: Who dictated it?

The CHIEF SECRETARY: I think the hon. member is going a trifle too far.

Hon. C. F. Baxter: It is probably true, though.

The CHIEF SECRETARY: That is an extract from a letter from Sir James Mitchell.

Hon. C. F. Baxter interjected.

The CHIEF SECRETARY: I am giving the House information supplied to me and I have no reason to question its accuracy.

Hon. J. J. Holmes: I asked a simple question.

The CHIEF SECRETARY: A simple question with a good deal of meaning behind it. If I suggested what that meaning was the hon. member would ask me to with-

draw. During his speech, Mr. Cornell made reference to Yanchep. He said—

A license has been granted to a board to administer certain parks and reserves comprising 15,000 acres . . . Is it proper to allow such a board to enter into the hotel-keeping business and carry it on in premises erected upon land to which the board has no title? The Premier said that the cost of the Yanchep Hotel was at least £15,000.

It is difficult to understand Mr. Cornell's objection to the provision of hotel facilities at Yanchep. The park was set aside as a reserve for flora, fauna, and recreation. Where would a hotel be better justified than at a place where people go for holidays and to enjoy recreation? Does the hon. member suggest that these people should be denied the right to a bed, food or refreshment?

Hon. J. Cornell: That was not the point I raised. How was a license granted for a hotel erected on a Class A reserve?

The CHIEF SECRETARY: How was it granted?

Hon. J. Cornell: By what authority?

The CHIEF SECRETARY: Was it not granted by the Licensing Court? I do not know that the hon. member asked that particular question.

Hon. J. Cornell: I did.

The CHIEF SECRETARY: All I want to say with regard to the Yanchep Hotel is this: If this park—possibly the best in the State—is not justified in possessing a hotel, then surely there is an equal lack of justification for its possession of the boarding house, tennis courts, swimming pool and various other amenities of civilisation. As to the hon. member's contention that the board has no title, I am advised by the chairman as follows:—

The board has a title in that it is legally invested with the trusteeship of the areas it holds, and the board operates within the law, its money having been legally borrowed or earned, and legally spent, with the result that the State possesses assets to the value of a vast amount, to which it has not contributed one penny. Apparently the only errors committed by the Rottnest and Yanchep Boards are that they have been successful, and success very often produces ill-feeling. Mr. Cornell talks about usurping powers. No powers have been usurped. All documents have been prepared by Crown lawyers and will bear the strictest scrutiny.

Hon. C. F. Baxter: Are those the auditor's remarks?

The CHIEF SECRETARY: No, the remarks are those of the chairman of the board. Mr. Cornell also mentioned that any

citizen may, between the hours of sunrise and sunset, enter the A.B.C. Studios or the Yanchep Hotel because they are erected upon a Class A reserve. The fact of a reserve being a Class A reserve does not give indiscriminate license to people who enter the reserve to go anywhere and everywhere as they think fit.

Hon. J. Cornell: I know the studio was obtained by false pretences.

The CHIEF SECRETARY: Was it?

Hon. J. Cornell: Yes.

The CHIEF SECRETARY: I do not know that. But even on Class A reserves such matters as hours and charges for admission, provision of refreshments, conduct of visitors, parking in prescribed areas, picking of wild flowers, and damaging of assets are subject to regulation.

Hon. J. Cornell: Those regulations are not tabled.

The CHIEF SECRETARY: There is no necessity to table them.

Hon. C. F. Baxter: Those in control are a law unto themselves.

The CHIEF SECRETARY: The hon. member may put it that way if he likes. They were given power to control that particular reserve.

Hon. E. H. H. Hall: By whom?

The CHIEF SECRETARY: By the Government of the day.

Hon. E. H. H. Hall: I have always understood that no charge can be made for entering a Class A reserve.

The CHIEF SECRETARY: The hon. member has understood wrongly. He should obtain more information. Free license is not conferred upon people entering Class A reserve lands but merely liberty properly controlled, and that is absolutely necessary.

Hon. E. H. H. Hall: That is right.

The CHIEF SECRETARY: Mr. Cornell also made the suggestion that some electric light gear had been improperly shifted to Yanchep from Parliament House grounds. That is not true. Some dilapidated material on the bowling green was, I believe, dismantled by the Government Electrician because it was useless.

Hon. J. Cornell: By whose direction?

The CHIEF SECRETARY: I will tell the hon. member in a moment. Investigation shows that neither the chairman of the State Gardens Board nor any of his officers, gardeners or drivers had any knowledge of that matter whatsoever. It is certain that

the material was not acquired by the board, which did not know of its existence.

Hon. J. Cornell: It went, just the same.

The CHIEF SECRETARY: Why blame it on the State Gardens Board? Here is a letter addressed to the Under Secretary in connection with the matter—

In connection with the dismantling of the electrical installation on the above—

That is, the Parliament House bowling green

—speaking from memory, I would say the work was done at the request of the Controller, Mr. Ford, in 1934.

At that time the installation had become dilapidated and in a dangerous condition. The fittings removed consisted of about 10 small iron poles and enamel shades. The poles were lying at the rear of the electrical workshop for some time, but during a recent clean-up of the yard they were probably broken up as scrap and the enamel shades and the sundry other items will no doubt be found on the electrical scrap heap. (Signed) W. Orr.

That is one occasion on which the State Gardens Board missed an opportunity.

Hon. J. Cornell: Mr. Ford would refute the statement that he gave any orders at all.

The CHIEF SECRETARY: The Rottnest Board of Control has no objection to the Auditor-General auditing its accounts. We have no objection to any information being given to Parliament or any other interested body. We feel that we have a record of which we can be proud and which will stand comparison with anything of its kind in any other part of Australia.

Hon. E. H. H. Hall: Hear, hear!

The CHIEF SECRETARY: We have no objection therefore to that suggestion. I submit, however, that if the State Gardens Board or the Rottnest Board of Control or any other board that might be affected by the Bill has to wait until very late in the year before it can have its accounts audited and completed, an awkward situation will arise. The Auditor-General's department is not in a position to provide the reports, balance sheets, and everything that is required for the whole of the departments and for the whole of the boards operating under this Act in the time necessary, notwithstanding that his staff is fairly large. I do not know that anybody will raise any objection to boards of this kind having control of their own affairs, more particularly when, as I have already pointed out, they receive no grant whatever from the Government. They are certainly responsible to the Minister and

supply all necessary information to him each year

Hon. C. F. Baxter: The State Gardens Board receives a grant, although the Rott-nest Board does not.

The CHIEF SECRETARY: I am speaking about Yanchep. When the hon. member introduced the Bill he divided it into sections. He spoke about the State Gardens Board and Yanchep and I think he made reference to the Zoo. He also talked about the Caves reserves.

Hon. J. Cornell: All I said about the Zoo was that the board was administering it—nothing else.

The CHIEF SECRETARY: We have no objection at all to the proposal. On the other hand, I should point out that the present auditors are working under an agreement with the board. The hon. member proposes in his Bill that the Auditor General shall audit the accounts from the 1st July of this year. This will prove very awkward, seeing that there is an arrangement running from year to year with a reputable firm of accountants.

Hon. J. J. Holmes: Make it the 1st July of next year.

The CHIEF SECRETARY: I am not suggesting anything, but I want members to understand the position. I feel that the State is indebted to many of the boards that are controlling reserves in different parts of the State. Quite a large number of people are giving much of their time, ability and experience, and in some instances their money—

Hon. H. Tuckey: There is no doubt of that.

The CHIEF SECRETARY: —to further the development of resorts of this kind, and instead of criticising those people we should acknowledge that they have done good work in the interests of the State without hope of reward.

On motion by Hon. W. J. Mann, debate adjourned.

#### ADJOURNMENT—SPECIAL.

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West) [9.31]: I move—

That the House at its rising adjourn till Tuesday next.

Question put and passed.

#### ADJOURNMENT.

*As to Police Act Amendment Bill.*

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West) [9.32]: I move—  
That the House do now adjourn.

**HON. J. CORNELL** (South) [9.33]: Before the House adjourns—

The PRESIDENT: The hon. member cannot speak on the motion for adjournment.

Hon. J. CORNELL: I think I am in order. Six weeks have elapsed since I moved the second reading of the Police Act Amendment Bill. The subject matter, members will agree, is worthy of discussion. Before the motion for adjournment is put I think I shall be only fair and reasonable in asking that, if we adjourn till Tuesday next, the Minister give a definite assurance, so that later on we may not have to take the business out of his hands—

The Chief Secretary: Is that a threat or a promise?

Hon. J. CORNELL: Neither, but I want to say that I consider the Minister has not treated this Bill fairly. There is no obligation on the Minister to speak to it or, if the Bill involves a question of Government policy, there is no obligation on him to commit the Government, but there are other members in this House, apart from the Minister and myself, and they should have been given an opportunity to express themselves on this important and far-reaching question. I hope some definite assurance will be given. Even if the Minister does not see fit to address the House, he should give other members an opportunity to do so.

**HON. G. FRASER** (West) [9.35]: I think the Bill introduced by the hon. member is receiving the consideration it deserves. The Government has announced its intention to introduce legislation to deal with this matter, and I think it only fair and reasonable that a measure introduced by a private member to deal with the same matter should not be proceeded with.

Hon. J. Cornell: Why does not the Minister say so, not the hon. member?

Hon. G. FRASER: I do not know what the Minister proposes to say; I am expressing my opinion. Long before the hon. member gave notice of his Bill, the announcement had been made by the Government, and I consider that no member should

attempt to jump in ahead of the Government to get a particular matter discussed, especially when the Government has announced its intention to deal with that matter. If the item is left on the notice paper, it is in its proper place and receiving the consideration it deserves.

Hon. J. Cornell: Decency demands that members should have an opportunity to discuss it.

**THE CHIEF SECRETARY** (Hon. W. H. Kitson—West—in reply) [9.36]: I am somewhat surprised at the remarks of Mr. Cornell. If he looks at the notice paper he will realise that there will be every opportunity to have his Bill discussed at the next sitting of the House. Apart from the hon. member's own measures there will be little on the notice paper.

Hon. J. Cornell: We have reached this Order of the Day four or five times before without discussing it.

**THE CHIEF SECRETARY**: I am trying to control the business of the House.

Hon. J. Cornell: And the House can control the Minister, if it likes.

**THE CHIEF SECRETARY**: I am not here to say that one member should be entitled to take the business of the House out of the hands of the Minister, and I will not be influenced by any remarks of his in that direction. I moved the adjournment until Tuesday next, because of the state of the notice paper, and on that day the hon. member will have every opportunity to get his Bill discussed.

Hon. J. Cornell: I do not want the opportunity, but I want other members to have it.

Question (adjournment) put and passed.

*House adjourned at 9.38 p.m.*

## Legislative Assembly.

*Tuesday, 18th October, 1938.*

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

### QUESTION—EDUCATION, FIRST AID.

Hon. P. D. FERGUSON asked the Minister for Education: 1, How many State school teachers have passed examinations in first aid principles in (a) metropolitan schools; and (b) rural schools? 2, How many State schools have first aid outfits as part of their equipment in (a) the metropolitan area; and (b) the rural area?

The MINISTER FOR EDUCATION replied: 1, First aid examinations are held by the St. John Ambulance Association. There is no departmental examination and the number is not known. 2, First aid equipments are fairly general but the exact number is not known and inquiry will be made.

### QUESTION—RAILWAYS, REGRADING.

*Merredin-Southern Cross Section.*

Mr. HILL asked the Minister for Railways: What is the estimated cost of regrading the Merredin-Southern Cross railway section?

The MINISTER FOR RAILWAYS replied: £114,000.

### QUESTION—NATIVE ADMINISTRATION ACT.

*As to Regulations.*

Hon. C. G. LATHAM (without notice) asked the Premier: 1, Has his attention been drawn to a published statement by the Commissioner of Native Affairs that the regulations, recently gazetted, relating to the establishment of missions had not been withdrawn? 2, Would not the statement lead the public