

Legislative Council,

Tuesday, 33rd December, 1924.

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The DEPUTY PRESIDENT took the Chair at 11 a.m., and read prayers.

BILL—LICENSING ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—LAND AND INCOME TAX ASSESSMENT AMENDMENT.

Report of Committee adopted.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [11.8]: I move—

That the Bill be now read a third time.

Hon. J. J. HOLMES (North) [11.9]: I understand it is the consensus of opinion of members that we should hold up this Bill

until the tax Bill is agreed upon. It is the custom of the House not to pass this Bill until that has been done. The Minister cannot have any objection to postponing the third reading stage now.

The Colonial Secretary: I have no objection whatever, and will withdraw my motion.

Motion, by leave, withdrawn.

BILL—DIVIDEND DUTIES ACT AMENDMENT.

Report of Committee adopted.

Read a third time, and returned to the Assembly with amendments.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Assembly's Message.

Consideration of Assembly's message resumed from the previous day.

In Committee.

Hon. J. W. Kirwan in the Chair; the Colonial Secretary in charge of the Bill.

No. 36.—Delete Subsection (2) of the proposed new Section 100:

The CHAIRMAN: The reason given by the Assembly for disagreeing with this amendment is that it is consequential on No. 35.

The COLONIAL SECRETARY: I move—

That the Council's amendment be not insisted on.

Hon. G. W. MILES: We should insist upon it, as it is consequential on No. 35.

Hon. E. H. HARRIS: The Committee divided on No. 35, and the next two amendments are consequential.

Question negatived; the Council's amendment insisted on.

No. 37.—Delete the word "and" in second line of Subsection (1) of proposed new Section 101, and insert "not later than the fourteenth day of June in each year and shall thereupon be":

The CHAIRMAN: The reason given by the Assembly for not agreeing to the amendment is that it is consequential upon the Council's amendment No. 35.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question negatived; the Council's amendment insisted on.

No. 38.—Delete the word "not" and the words "at a lower rate than" in third and fourth lines of Subsection (2) of proposed new Section 102. After the word "and" in fifth line insert "the wage fixed for every grade of worker by," and insert after "shall" in sixth line the words "from the

date of the declaration of the court be adjusted accordingly and";

The CHAIRMAN: The Assembly's reason for not agreeing to the Council's amendment is that the amendment would operate unjustly in awards or agreements that prescribe only for rates above the basic wage.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Hon. J. CORNELL: The reason given by the Assembly introduces a new phase that warrants inquiry. The Minister has thrown no light upon the subject. The object of the amendment was that as the clause stood there was no reference to allowing a margin to skilled workers above the basic wage prescribed by the court. When a union comprises men who are skilled workers, the question of the margin above the basic wage would be argued on its merits. Where the union includes both unskilled and skilled workers, the difficulty would arise that our amendment sought to overcome. The amendment is better than the clause. I shall oppose the Minister's motion.

Hon. E. H. HARRIS: There may be something in the argument advanced by the Assembly. The amendment sought to provide for wages being paid to skilled men above the basic wage decreed by the court, thus allowing a margin for skill. Of course it may be argued that the court would set up the basic wage and that that would apply to skilled and unskilled workers. I cannot, however, think that the court would take up such an attitude.

Hon. J. CORNELL: Perhaps in view of the Minister's action it would be better to agree to the proposal and then if there be any fault to be found with the provision, it will be the responsibility of the Government and not of the Council.

Hon. E. H. HARRIS: If the Government are afraid that the amendment will have a detrimental effect, I would rely upon the common sense of the court to safeguard the position.

The COLONIAL SECRETARY: The Bill introduced by the Government provided that the minimum wage should not be lower than the basic wage.

Hon. E. H. HARRIS: How could it be?

The COLONIAL SECRETARY: As the Committee amended the clause, it provides that the minimum wage shall be the basic wage in any agreement. I cannot understand why the restriction is placed upon the employer.

Hon. J. CORNELL: If it works out as we suggest, the responsibility will be with the Government. I will withdraw my opposition. We have pointed out how it will operate.

Question passed; the Council's amendment not insisted on.

No. 39.—Delete all words after "sufficient" in line one of proposed new Section

103 and insert "to enable the average worker to whom it applies to live in reasonable comfort having regard to any domestic obligations to which such average worker would be ordinarily subject."

The CHAIRMAN: The Assembly's reason for not agreeing to the Council's amendment is that the standard set up in the Bill is considered essential for the welfare of the workers and should be prescribed by legislation.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

This clause deals with the basis on which the basic wage shall be fixed including the requirements of a worker with a 5-roomed dwelling and so on. We have debated this question at length and I hope the Council will reconsider their decision and give way on this point.

Hon. J. J. HOLMES: What if industry cannot stand up against the imposition of such a basic wage? Who is the best to decide what the industry can stand? I contend it is the court, and the court should decide the question. It is absurd to deal with it otherwise. I hope the Committee will insist on the amendment.

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

Ayes	..	..	..	..	6
Noes	..	..	..	..	9
					—
Majority against					3
					—

AYES.

Hon. J. M. Drew	Hon. J. W. Hickey
Hon. E. H. Gray	Hon. G. Potter
Hon. E. H. Harris	Hon. J. Cornell
(Teller.)	

NOES.

Hon. A. Burvill	Hon. J. Nicholson
Hon. J. Ewing	Hon. H. A. Stephenson
Hon. J. A. Greig	Hon. H. J. Yelland
Hon. V. Hamersley	Hon. J. M. Macfarlane
Hon. G. W. Miles	(Teller.)

PAIR.

AYES.	NOES.
Hon. T. Moore	Hon. J. J. Holmes

Question thus negatived; the Council's amendment insisted on.

No. 44. Clause 60.—Delete:

The CHAIRMAN: The Assembly's reason for not agreeing to this amendment is that the standard hours should be as stated in the clause, and should be given by the Legislature as a direction to the court.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

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

Ayes	5
Noes	10

Majority against	..	5
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AYES.

Hon. J. Cornell	Hon. J. W. Hickey
Hon. J. M. Drew	Hon. E. H. Gray
Hon. E. H. Harris	(Teller.)

NOES.

Hon. A. Burvill	Hon. J. Nicholson
Hon. J. A. Greig	Hon. G. Potter
Hon. V. Hamersley	Hon. H. A. Stephenson
Hon. J. M. Macfarlane	Hon. H. J. Yolland
Hon. G. W. Miles	Hon. J. Ewing
	(Teller.)

PAIR.

AYES.	NOES.
Hon. T. Moore	Hon. J. J. Holmes

Question thus negatived; the Council's amendment insisted on.

No. 46. Clause 64—Delete:

The CHAIRMAN: The Assembly's reason for not agreeing to this amendment is that it is not logical or equitable to preclude club workers from the protection and benefits of the Act.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

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

Ayes	5
Noes	10

Majority against	..	5
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AYES.

Hon. J. Cornell	Hon. G. Potter
Hon. J. M. Drew	Hon. A. Burvill
Hon. J. W. Hickey	(Teller.)

NOES.

Hon. J. Ewing	Hon. G. W. Miles
Hon. J. A. Greig	Hon. J. Nicholson
Hon. E. H. Harris	Hon. H. A. Stephenson
Hon. A. Lovekin	Hon. H. J. Yolland
Hon. J. M. Macfarlane	Hon. V. Hamersley
	(Teller.)

PAIR.

AYES.	NOES.
Hon. T. Moore	Hon. J. J. Holmes

Question thus negatived; the Council's amendment insisted on.

No. 47. Clause 65—Delete:

The CHAIRMAN: The Assembly's reason for not agreeing to this amendment is that the powers are necessary for the enforcement of the awards of the court.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question passed; the Council's amendment not insisted on.

No. 48. Clause 66—In paragraph 6, lines 1 and 2, strike out "industrial" and insert "police or resident."

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question negatived; the Council's amendment insisted on.

No. 49. Clause 67—Strike out all words after "amended" in line 2, and insert "by substituting for the words 'three months' the words '12 months'":

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question passed; the Council's amendment not insisted on.

No. 51. Insert a new clause to stand as Clause 9, as follows:—"Sections 44 and 45 of the principal Act are repealed."

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question passed; the Council's amendment not insisted on.

No. 52. Insert a new clause, to stand as Clause 10, as follows:—"Section 46 of the principal Act is amended by striking out the words 'Full Court has,' and substituting the words 'The President has,' and by striking out the words 'the names of the members,' and substituting the words 'such appointment.'":

The CHAIRMAN: The reason given for disagreeing with this amendment is that it is consequential on No. 6.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question passed; the amendment not insisted on.

No. 53—Insert a new clause to stand as Clause 12, as follows:—"Section 51 of the principal Act is amended by omitting the words 'Any member of the court,' and substituting the words 'the president'":

The CHAIRMAN: The same reason is given for disagreeing with this amendment.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question passed; the amendment not insisted on.

No. 54—Insert a new clause to stand as Clause 13, as follows:—"Section 54 of the

principal Act is amended by omitting the word 'also,' in line 1, and 'or any ordinary member,' in line 2''.

The CHAIRMAN: The reason given for disagreeing with this amendment is also that it is consequential on No. 6.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Hon. J. A. GREIG: It seems to me that we are not insisting on amendments consequential to No. 6 after we have insisted on No. 6.

The CHAIRMAN: As regards amendment No. 6, the Committee agreed to an alternative amendment which practically re-constituted the court as it is at present and has been for many years, a court consisting of a president and two other members.

Question passed; the Council's amendment not insisted on.

No. 55—Insert a new clause to stand as Clause 14, as follows:—"Section 61 of the principal Act is amended by omitting the words 'or any other court'";

The CHAIRMAN: The reason given for disagreeing to this amendment is that the decision of the Arbitration Court should be final, to obviate delay and unnecessary expense to all parties concerned.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Hon. A. LOVEKIN: I quite admit that the decisions of the Arbitration Court should be final and speedy, but the words in the section are ultra vires, because under the Federal Constitution there is a right to appeal to the Federal High Court and the Privy Council. That right cannot be taken away by any local statute. I do not think the amendment matters very much; to save time we might let it go for what it is worth.

Hon. J. CORNELL: Here is a case where bush lawyers differ. I have a vivid recollection of the advice given me by a very able King's Counsel, who is out of Western Australia now, on this same point. The opinion he gave me was that so long as the Arbitration Court gave decisions within the ambit of its Act, there was no appeal to any court from it, but that if the Arbitration Court took up a question not within the ambit of its jurisdiction, the King's Bench could step in.

Hon. J. J. HOLMES: I think the Council should insist on the amendment. I am not prepared to follow Mr. Lovekin in this matter, because I have had some experience of appeals which cost considerable amounts of money. The present Chief Justice laid it down clearly that there was no appeal from the Arbitration Court.

Question passed; the Council's amendment not insisted on.

Progress reported, and leave given to sit again at a later stage.

BILL—LAND TAX AND INCOME TAX.

Message received from the Assembly notifying that it had agreed to a conference and that the managers for the Assembly would be the Premier, the Minister for Lands, and Mr. Richardson.

Sitting suspended from 11.56 a.m. to 4.30 p.m.

BILL—LAND TAX AND INCOME TAX.

Conference Managers' report.

The COLONIAL SECRETARY: The conference has met and after a very lengthy deliberation has come to an agreement. The matter required careful study and much discussion, but I think the result is at any rate fairly satisfactory to both Houses. I will explain as well as I can in the circumstances, in order to give the House an idea of the results of the conference. The conference agreed to recommend as follows:—The Bill to be amended to cover two years. In the first year one-half the supertax has to disappear, and in the second year the balance of the supertax has to go. The land tax is to remain as it is in the Bill. There was an intention to further amend it so as to provide for a flat rate of 2d. in the pound, but it will be 2d. for unimproved land and 1d. for improved land.

Hon. A. Lovekin: And no supertax.

The COLONIAL SECRETARY: And no supertax. Clause 8, which simply deals with deductions, is to be deleted. We took into consideration also the Land and Income Tax Assessment Bill. Clause 2, Definition of "dividend," had been amended on motion by Mr. Lovekin. The definition has to be restored. In Clause 4, respecting land held for educational purposes, the property of and belonging to a religious body, the words "or held" are to be deleted and "used" to be retained. In Clause 5, Subclauses (5), (6), and (7) are to be restored. Those subclauses are consequential upon the definition of "dividends" in Clause 2. In Subclause (8) the proviso has to be restored. That provides that the chargeable income of any person, together with the dividends of a mining company paid out of profits exempt from taxation would, except for such exemption, be subject to the rate of tax, etc. That was moved out by Mr. Lovekin, but conference recommends that it be restored. The proviso to Subclause (9) also is recommended to be restored. That deals with the method of computing profits derived from livestock. Clause 6 was amended by this House. Under the recommendations made by conference the rebate provided in Section 17 of the Act will apply only to land which is used or cultivated, "owner-

ship of such land" being struck out. The deduction will be only to the extent of 50 per cent. of the land tax. In future the owner will be relieved to the same extent as he is now relieved. Clause 8, Subclause (5): the word "exclusively" is to be restored. In Subclause (9) the second proviso is to be restored, "provided also that rates and taxes paid in respect of land, etc." That proviso was struck out, but conference recommends that it be reinstated. Clause 9 provided for the repeal of Section 34. This House amended it to repeal Section 62 instead of Section 34. After discussion with the Commissioner of Taxation it was decided to restore the clause, thus leaving in Section 62 but repealing Section 34. New Clause 8 related to cash and shares. Conference recommends that it be deleted. That, Sir, is the report of our deliberations, and I trust it will result in the prompt passage of these Bills into law.

The DEPUTY PRESIDENT: What procedure does the Minister now propose?

The COLONIAL SECRETARY: I think we might go into Committee on the assessment Bill first.

Hon. A. LOVEKIN: Instead of a lengthy debate on the adoption of the report, I suggest the Minister moves that the assessment Bill be recommitted for the further consideration of certain clauses. When we get into Committee on it the Minister will move the amendments as agreed upon by conference, and they can then be discussed. Having finished with that, we can report the Bill, having done our share of the business as agreed to in conference. We can send back the taxing Bill to another place where it can be amended.

The DEPUTY PRESIDENT: The third reading of the assessment Bill was made an Order of the Day after Order of the Day No. 5. It now becomes necessary that the Minister move that the assessment Bill be taken into consideration forthwith.

BILL—LAND AND INCOME TAX ASSESSMENT AMENDMENT.

On motion by the Colonial Secretary, ordered: That the Order of the Day be taken into consideration forthwith.

Recommittal.

On motion by the Colonial Secretary, Bill recommitted for the further consideration of Clauses 2, 4, 5, 6, 8, 9, and new Clause 8.

In Committee.

Hon. J. W. Kirwan in the Chair; the Colonial Secretary in charge of the Bill.

Clause 2—Amendment of Section 2:

The COLONIAL SECRETARY: I move an amendment—

That the following be inserted to stand as Subclause 1:—“(1) By inserting an

interpretation of the word ‘dividends’ as follows:—‘Dividends’ includes every dividend, profit, bonus, share or portion of a share of a company, advantage, or gain paid, or credited to or distributed among any members or directors of a company out of the profits of the company, except the salary or other ordinary remuneration of directors.’”

Hon. A. LOVEKIN: When the Bill was previously before us in Committee, I moved to strike out Subclause 1, but at the conference we had to give way on some things. Dividends are to be added to the ordinary income and the tax rate will be framed on the gross income. Afterwards the dividend will be deducted, leaving the original income to pay the higher tax rate. That is the effect of this and another amendment. Although the Government are not giving what they say they are giving, it means that such a taxpayer is getting a higher income in the aggregate, and is to be called upon to pay the higher tax rate. A man with an income of £1,500 and dividends of £1,500 will pay tax on the £1,500 income at the rate of tax for £3,000, but he will get a reduction for the amount paid in respect of the £1,500 of dividends. When we came to consider the financial position, we found we could not take too much from the Treasurer, especially as the present Government have only recently come into power. I was a party to giving way on this.

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

Clause 4—Amendment of Section 11:

The COLONIAL SECRETARY: Clause 4 was approved by the conference practically as it appeared in the original Bill, except that it was considered advisable to delete the words "or held." I move—

That the following be inserted:—“4. Subsections (2) and (3) of Section 11 of the principal Act are repealed, and the proviso to paragraph (c) of Subsection 1 thereof is amended by inserting after the word ‘which’ the following words, namely: ‘(not being the site of, or intended site of, or occupied for the purposes of a school or hall used or to be used for educational purposes, the property of and belonging to a religious body).’”

This will exclude land held by religious bodies for the purpose of sale.

Hon. V. HAMERSLEY: Subsection 1 of Section 11 is to be retained. That subsection exempts from assessment for taxation lands used exclusively for any public hospital, benevolent institution, public charitable purpose, church, school or religious body and not held as a source of profit to the users or owners.

Hon. A. Lovekin: The Assembly wanted to insert "or held," but we managed to keep that out.

Hon. V. HAMERSLEY: What has actually happened in respect to this clause?

Hon. J. EWING: Subsections 2 and 3 were cut out, and the whole clause was then deleted. These two subsections have now been reinstated. Practically the only alteration to the original clause is that the words "or held" are eliminated.

Hon. E. H. Harris: What has happened with the proviso in the parent Act?

Hon. A. LOVEKIN: It is in the Bill. It now reads, "Provided that the exemption shall not apply to any such land which, not being the site of, or intended site of, or occupied for purposes of a school or hall used, or to be used, for educational purposes, the property of and belonging to a religious body, is a source of profit or gain to the users or owners thereof." We do not allow any religious body to gain an unearned increment upon land that is held for a long time and pay nothing in taxation.

The Colonial Secretary: It is a suitable clause to insert.

Clause put and passed.

Clause 5—Amendment of Section 16:

The COLONIAL SECRETARY: This is consequential upon the definition of "dividends." I move an amendment—

That proposed Subsections 5, 6, and 7, the proviso to proposed Subsection 8, and the proviso to proposed Subsection 9, be reinstated in the Bill.

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

Clause 6—Repeal of Section 17:

The CHAIRMAN: This clause was struck out.

The COLONIAL SECRETARY: I move:

That the clause be reinstated as follows:—"Section 17 of the principal Act is amended by omitting, in lines 2 and 3, the words 'from the ownership of any parcel of land or derived directly' and by omitting, in line 6, the words 'from the ownership of such parcel of land or,' and by adding a proviso as follows:—"Provided that the allowance as abatement under this section shall not exceed 50 per cent. of the land tax payable on the parcel of land producing the income.'"

Hon. A. Lovekin: That leaves you where you were.

Hon. V. HAMERSLEY: Is it within our power at this stage, to express our disagreement with the decisions arrived at by the conference.

The CHAIRMAN: It would be a most unusual thing for the Committee to disagree with the report of the managers after an agreement had been arrived at with the managers of another place.

Hon. V. HAMERSLEY: I have no wish to ask the House to take any drastic step but I certainly feel that what is proposed is contrary to the wishes of the House.

Hon. A. Lovekin: You are no worse off now than you were before.

Hon. V. HAMERSLEY: It is not a question whether I personally am any worse off.

Hon. A. Lovekin: I mean farmers generally.

Hon. V. HAMERSLEY: It is a question of a levy being taken on capital by anyone who invests his money in land and a gross wrong being done to the State. We want to encourage people to invest in land, and now we propose to impose this extra taxation on that section of the community that has been gradually bringing the State out of its condition of chaos. The socialistic system under which we are running the country on to the rocks, involving the squandering of borrowed money, the carrying out of works by day labour, and other things, is now about to extract additional revenue from the community by way of a levy on the capital invested by the people in land, the socialist idea being that land values increase with an increase of population.

Hon. A. Lovekin: If you think it out you will find that it would not be equitable otherwise.

Hon. V. HAMERSLEY: Under this agreement, we shall make a levy upon the capital invested in land. I have no wish, however, to carry the matter further beyond entering my protest.

The COLONIAL SECRETARY: I am rather astonished at the attitude of Mr. Hamersley. This is a special concession for the agricultural community. The agriculturists will pay only $\frac{1}{2}$ d. in the pound tax under the Bill, that is, if they are utilising their properties. If they are cultivating their holdings they are entitled to a rebate of 50 per cent. on the 1d. in the pound. That comes off the income tax. As a matter of fact in numerous cases they will pay no income tax at all. Mr. Hamersley protests, but I think it should be the rest of the community that should protest.

Question put and passed; the clause reinstated.

Clause 8—Amendment of Section 30:

On motion by Colonial Secretary the word "exclusively," struck out from Subclause 5, and the second proviso to Subclause 9 struck out at a previous sitting, were restored.

Clause 9—Repeal of Section 34:

On motion by the Colonial Secretary Clause 9, reading "Section 34 of the principal Act is repealed," struck out at a previous sitting, was reinstated.

The CHAIRMAN: The next amendment refers to the new Clause 8 which is to be struck out. The clause is as follows:—

8. Section 19 of the principal Act is amended by adding a new subsection as follows:—“(13.) Cash or shares received from a company as consideration for the transfer of any claim, lease, license, tenement, or holding under the Mining Act, 1904, or any amendment or re-enactment thereof.”

The COLONIAL SECRETARY: I move—

That the new clause be struck out.

Question put and passed.

Bill reported with amendments.

Further Recommendation.

On motion by the Colonial Secretary, Bill further recommitted for the purpose of re-considering proposed new Clause 8.

In Committee.

Hon. J. W. Kirwan in the Chair; the Colonial Secretary in charge of the Bill.

The CHAIRMAN: In accordance with the agreement arrived at by the managers it is proposed to reinstate the following proposed new clause to stand as Clause 8 in the Bill:—

The following new subsection, to stand as Subsection (13) of Section 19 of the principal Act, is inserted:—“(13) The cash allowances paid and the bonus shares allotted to shareholders of any co-operative company or society as a rebate or discount on their trading with such companies or societies.”

The COLONIAL SECRETARY: I move—

That the new clause be added to the Bill.

Question put and passed.

Hon. A. LOVEKIN: During the conference it was stated that the amendments agreed upon would not affect settlers going on the land for the first time. I would like the Minister to give us a definite assurance on the point, making it clear that group settlers and others will not be subject to the taxation for the first five years they are on their holdings.

Hon. J. J. Holmes: Shall we not require legislation for that?

Hon. A. LOVEKIN: No.

Hon. G. W. Miles: How can they be exempted?

Hon. A. LOVEKIN: Provision exists in the Act for that.

Hon. J. EWING: I am glad Mr. Lovekin has brought this matter forward. In some quarters there is apparently a misunderstanding concerning this question and the impression exists that these amendments will apply to new settlers.

The COLONIAL SECRETARY: The new settlers will not be affected by the amendments contained in the Bill for the first five years they are on the land. Provision in that direction was made some years ago; there is no intention of altering that position.

Hon. J. Cornell: It applies only to conditional purchase land.

The COLONIAL SECRETARY: Yes.

Bill again reported with a further amendment, and the report adopted.

Third Reading.

Read a third time and returned to the Assembly with amendments.

BILL—INSPECTION OF SCAFFOLDING.

Request for Conference.

Message received from the Assembly requesting a conference with managers of the Council.

The MINISTER FOR EDUCATION (Hon. J. M. Drew—Central) [5.44]: I move—

That a message be transmitted to the Assembly agreeing to a conference; that Hon. A. Burvill, Hon. J. Nicholson and the mover be appointed managers on behalf of the Council, and that the conference meet in the President's room at 7.30 p.m.

Question put and passed.

ORDER OF BUSINESS.

The DEPUTY PRESIDENT: Item No. 8 on the Notice Paper, “Consideration in Committee of Message No. 58 from the Legislative Assembly on the Industrial Arbitration Act Amendment Bill,” has not yet been completely disposed of.

The COLONIAL SECRETARY: I propose to ask the House to continue the consideration of that message in Committee now.

Hon. A. LOVEKIN: I would suggest that, in order to save time, consideration of the Land Tax and Income Tax Bill be now resumed, so that we can return the measure to the Assembly for consideration there while we proceed with other business.

Member: The Land Tax and Income Tax Bill is in the Assembly now.

Hon. A. LOVEKIN: The Land Tax and Income Tax Bill cannot be in the Assembly. We could not ask for a conference on that measure unless we were in possession of it. The Bill does not go up and down with the messages which pass, but theoretically we are in possession of the Bill; otherwise we could not deal with it at all. Another place sent back the Bill to us saying that it could not make the amendments we requested.

Then we said to another place, "Please give us a conference." Another place did give us a conference; so now we have the Bill, and I suggest we send it back with a message further pressing our requests. Then the Assembly will be in possession of the Bill.

THE DEPUTY PRESIDENT: The position of the Land Tax and Income Tax Bill, as I understand it, is that the Minister moved last week that it be read a first time and that thereupon an amendment was moved that a request be sent to the Legislative Assembly for the insertion of certain amendments.

Hon. A. Lovekin: The Bill always goes back with the messages. Unless the other House had the Bill, how could it insert in the Bill the amendments that we requested?

THE DEPUTY PRESIDENT: I understand that the next Order of the Day is the Industrial Arbitration Act Amendment Bill, and unless the Minister desires to alter the order of the business, I shall now leave the Chair and the House will go into Committee on that Bill.

THE COLONIAL SECRETARY: I should like to know which House is in possession of the Land Tax and Income Tax Bill—the Council or the Assembly?

THE DEPUTY PRESIDENT: I understand that the other House is in possession of that Bill, which was sent down last week with the message.

Hon. A. LOVEKIN: How can the other House send a message back to us asking us to pass the Bill if we have not the Bill? I have seen a good deal of this, and I know that the practice in other Houses of Parliament besides this is that the Bill is always attached to the message. Wherever a message goes, the Bill goes. If it were otherwise, we would have been quite out of order in asking for a conference.

THE DEPUTY PRESIDENT: I understand the position was that when the request was made for a conference, this House was in possession of the Bill, but that the Bill was returned with the answer that was sent by another place agreeing to the conference.

Hon. A. LOVEKIN: That is quite right. Following that, in the reply that came to us, granting the conference and fixing the time, the Bill should have come here again. The point is, who is going to take the initiative in dealing with amendments?

THE DEPUTY PRESIDENT: I understand that another place is in possession of the Bill and will alter it in accordance with the agreement arrived at by the conference, just in the same way as we shall proceed with the Land and Income Tax Assessment Act Amendment Bill. However, we are not in possession of the Land Tax and Income Tax Bill.

Hon. J. NICHOLSON: Is not the position that the Minister moved the first reading of that Bill, and that before the first reading was passed an amendment was carried that certain requests be made to another

Chamber? That request went forward, resulting ultimately in a conference.

Hon. A. Lovekin: And the Bill went back.

Hon. J. NICHOLSON: We requested certain amendments, and the Bill went back with that request. But the first reading has not been passed, nor the second reading, nor the Committee stage. The Bill should be on our Notice Paper. If it is not there, a fresh Bill had better be brought forward. If we had the Bill, we could allow the first reading to go through and then make certain requests on the second reading.

THE DEPUTY PRESIDENT: The position now is that the other Chamber has possession of the Bill.

Hon. J. EWING: The Bill is valueless to the other Chamber, which has it only by way of message. The Bill should be here to pass its first and second readings, and then be amended in Committee as agreed at the conference. If the Bill is not here, we had better get it back here.

THE DEPUTY PRESIDENT: That is a problem for the other Chamber to solve.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Assembly's Message.

Consideration resumed from an earlier stage of the sitting.

In Committee.

Hon. J. W. Kirwan in the Chair; the Colonial Secretary in charge of the Bill.

No. 57.—Insert a new clause, to stand as Clause 56, as follows:—"A section is inserted in the principal Act as follows:—'98a. An application for the endorsement of any industrial agreement or award of the court may be referred to the court by an industrial union or association pursuant to a resolution of the governing body of the industrial union or association in such manner as it is prescribed by the rules of the industrial union or association.'":

THE CHAIRMAN: The Assembly's reason for disagreeing is that it is consequential on No. 34.

THE COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Hon. E. H. HARRIS: I cannot understand the Assembly committee who framed this reason. The Bill provided for unions getting to the court without taking a ballot. The Committee of this House granted that request in respect of enforcement cases. Now the Assembly disagrees with it.

Hon. J. CORNELL: The Council, having insisted upon amendment No. 34, to be consistent must now insist upon this one.

Question negatived; the Council's amendment insisted on.

No. 58.—Insert a new clause to stand as Clause 57, as follows: "A section is inserted in the principal Act as follows: '108a. (1) It shall be the duty of the registrar whenever a total or partial cessation of work occurs in or in connection with any industry to make immediate inquiry into the cause thereof, and to take legal action to enforce against any person found on such inquiry to be committing any breach of this Act or of any industrial agreement or award of the court all or any of the remedies provided by this Act which he may deem applicable to the case. (2) In the carrying out and discharge of his duties under this section the registrar shall be entitled to the assistance of all industrial inspectors and officers of the court'":

The CHAIRMAN: The Assembly's reason for not agreeing to this amendment is that it is not proper to depute the functions mentioned away from the court itself.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Hon. J. J. HOLMES: This does not propose to take away anything from the court, but it does provide that it shall be somebody's duty to take action when trouble arises. The Bill delegates a lot of the powers of the court to all sorts of people.

Question negatived; the Council's amendment insisted on.

Resolutions reported and the report adopted.

Recommittal.

On motion by the Colonial Secretary, Bill recommitted for the purpose of considering amendments Nos. 10, 11, 12, 33, and 43. Hon. J. W. Kirwan in the Chair; the Colonial Secretary in charge of the Bill.

No. 10. Clause 11.—Delete:

The COLONIAL SECRETARY: This is consequential on amendment No. 6. By an oversight I moved that it be insisted on, whereas I intended that it should not be insisted on. I move—

That the amendment be not insisted on.

Question passed; The Council's amendment not insisted on.

No. 11. Clause 12.—Delete:

No. 12. Clause 13.—Delete:

On motion by the Colonial Secretary, the two foregoing amendments were not insisted on.

No. 33. Clause 52.—Delete "the Minister may" in line 1 and insert "the Governor may on the recommendation of the court":

The COLONIAL SECRETARY: This amendment the Assembly has amended by

striking out the words "on the recommendation of the court." I move—

That the amendment of the Assembly be agreed to.

Hon. E. H. HARRIS: The Bill as it left the Assembly provided that the Minister might do certain things. The Council amended it to provide that the court shall recommend. Now the Assembly want to make it that the Governor may do those things.

Sitting suspended from 6.15 to 8 p.m.

Hon. E. H. HARRIS: I should like some reason advanced as to why the Assembly wish to strike out the words "on the recommendation of the court." No one is more competent to decide upon the definition of districts than the court.

The COLONIAL SECRETARY: The definition of districts will be a matter for Ministerial administration, and the court will then administer its own portion of the Act.

Hon. E. H. HARRIS: The Assembly has agreed to delete the word "Minister" and has inserted the word "Governor."

The COLONIAL SECRETARY: I regard that as a compromise.

Hon. J. CORNELL: I move an amendment—

That as an alternative to the Assembly's amendment the Council's amendment be amended by striking out the word "Governor" and inserting "Minister."

The Colonial Secretary: I fail to see why we should disagree with the Assembly's amendment.

The CHAIRMAN: If Mr. Cornell will look at the two schedules appearing on the Notice Paper he will see that the Assembly have accepted the Council's amendment, but proposed to strike out the words included in that amendment "on the recommendation of the court."

Hon. A. J. H. SAW: The whole thing is not worth bothering five minutes about. It is perfectly clear.

Amendment, by leave, withdrawn.

Question passed; the Assembly's amendment agreed to.

The CHAIRMAN: The second amendment refers to the Council's amendment, No. 43, reading as follows:—

Clause 58—After "paid" in first line of Subsection (2) of the proposed new Section 115b, insert "to." After "or" in second line of Subsection (4) insert "in the case of the building trade." Insert after "employers" in line four of Subsection (5) the words "and the number of apprentices to be employed."

The Assembly have agreed to the first two amendments included in No. 43, but have

not agreed to the third and have modified the whole by striking out all words after "trade" in the fourth line.

The COLONIAL SECRETARY: I move—

That the amendment made by the Assembly be agreed to.

Hon. J. NICHOLSON: I think we should insist upon power being provided to decide the number of apprentices to be employed.

The COLONIAL SECRETARY: The Assembly consider that that question should be dealt with in the several awards that will be issued.

Hon. J. NICHOLSON: I will leave the matter in the hands of the Minister.

Question passed; the Assembly's amendment agreed to.

Resolutions reported, and the report adopted.

A committee consisting of Hon. J. Cornell, Hon. E. H. Harris, and the Colonial Secretary drew up reasons for insisting on the amendments made by the Council.

Reasons adopted and a message accordingly returned to the Assembly.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Assembly's Message.

Message from the Assembly notifying that it had disagreed to certain amendments made by the Council now considered.

In Committee.

Hon. J. W. Kirwan in the Chair; the Colonial Secretary in charge of the Bill.

No. 2. Clause 3—Delete.

The CHAIRMAN: The Assembly's reasons for disagreeing are—"It should not be necessary for the widow and children to prove that they were dependent on the deceased for the ordinary necessities of life to entitle them to compensation for the very severe loss of a husband and father who was more than the mere bread-winner. It is equitable to cover all workers receiving up to £520 per annum. The definition proposed in the Bill is in keeping with two of the other Australian States in which the basic wage is approximately the same as in Western Australia. Industrial magistrates are considered essential for the full and satisfactory administration of the Act. Such magistrates would necessarily make a special study of industrial subjects."

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Hon. J. EWING: The amendment should be insisted on. The reasons given are ridic-

ulous. The amendment was made so that the compensation would be paid to the right person. Further, a considerable majority of the Committee decided upon the amount of £400 as against £520, and have been opposed to industrial magistrates throughout.

Hon. J. CORNELL: Originally the whole of the clause was deleted, but on recommendation I secured the insertion of an amendment relating to wages men employed by a tributer. That does not appear in the reprint of the Bill.

The CHAIRMAN: According to my records, Clause 3 of the original Bill was deleted.

Hon. E. H. HARRIS: According to page 221 of the Minutes of the Proceedings, Mr. Cornell secured the insertion of the following to stand as Subclause (2):—

By inserting in the paragraph relating to tributers, after the word "year" in line 4, the words "and any wages man employed by a tributer whose rate of remuneration does not exceed four hundred pounds per year," and by the insertion of the words "all wages men" after the word "tributer" in the sixth line.

The CHAIRMAN: That subclause was struck out later on.

Hon. J. CORNELL: My amendment was unanimously agreed to by the Committee, and I have no recollection of its having been struck out subsequently.

The CHAIRMAN: My records show that Clause 3 of the original Bill was struck out.

Hon. J. J. HOLMES: Mr. Cornell directed attention to the clause one day last week, and the Committee was against him. When I was at the Crown Law Department on another matter, the Solicitor General told me that in order to clear up the matter the clause should be amended or deleted. He said the better plan would be to delete it, and the Committee agreed that it should be deleted.

Hon. J. CORNELL: The records show that my amendment regarding tributers was passed on the voices. I have absolutely no recollection of its having been excised later.

The CHAIRMAN: Mr. Holmes has just explained the circumstances in which the amendment was deleted.

Hon. J. CORNELL: Mr. Holmes drew attention to the question of "dependants." The Committee agreed to strike out the dependants. I venture to say, however, that "Hansard" will show there was not one reference to the amendment relating to the tributer made during the whole of the discussion. If the amendment relating to the tributer went out, it went out wrongly. The Committee never intended that it should go out. If the amendment can be reinserted, that ought to be done.

The CHAIRMAN: All the records show that it was struck out, and I distinctly remember its being struck out, though I do

not recollect who was the member that moved it.

Hon. J. EWING: I distinctly remember the whole clause being struck out. I was glad when Mr. Cornell moved the amendment which he is speaking of, and I am quite satisfied that that amendment was carried by the Committee. I remember thinking that perhaps an injustice had been done to the wages man in connection with that clause.

Hon. G. W. MILES: The Minutes of Proceedings show, on page 227, that in Committee Clause 3 was struck out.

Hon. J. CORNELL: But that was never intended. In the circumstances I desire to move a modification on or an alternative to the Minister's motion, to this effect: "Section 4 of the principal Act is amended by inserting in the paragraph relating to tributors, after the word 'year' in line 4, the words 'and any wages man employed by a tributor whose rate of remuneration does not exceed £400 a year,' and by the insertion of the words 'all wages men' after the word 'tributor' in the sixth line." That modification or alternative would restore what was originally intended.

Progress reported, and leave given to sit again at a later stage.

BILL—LAND TAX AND INCOME TAX.

Message received from the Assembly, notifying that it had agreed to the amendments recommended by the conference.

Sitting suspended from 8.55 to 10 p.m.

BILL—INSPECTION OF SCAFFOLDING.

Conference Managers' Report.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [10.10]: I have to report that the managers have met and that they have agreed to make Council's amendment No. 1. It has also been agreed that the Bill shall apply to the metropolitan area, with the qualification that it shall also apply to any building exceeding one storey in height situated in any part of the State. Amendments Nos. 3 and 5 made by the Council have also been agreed to. I understand that the amendments are being made in another place, and that the Bill will then come along to the Council for approval.

Hon. J. NICHOLSON (Metropolitan) [10.11]: I assure members they need have no fear as to the Government's intention with respect to the appointment of inspectors to carry out the Act. It was feared that in all probability another Government

department would be created with a large band of inspectors attached to it. The Minister assured us it was not his intention to appoint any body of inspectors, but that the services of the present staff of inspectors attached to the Public Works Department would be utilised.

The Colonial Secretary: One man.

Hon. J. NICHOLSON: One man in the metropolitan area could cover it all on a motor bicycle. There will be no need to send special inspectors to country districts, because the department has an inspector in each centre.

Hon. A. Burvill: Eight of them.

Hon. J. NICHOLSON: These Public Works inspectors will be required to inspect any of the larger buildings that may be going up in the country towns. If a building over one storey in height is being erected, the scaffolding provisions will apply. All the other amendments of the Council have been agreed to.

Sitting suspended from 10.16 to 11.45 p.m.

BILL—LAND TAX AND INCOME TAX.

Remaining Stages.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [11.45]: I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

Hon. J. W. Kirwan in the Chair; the Colonial Secretary in charge of the Bill.

The CHAIRMAN: In Clause 2 an amendment has been made by the Legislative Assembly. It reads—

After "twenty-five" in line 2 insert:—"and for the year ending the 30th June, 1925," and then insert, "and for the year ending 30th June, 1926, there shall be charged, collected and taken for the use of His Majesty . . ."

The COLONIAL SECRETARY: I move—

That the amendment be agreed to.

Hon. J. EWING: I understand that the tax is to be 1d. on improved land and 2d. on unimproved land. During the conference it was agreed that after certain things have been fulfilled, and money is available there will be a reduction of freights.

The COLONIAL SECRETARY: There is already provision in the principal Act for the rebate. That has not been repealed. The intention was to repeal it, but as a result of the conference the idea was abandoned and it is intended now to use

the surplus in the reduction of freights and fares. There will not be any money, under this for main roads.

Hon. A. LOVEKIN: I have seen the Bill as sent to the other House and it is in accord with the agreement arrived at at the conference.

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

Clauses 3 to 7—agreed to.

Preamble, Title—agreed to.

Bill reported and the report adopted.

Read a third time and passed.

BILL—INSPECTION OF SCAFFOLDING.

Assembly's Further Message.

Message received from the Assembly notifying that it had agreed to Nos. 1, 3, and 5 of the amendments insisted on by the Legislative Council and had amended No. 2, in which further amendment the Assembly desired the concurrence of the Council.

The CHAIRMAN: The Conference managers have agreed to the Council's amendment No. 2 with the following addition: "This Act shall also apply to any building exceeding one storey in height, situated in any part of the State."

The COLONIAL SECRETARY: I move—

That the amendment be agreed to.

Question passed; the Council's amendment, as amended, agreed to.

Resolution reported and the report adopted.

BILL—LAND AND INCOME TAX ASSESSMENT AMENDMENT.

Assembly's Message.

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

BILL—DIVIDEND DUTIES ACT AMENDMENT.

Assembly's Message.

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

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Request for Conference.

Message received from the Assembly requesting a conference with managers of the Council, and intimating that the Assembly would be represented by three members.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [12.10]: I move—

That a message be transmitted to the Assembly agreeing to a conference; that Hon. A. Lovekin, Hon. E. H. Harris, and the mover be appointed managers on behalf of the Council and that the conference meet in the President's room forthwith.

Question put and passed.

Hon. J. NICHOLSON: There will be a conference between the Houses on the Workers' Compensation Act Amendment Bill. Could the Honorary Minister not represent the Government at that conference and thus enable the conference on that Bill to continue while the conference on the Arbitration Bill is sitting as well.

The CHAIRMAN: I know of no instance in Parliamentary practice where two conferences have been held simultaneously. It is contrary to all Parliamentary practice.

Hon. J. NICHOLSON: I shall not press the suggestion.

The CHAIRMAN: I do not see how the difficulty can be overcome.

Sitting suspended from 12.15 to 1.30 a.m.

Conference Managers' Report.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [1.20]: The conference met and I regret to say failed to reach agreement on any point.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Assembly's Message—In Committee.

Resumed from an earlier stage of the sitting. Hon. J. W. Kirwan in the Chair; the Colonial Secretary in charge of the Bill.

The CHAIRMAN: Progress was reported on the Council's amendment "No. 2.—Clause 3.—Delete," to which the Assembly had disagreed.

Hon. J. CORNELL: I move an alternative amendment:—

Section 4 of the principal Act is amended by inserting in the paragraph relating to tributers, after the word 'year' in line 4, the words "and any wages man employed by a tributer whose rate of remuneration does not exceed £400 a year," and by the insertion of the words "or wages man" after the word "tributer" in the sixth line.

Some doubt was expressed as to what had become of the amendment. It appeared in the Minutes but not in the reprint of the Bill. Subsequently clause 3 was re-committed, and was deleted. The fact that any

amendment had been added evidently escaped notice.

Question passed; the alternative amendment agreed to.

No. 3. Clause 4.—delete.

The CHAIRMAN: The Assembly's reason for disagreeing is—"There is no logical or adequate reason for debarring the workers referred to in the clause from the protection of benefits of the law."

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

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

Ayes	..	..	..	4
Noes	..	..	..	11
				—
Majority against	..	..	..	7
				—

AYES.

Hon. J. Cornell	Hon. H. Seddon
Hon. J. M. Drew	Hon. E. H. Gray

(Teller.)

NOES.

Hon. A. Burvill	Hon. G. Potter
Hon. J. Duffell	Hon. A. J. H. Saw
Hon. J. Ewing	Hon. H. A. Stephenson
Hon. J. A. Greig	Hon. H. J. Yelland
Hon. V. Hamersley	Hon. J. Nicholson
Hon. G. W. Miles	

(Teller.)

PAIR.

AYES.	NOES.
Hon. T. Moore	Hon. J. J. Holmes

Question thus negated; the Council's amendment insisted on.

No. 4. Clause 5.—Delete Subclause 1.

The CHAIRMAN: The reason for the Assembly not agreeing to the Council's amendment is that "the protection sought for the workers is reasonable, and should be given by the legislature."

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question negated; the Council's amendment insisted on.

No. 5. Clause 5, Subclause (ii).—Delete the first three lines and insert in lieu thereof the following:—"By the repeal of paragraph (a) of subsection (ii) and the substitution for paragraph (a) of a paragraph as follows:—"

The CHAIRMAN: The reasons for the Assembly disagreeing with the Council's amendment are as follows:—The Assembly disagrees with the proposal to retain the Subclause (b) and (c) of Section 6, Subsection (2) of the present Act. Re (b), it is opposed to all sense of justice to throw upon the worker the option in the Act. Re (c), compensation should not be withheld

unless the injury was intentionally self-inflicted. The provision in this Act is open to too wide a construction.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question negated; the Council's amendment insisted on.

No. 6. Clause 5, Subclause (ii).—Delete paragraph (b).

The CHAIRMAN: The reasons given by the Council for not agreeing to this amendment are the same as in No. 5.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

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

Ayes	..	..	..	..	5
Noes	..	..	..	..	13
					—

Majority against .. 8

AYES.

Hon. J. M. Drew	Hon. A. Lovekin
Hon. E. H. Gray	Hon. E. H. Harris
Hon. J. W. Hickey	

(Teller.)

NOES.

Hon. H. A. Burvill	Hon. G. Potter
Hon. J. Duffell	Hon. A. J. H. Saw
Hon. J. Ewing	Hon. H. Seddon
Hon. J. A. Greig	Hon. H. A. Stephenson
Hon. V. Hamersley	Hon. H. J. Yelland
Hon. G. W. Miles	Hon. J. Cornell
Hon. J. Nicholson	

(Teller.)

PAIR.

AYES.	NOES.
Hon. T. Moore	Hon. J. J. Holmes

Question thus negated; the Council's amendment insisted on.

No. 7. Clause 5.—Delete Subclause (iii).

The CHAIRMAN: The reason given by the Assembly for not agreeing to this amendment is the same as in No. 5.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question negated; the Council's amendment insisted on.

No. 8. Clause 5, Subclause (iv).—After the word "thereof" in line seven of paragraph (a) delete all the words down to the end of the paragraph, and insert "nothing in the said table shall limit the amount of compensation payable for any such injury during any period of total incapacity resulting from that injury, but any sum so paid shall be deducted from the compensation payable in accordance with the said table."

The CHAIRMAN: The reason given by the Assembly for not agreeing to this amendment is as follows:—"The principle embodied in the Bill is both reasonable and equitable, as the worker referred to has undoubtedly sustained two distinct losses, and payment for compensation during the healing period should unquestionably be in addition to, and not concurrent with, the specific compensation allowed for the specific permanent losses. This principle has been embodied in the laws of a number of the States of America during recent years. Under our present law it is possible for a worker who suffers one of the permanent losses to be ill for such a long period that he receives practically no compensation for the future permanent loss of his earning power and disfigurement. The total amount payable is limited by Clause 5 (4) (f)."

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question negatived; the Council's amendment insisted on.

No. 9. Clause 5.—Delete paragraphs (b) and (c).

The CHAIRMAN: The reason given by the Assembly for not agreeing to this amendment is that it is consequential to No. 8.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question negatived; the Council's amendment insisted on.

No. 10. Clause 5.—Delete Subclause 5:

The CHAIRMAN: The Assembly's reasons for disagreeing to this amendment are that industrial magistrates are considered essential for the satisfactory operation of the measure, and that the Arbitration Court is considered to be the most appropriate court of appeal.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question negatived; the Council's amendment insisted on.

No. 13. Clause 6.—Insert a subclause to stand as Subclause (9), as follows:—"An employer disputes the medical certificate as set out in subsection (8); the matter shall in accordance with regulations under this Act be referred to a medical referee, whose decision shall be final."

The CHAIRMAN: The reason given by the Assembly for not agreeing to this amendment is that the Court of Arbitration is considered the most appropriate court to deal with the appeals.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question negatived; the Council's amendment insisted on.

No. 16. Clause 9.—Delete:

The CHAIRMAN: The reason given by the Assembly for not agreeing to this amendment is "Consequential on No. 4."

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question negatived; the Council's amendment insisted on.

No. 17. Clause 14, Subclause (1).—After paragraph (a) in line one, delete all the words down to "and" inclusive, in line seven, and insert in lieu thereof "in the sixth line of the subparagraph." In line eight delete "seven," and insert "six," and in the same line delete the words "and fifty."

The CHAIRMAN: The Assembly's reasons for not agreeing to the amendment are—"When a worker loses his life he gives his all, and there is an imperative duty devolving upon the industry to see that his dependants are adequately provided for. Having regard to the decreased purchasing power of money during recent years, the amount of £750 suggested in the Bill is not considered excessive, or even fully adequate. The reference to the widow and children is consequential on No. 2."

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question negatived; the Council's amendment insisted on.

No. 18. Clause 14.—Delete Subclause 2:

The CHAIRMAN: The Assembly's reason for disagreeing to this amendment is "Consequential on No. 2."

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question negatived; the Council's amendment insisted on.

No. 19. Clause 14.—Insert at the beginning of Subclause (6) "by the insertion after the word 'payable,' in line two of paragraph (d) of the proviso, the words 'to those persons or institutions by whom the services hereinafter mentioned were rendered,' and."

The CHAIRMAN: The Assembly's reason for disagreeing to the amendment is that medical men and institutions have the same rights for recovery of debts as other people. The principle sought to be included by the proposed amendment is open to serious objection.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Hon. A. J. H. SAW: I moved the amendment more in the interests of State hospitals than anything else. As the Government do not wish to protect their own hospitals, I shall not press the amendment.

Question passed; the Council's amendment not insisted on.

No. 23. Clause 16—Delete the words "the Court of Arbitration" in lines three and four, and insert in lieu thereof "a medical board consisting of three members."

The CHAIRMAN: The reason given by the Assembly for disagreeing to the amendment is "same reason as for No. 13."

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question negatived; the Council's amendment insisted on.

No. 24. Clause 17—Delete:

The CHAIRMAN: The Assembly's reason for disagreeing to this amendment is that a fixed method of arriving at a lump sum is preferable to individual bargaining.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question negatived; the Council's amendment insisted on.

No. 25. Clause 18—Delete Subclauses 2 and 3:

The CHAIRMAN: The Assembly's reason for disagreeing to this amendment is that the many years' experience of those whose business it is to assist and advise claimants demonstrates fully that the protection sought is absolutely essential.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

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

Ayes	..	..	..	..	8
Noes	..	..	..	..	10
Majority against					2

AYES.

Hon. J. Cornhill	Hon. J. W. Hickey
Hon. J. M. Drew	Hon. W. H. Kitson
Hon. E. H. Gray	Hon. H. Seddon
Hon. E. H. Harris	Hon. G. Pottier

(Teller.)

NOES.

Hon. A. Burvill	Hon. J. Nicholson
Hon. J. Duffell	Hon. A. J. H. Saw
Hon. J. Ewing	Hon. H. A. Stephenson
Hon. V. Hamersley	Hon. H. J. Yelland
Hon. G. W. Miles	Hon. J. A. Greig

(Teller.)

PAIR.

AYES.

Hon. T. Moore

NOES.

Hon. J. J. Holmes

Question thus negatived; the Council's amendment insisted on.

No. 27. Clause 21, Third Schedule—Delete "Septic Poisoning" and "any industrial process" in the opposite column.

The CHAIRMAN: The reason given by the Assembly for not agreeing to the amendment made by the Council reads: "Septic poisoning" is included in the list of industrial diseases recommended as compensable by the recent Commonwealth and States of Australia Conference on industrial hygiene. The conference included:—C. L. Park, M.D., D.P.H., Acting Director General of Health for the Commonwealth; D. G. Robertson, M.D., D.P.H., Director Industrial Hygiene Division, Commonwealth Department of Health; C. Badham, B.Sc., M.B., Ch.M., Medical Officer of Industrial Hygiene, Department of Public Health, New South Wales; G. H. Taylor, L.R.C.P., L.R.C.S. (Edin.), Railway Medical Officer, New South Wales; W. I. Taylor, Esq., Chief Inspector of Factories and Investigation Officer, New South Wales; E. Robertson, L.R.C.P., F.R.C.S. (Edin.), Chief Health Officer, Victoria; H. M. Murphy, Esq., Secretary of Labour, Victoria; W. Ramsay Smith, M.D., D.Sc., F.R.S. (Edin.), Chairman Central Board of Health, South Australia; Everitt Atkinson, M.A., M.D., D.P.H., Commissioner of Public Health, Western Australia; A. C. Bradshaw, Esq., Chief Inspector of Factories, Western Australia; H. Reynolds, Esq., Chief Inspector of Factories, Tasmania.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Hon. A. J. H. SAW: I moved to delete the words mentioned in the amendment. As to the list of medical men and others that has been attached to the reasons furnished by the Assembly, that is only throwing dust in the eyes of members. I have particulars of the resolutions passed by the conference. It is true that septic poisoning is mentioned, but on the other hand no description is given of the employment that is likely to give rise to this specific complaint. For that reason I think it would be better to limit the provision regarding septic poisoning. If that were

not done, it would give people reason to believe that if they contracted septic poisoning they would have a claim under any circumstances. Neither the New South Wales nor the English Act has such a provision as is suggested in the Bill.

Hon. J. Cornell: It is included in the Queensland Act.

Hon. A. J. H. SAW: Yes, but it is limited in its scope. I would have no objection to seeing the limitation provided in the Queensland Act embodied in our legislation. The provision as it stands now is most misleading and might possibly lead to unnecessary expense, and perhaps litigation. I do not propose to move an amendment because if we meet the managers of the Assembly in conference we may get over the difficulty.

Question put and passed; the Council's amendment not insisted upon.

No. 28. Clause 21.—Opposite "zymotic diseases" delete "any industrial process," and insert in lieu thereof the words "medical officer, nurse, orderly, or other persons employed in a hospital or quarantine station or in an ambulance brigade."

The CHAIRMAN: The reason provided by the Assembly for not agreeing to the Council's amendment is that the Third Schedule in the Bill is in accordance with the recommendation of the Commonwealth conference on industrial hygiene.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question put and negatived; the Council's amendment insisted on.

No. 29. Clause 21.—Delete "Dermatitis" and insert in lieu thereof, "Eczematous ulceration of the skin produced by dust or caustic or corrosive liquid, or ulceration of the mucous membrane of the nose or mouth produced by dust."

The CHAIRMAN: The reason advanced by the Assembly in opposition to the amendment is that the Third Schedule is in accordance with the recommendation of the Commonwealth conference on industrial hygiene.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

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

Ayes	..	..	..	..	4
Noes	..	..	..	..	14
Majority against					10

AYES.

Hon. J. M. Drew	Hon. W. H. Kitchin
Hon. J. W. Hickey	Hon. E. H. Gray
	(Teller.)

NOES.

Hon. A. Burvill	Hon. J. Nicholson
Hon. J. Cornell	Hon. G. Potter
Hon. J. DuFell	Hon. A. J. H. Saw
Hon. J. A. Greig	Hon. H. Seddon
Hon. V. Hamersley	Hon. H. A. Stephenson
Hon. E. H. Harris	Hon. H. J. Yelland
Hon. G. W. Miles	Hon. J. Ewing
	(Teller.)

PAIR.

AYES.	NOES.
Hon. T. Moore	Hon. J. J. Holmes

Question thus negatived; the Council's amendment insisted on.

2 o'clock a.m.

No. 30. Clause 21.—Delete "cancer," and insert in lieu thereof "Epitheliomatous cancer or ulceration of skin or of the corneal surface of the eye due to mineral oils, pitch, tar, or tarry compounds," and insert in the opposite column "handling of mineral oils, pitch, tar, or tarry compounds."

The CHAIRMAN: The Assembly's reason for disagreeing with this amendment is the same as that given for disagreeing with Clause 28, namely that the third Schedule is in accordance with the recommendation of the conference.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question negatived; the Council's amendment insisted on.

No. 31. Clause 21.—Insert after "epitheliomatous cancer, etc.," the words "scrotal epithelioma (chimney sweep's cancer)," and in the opposite column insert "chimney-sweeping."

The CHAIRMAN: The Assembly's reason for disagreeing with this amendment is the same as the last one.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question negatived; the Council's amendment insisted on.

No. 33. Insert a new clause to stand as Clause 10, as follows:—"Section 13 of the principal Act is amended by inserting after the word 'referees,' in line two, the words 'or members of a medical board.'"

The CHAIRMAN: The Assembly's reason for disagreeing with this amendment is that it is consequential on No. 23.

The COLONIAL SECRETARY: I move—

That the amendment be not insisted on.

Question negatived; the Council's amendment insisted on.

No. 14. Clause 6, Subclause (10).—Delete the words "section of this" in line two, and insert after the word "Act" in same line the words "and the dependants of such worker." After the word "section" in line

three insert "in so far as it refers to pneumoconiosis and miners' phthisis." In line six after "tuberculosis" delete the words "and from the diseases mentioned in the third schedule to this Act," and insert in lieu thereof "pneumoconiosis and miners' phthisis."

The CHAIRMAN: The Assembly has amended this amendment as follows:—

Strike out all words down to "insert" in line two, and strike out "same" in line three and insert "second" in lieu thereof.

The COLONIAL SECRETARY: I move—

That the Assembly's amendment be agreed to.

Hon. A. J. H. SAW: This amendment might well be agreed to. It seems to be only formal; in fact it is one of the good amendments that emanate occasionally from the Assembly.

Question passed; the Assembly's amendment agreed to.

Resolutions reported and the report adopted.

BILL—LICENSING ACT AMENDMENT.

Second Reading—Rejected.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [2.6] in moving the second reading said: This Bill is introduced during the present session of Parliament because of the necessities of the situation. Under the Licensing Act of 1911 a poll of electors must be taken next year in every electoral district of the State on the question of prohibition, and it is the policy of the Labour Party that the issue shall be decided on democratic principles. The existing statute makes no such provision. It is enacted therein that a proposal in regard to this question shall be carried only if three-fifths at least of the number of votes given throughout the State are in its favour, and that 30 per centum or more of the Assembly electors support the proposition. The Government do not agree with such provisions, which clearly have been designed to prevent full effect being given to the expression of the popular will. By the introduction of this measure the Government do not imply that prohibition would be either a good thing or a bad thing for Western Australia. Members of the Labour Party hold diverse views on the question. But on the great principle that the voice of the majority should prevail, they are of one opinion, and that opinion is expressed in the measure now before the House. The right of the people to determine the fate of the liquor traffic by referendum is established as one of the basic principles of the democratic Government of the Commonwealth. Hence the only question for de-

cision is whether in the settlement of the liquor question the people shall be denied equality at the ballot box. Any provision that does deny equality to the people is an abrogation of the principle of adult suffrage, and is a return to a state of affairs unknown in an enlightened democracy. The 1921 poll was a clear example of the unjust provisions of the present Act. At that poll 80,550 persons voted. This was 45 per cent. of those enrolled. To carry prohibition it would, under the Act, require 53,700, which is 4,370 in excess of the three-fifths majority. It will be argued that large vested interests have been built up under past and present legislation, and that those interests may run the risk of being destroyed if the decision be left to a simple majority. But those vested interests were created with a full knowledge that the licensing laws dealing with the taking of a poll to decide the question of prohibition were subject to amendment at any time by the Parliament which passed them. And they were quite aware of the fact that a strong section of public opinion had persistently protested that the method of determining the issue was contrary to the fundamental principles of sane government. Knowing all this, the liquor people have taken a risk, feeling assured, no doubt, that in a simple majority contest, they would have victory on their side. Be that as it may, it is the duty of the Government to carry out the policy to which they are pledged, and this Bill is a proof of their desire to honour their obligations. In doing so, the Government fail to recognise that any rights will be violated as a result of their action. No permanent rights are conferred by the Licensing Act of 1911 upon those engaged in the liquor traffic. On the other hand, all licenses are granted under that Act and under any repealed Act subject to the will of Parliament. It was Parliament which defined a certain course to be followed in the taking of polls in the past on the question of prohibition, and Parliament can freely, and without injustice, change its methods when it deems advisable for any good reason to do so. The only point to be decided in this case is whether the people shall have a fair say on the great question, or whether they shall go to the poll realising that their decision may be thwarted by legislative restrictions such as exist at the present time. It will be admitted that the question to be decided is a most important one—one which will have far-reaching effects from whatever standpoint it is viewed. We have on the one hand the investment of an enormous sum of money by the persons engaged in the liquor traffic, and we have on the other hand the evils which are inseparable from that traffic. It is an issue on which every man and woman qualified and in a position to exercise the franchise should cast his or her vote. Recognising this, the Government have decided that there shall be

compulsory voting in connection with the poll. That provision should ensure a weighty expression of public opinion on the question to be determined, and the possibility of a small minority of the people deciding the issue should be considerably minimised. I move—

That the Bill be now read a second time.

Hon. J. CORNELL (South) [2.15]: I move—

That the House do now divide.

Motion put and passed.

Question (second reading) put, and a division taken with the following result:—

Ayes	..	..	..	5
Noes	..	..	..	11

Majority against .. 6

AYES.

Hon. J. M. Drew	Hon. H. J. Yelland
Hon. E. H. Gray	Hon. J. Nicholson
Hon. J. W. Hickey	(Teller.)

NOES.

Hon. A. Burvill	Hon. G. W. Miles
Hon. J. Cornell	Hon. G. Potter
Hon. J. Duffell	Hon. A. J. H. Saw
Hon. V. Hamersley	Hon. H. A. Stephenson
Hon. E. H. Harris	Hon. J. Ewing
Hon. A. Lovekin	

PAIRS.

AYES.	NOES.
Hon. T. Moore	Hon. E. Rose
Hon. J. A. Greig	Hon. O. P. Baxter
Hon. H. Seddon	Hon. J. M. Macfarlane
Hon. W. H. Kitson	Hon. F. E. S. Willmott

Question thus negatived; Bill rejected.

BILL — PERMANENT RESERVES (No. 2).

In Committee, etc.

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

Clauses 1 and 2—agreed to.

Schedule:

Hon. J. EWING: Has the Honorary Minister anything to add to what he said yesterday?

The HONORARY MINISTER: There has been a little misunderstanding regarding the proposition. Someone connected with the House Committee was not sure how the matter stood. The House Committee have now submitted certain information. The Premier has written as follows to the Chairman of the Parliamentary House Committee:—

From time to time consideration has been given to an application submitted by the City Council for the release of a strip of Parliament House grounds facing Hay-street for the purpose of widening that

thoroughfare. That section of Hay-street is steeply graded, and traffic difficulties thereon are very considerable. The present proposal is to widen the street in this section to 80 ft. A deputation recently waited upon me, a copy of the report of which I attach for your information. There cannot, I think, be any doubt as to the desirability of widening not only this section, but the whole length of Hay-street, within the bounds of the business section, and many valuable opportunities have been lost through lack of action in the past. I shall be grateful if your Committee would kindly give consideration to the proposal and, if they could see their way to consent, the necessary action can be taken by the Government in Executive Council to delete the area.

The Secretary to the Joint House Committee replied to the Premier as follows:—

I am instructed to inform you in reply to your letter of 8th instant that the matter was considered at a meeting of the Joint House Committee, held on Thursday last, and the following resolution was passed:—"That the Committee accede to the request contained in the Premier's letter, subject to the suggested alteration and improvements being submitted to and approved by the Joint House Committee." Whilst the House Committee agreed to give 20 links, they actually agreed to the proposal that Hay-street should be widened at this point to 80 ft. It appears that all parties concerned, the City Council, the Premier, the Minister for Lands, and the House Committee, are agreed on the point. That being so, it is now necessary to amend this schedule. I therefore move an amendment—

That in line 1 of the Schedule the figures "80" be struck out and "40" inserted in lieu.

Amendment put and passed.

Schedule, as amended, agreed to.

Title—agreed to.

Bill reported with an amendment and the report adopted.

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

BILL—TRANSFER OF LAND ACT AMENDMENT.

Second Reading—Rejected.

The HONORARY MINISTER (Hon. J. W. Hickey (Central) [2.27 a.m.] in moving the second reading said:—There is nothing obligatory about this Bill. The one material clause is purely permissive in character. At present there is a Commissioner of Titles and a Registrar of Titles. The parent Act provides for the appointment of a Commissioner of Titles and an Examiner of Titles, both of which offices must be held by a

qualified legal practitioner. The office of examiner of titles has never been filled, the duties being performed by the Commissioner of Titles. The principal Act does not require the Registrar of Titles to be a qualified legal practitioner. He may deal with registered lands, but he is unable to deal with unregistered lands because he is not a legally qualified officer. As lands have been brought under the Act, the applications to bring new land, unregistered land, under the Act have fallen off and there is not sufficient work for a separate commissioner, and for some years past the position of commissioner has been joined to that of Solicitor General. It is now thought that it would be in the interests of the public and of economy and efficiency to amalgamate the positions of commissioner and registrar. Should the position of commissioner be abolished, the registrar would have to be a legal practitioner, or there would have to be some other legal practitioner whether in combination with other offices or not. An alteration of the present system, requiring the registrar of titles to be a qualified legal practitioner, would enable the positions of commissioner, examiner and registrar to be held jointly. The present practice is unsatisfactory to members of Parliament, the legal fraternity, and others who have business with the department. Professional men from time to time have to visit the Titles Office and the Crown Law Department to consult the Commissioner. This does not obtain in the other States, which have no commissioners. The work of the Commissioner under the Act is light as regards volume, but of course many of the matters he deals with are of great importance, and it is considered necessary to have in future a legally qualified man established in the Titles Office; and by amalgamating the work, as now proposed, this can be done with economy. The present acting Registrar is fast approaching the retiring age, but before a reclassification of positions can take place this enabling legislation must be passed. The present Commissioner, who is the Solicitor General, will still be available for the guidance of the new commissioner if he wishes to consult him. I know that hon. members understand the position and appreciate all the circumstances. To pass the measure will be in the interests of economy, administration, and convenience. I move—

That the Bill be now read a second time.

Hon. J. NICHOLSON (Metropolitan) [2.33 a.m.]: I second the Honorary Minister's motion, and I trust that the Government intend to see that the present holder of the office of Registrar of Titles is safeguarded in his position. From the Honorary Minister's explanation it appears that the idea is by this Bill to combine the two offices of Commissioner of Titles and Registrar of Titles. It has long been a recognised cus-

tom to keep the two offices separate; and whilst the Solicitor General has also performed the duties of Commissioner of Titles for many years, one cannot help recognising that the additional work must have been a severe tax upon him with his numerous other duties. It would have been well if some person had been deputed to assist Mr. Sayer and relieve him of extra duties from time to time. I have been asked by the Solicitor General to move some amendments, which appear on the Notice Paper. They are brief, and I will explain them when the Bill is in Committee.

Hon. A. Lovekin: The Bill will have to be returned to another place and come back here, if you move amendments. We shall be all night over it.

Hon. J. NICHOLSON: The amendments will occupy very little time.

Hon. A. LOVEKIN (Metropolitan) [2.35 a.m.]: The amendments may be very brief, but they will involve the Bill going to another place and then coming back here; and if Mr. Nicholson intends to move them I must oppose the measure at this stage. At so late an hour, when we have a great deal of important business still to do, I shall not support the measure if it means delay. As the Bill stands, it is all right and I am prepared to support it; but if it is going to be amended, I will divide the House on the question of the second reading.

Hon. J. EWING (South-West) [2.36 a.m.]: What Mr. Lovekin says is quite correct. There are four amendments to be proposed by Mr. Nicholson. A serious position has arisen, because Mr. Sayer says the present holder of the office has too much work to do. Therefore the appointment to which this Bill relates must be given to some other legal man. I am with Mr. Nicholson in his desire to protect the present registrar. Long before I entered Parliament I was connected with the Titles Office, which is one of the most important of our departments; and I know full well the good and efficient work the present occupant of the position has done. Now under the Bill a position has arisen through which he will be liable to retirement from the Public Service or suffer the loss of his office. I agree with Mr. Lovekin that the matter requires consideration. If Mr. Nicholson is going to put up his amendments, it would be well that the measure should not go through. It would be in the interests of fairness if the Bill did not pass the second reading and if things were allowed to continue as at present for the next six months. Mr. Sayer delights in his work, and especially in this portion of it. If the Government can induce him to retain the position for another six months or so, an injustice will not be done to a man who deserves well of the State.

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

Ayes	..	..	..	..	7
Noes	..	..	..	..	11

Majority against .. 4

AYES.

Hon. J. M. Drew	Hon. W. H. Kitson
Hon. E. H. Gray	Hon. J. Nicholson
Hon. V. Hamersley	Hon. J. A. Greig
Hon. J. W. Hickey	(Teller.)

NOES.

Hon. A. Burvill	Hon. G. W. Miles
Hon. J. Cornell	Hon. G. Potter
Hon. J. Duffell	Hon. A. J. H. Saw
Hon. J. Ewing	Hon. H. J. Yelland
Hon. E. H. Harris	Hon. H. A. Stephenson
Hon. A. Lovekin	(Teller.)

Question thus negatived; Bill rejected.

BILL—TRAFFIC ACT AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [2.40 a.m.] in moving the second reading said: I regret having to submit the Bill to the House at this early hour of the morning. The Government would like to see the measure placed on the statute book. With that object in view, a considerable portion of the Bill has been eliminated already. It is desired now to get little more than the schedule passed this year. The other provisions will be submitted again to Parliament when the session re-opens early in July. The existing Traffic Act was passed in 1919 and, comparatively speaking, minor amendments only have since then been made to it. The extraordinary development that has taken place in recent years in road transport, more particularly with motor vehicles, requires to be met by up-to-date legislation. Apparently the use made of roads by modern and heavy traffic vehicles and the consequential wear and tear on roads, has created a problem that can be described as world-wide. For instance, in England a committee, representative of many interests, sat for about three years and only recently presented their final report. The committee confined themselves mainly to the use of the roads by motor vehicles and the approximate fees that should be paid for the use of those roads. I have ascertained that the Governments in all the Eastern States are contemplating new legislation or have already introduced new Bills to their Parliaments. In America the various States have recently modernised their legislation and introduced new methods of taxation and control of traffic. Apart altogether from the legislation provided in the Main Roads Bill, it is necessary to

bring the Traffic Act up to date, notwithstanding the fact that when the principal Act was passed in 1919 it was considered to be more in keeping with the then requirements than any other similar Act in force in Australia. The present Bill more clearly defines the interpretation of the words "motor omnibus." It is proposed that those words shall mean a motor vehicle used as a passenger vehicle, having seating capacity for not less than eight passengers and plying for hire at a fare for each passenger. When the Act was passed in 1919 only two or three buses were running, and they were drawn by horses. This new interpretation makes it clear that a motor bus is distinct from a motor car. The Bill provides for fees to be paid for motor buses licensed to ply along regular routes, namely, £2 per passenger that the vehicle is licensed to carry over a prescribed route, in part or whole, within two miles of the Town Hall, Perth, or of the Town Hall, Fremantle. In the case of motor buses fitted with no tyres other than pneumatic tyres, the fees is to be £1 10s. per passenger. In the case of motor buses that are licensed for a route any part of which is within two miles of the Town Hall, Perth, or of the Town Hall, Fremantle, the fee per passenger is at the rate of two-thirds of £2, or of £1 10s., according to the class of tyres used. In order that we may proceed with the Bill, I will defer any further remarks I have to make until we reach the Committee stage. I hope members will realise the position I am in and also the position in which the Government are placed. There are demands for this Bill from many local authorities throughout Western Australia, and that is my apology for introducing the measure at this stage. It was dealt with by a select committee of the Legislative Assembly consisting of the Minister for Works and Messrs. Sampson, Griffiths, Panton and Withers. I am also informed that the schedule was practically prepared by them. I move—

That the Bill be now read a second time.

(Debate resumed at a later stage.)

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Request for Conference.

Message received from the Assembly requesting a conference with managers of the Council and intimating that the Assembly would be represented by three members.

The MINISTER FOR EDUCATION (Hon. J. M. Drew—Central) [2.46]: I move—

That a message be transmitted to the Assembly agreeing to a conference; that Hon. A. J. H. Saw, Hon. J. Ewing, and

the mover be appointed managers on behalf of the Council, and that the conference meet in the President's room forthwith.

Question put and passed.

Sitting suspended from 2.45 to 6 a.m.

BILL—TRAFFIC ACT AMENDMENT.

Second Reading.

Debate resumed from earlier in the sitting.

Hon. G. W. MILES (North) [6.0 a.m.]: I hope the Council will agree to the Bill. Realising that we have not much time in which to deal with it, the Government have suggested these amendments, striking out a number of clauses and leaving practically only the title and the schedule. It is required to control and license motor vehicles, and that is all that is asked.

Hon. J. CORNELL (South) [6.1 a.m.]: I will support the Bill conditionally on its duration being limited to the 31st December, 1925. It is a usual compromise.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. W. Kirwan in the Chair; the Colonial Secretary in charge of the Bill.

Clause 1—Short title and duration:

The COLONIAL SECRETARY: I move an amendment—

That in line 1 of Subclause (2) "twenty-eight" be struck out and "four" inserted in lieu.

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

Clause 2—Amendment of Section 4:

The COLONIAL SECRETARY: I move an amendment—

That paragraphs (a), (b), and (d) be struck out.

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

Clauses 3 to 26 inclusive:

The COLONIAL SECRETARY: I move—

That these clauses be struck out.

Question passed.

Clause 27—Amendment of Third Schedule:

On motions by the Colonial Secretary, the following amendments were made:—

At the beginning of line 1 of Part II., insert "As from the commencement of this Act."

After "granted" in line 2, insert "or held," and strike out the words "as a regu-

lar service license in accordance with this Act."

After the figure (1), in line 5 of Part II., strike out "For a prescribed route in whole or in part," and insert "If the motor omnibus is used within the metropolitan area as prescribed under Section 13 and."

After the figure (2) in line 17 of Part II., strike out "For a prescribed route no part of which is," and insert "If the motor omnibus is used within the metropolitan area but not."

Strike out the third paragraph, that is to say, the paragraph that follows paragraph (2).

In the fourth paragraph strike out "is obtained," and insert "has effect"; and in line 5 strike out "obtained" and insert "it has effect."

Insert a paragraph as follows:—"The amount of such additional license fee shall be a debt due to the Minister from the licensee and recoverable by action in any court of competent jurisdiction."

Clause, as amended, agreed to.

Clause 28—Third Schedule:

The COLONIAL SECRETARY: I move an amendment—

That after "handcart" in the schedule the words "per wheel" be inserted.

Hon. J. CORNELL: Is it fair to charge 2s. 6d. per wheel on a handcart? It seems to be coming down pretty low to make that charge. Presently we shall be asked to tax go-carts. A man who cannot get beyond a handcart should be exempt.

The COLONIAL SECRETARY: Such a man has to be licensed and there should be a charge. Besides, this matter will have to come up again for consideration.

Hon. A. Lovekin: The present charge is 1s. 3d. per wheel.

Hon. J. CORNELL: If the amendment be agreed to, each handcart will have to pay 5s. unless it be a wheelbarrow.

Hon. J. EWING: Has any member perused this Bill?

Hon. A. Lovekin: Yes, Mr. Nicholson and I have done so.

Hon. J. EWING: We are asked to fix fees, licenses and all sorts of things of which I have no knowledge, and I should like to be assured that it is a reasonable proposition.

Hon. J. Cornell: I have been through it, and it is not fair to double the fee on hand-carts.

Hon. J. EWING: I understand the Bill was considered by a select committee in another place.

The COLONIAL SECRETARY: The Bill was considered by a select committee consisting of the Minister for Works, Mr. Sampson, Mr. Griffiths, Mr. Panton, and Mr. Withers, and they are mainly responsible for the schedule. It is only intended to operate this measure until we can submit

the main Bill to Parliament. I ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Hon. V. HAMERSLEY: I have not heard of the select committee having taken any evidence, but a number of people have been within the precincts of the House during the last week and have been very much concerned about the measure. Apparently they have very good reason to feel concerned. I have just reckoned the rate for the average waggon used on a small farm and find it will be from £5 to £7 10s. Such vehicles are not used on any main road.

Hon. G. W. Miles: The schedule provides that a waggon shall be exempt if used entirely on a farm.

Hon. V. HAMERSLEY: There has been no opportunity to peruse the Bill.

Hon. J. Cornell: Surely you do not object to a farmer paying a reasonable tax when a bottle-oh has to pay for a hand-cart!

The COLONIAL SECRETARY: There was a demand from the local authorities that the Government should introduce this Bill, because they required the revenue to enable them to maintain their roads. If it is proved to the satisfaction of the licensing authorities that a cart is used on a farm, or on roads only occasionally, there is a concession.

Hon. V. Hamersley: What is meant by "power weights"?

Hon. A. Lovekin: The formula is set out in the principal Act.

Clause put and passed.

Clause 29—put and negatived.

Clause 30—Reprinting principal Act with amendments:

Hon. J. CORNELL: I move—

*That all the words after "30" be struck out and the following inserted:—
"This Act shall continue in force until the 31st day of December, 1925, and no longer."*

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

Title—agreed to.

Bill reported with amendments and the report adopted.

Third Reading.

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

BILL—PERMANENT RESERVES

(No. 2).

Assembly's Message.

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

BILL—INSPECTION OF MACHINERY ACT AMENDMENT.

Remaining Stages.

Hon. A. LOVEKIN (Metropolitan) [6.32 a.m.] in moving the second reading said: This is a very small Bill, having for its object the substitution of the word "and" for the word "or." Last session Parliament amended the Inspection of Machinery Act so as to give preference to wingies and stumpies, providing that no person under 21 years of age or between that age and 50 shall be employed in the control of a passenger lift unless he (a) has served the Empire in any war or

That is the word the Bill seeks to change to "and"—

(b) is physically incapable of undertaking more exacting or more laborious work. Provided that no person so employed shall be paid less than the minimum wage prescribed for adult labourers.

It is suggested that "or" should be changed to "and" in order to give wingies and stumpies absolute preference in this employment. The secretary of the Maimed and Limbless Men's Association has written to Mr. Wilson, M.L.A., as follows:—

As my association has experienced considerable difficulty lately with certain passenger lifts in the City which have become vacant since the last amendment to the Machinery Act was assented to on the 22nd December, 1923, I have been instructed to respectfully bring the wording of this amendment under your notice, and to ask if you will kindly move in the matter in the House, and have same rectified.

That is the only work these men are fit for. They have served the Empire in war, and have lost their limbs; and the suggested amendment is only a fair thing. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time, and passed through remaining stages without debate.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Conference Managers' Report.

The COLONIAL SECRETARY (Hon. J. M. Drew—Central) [6.38 a.m.]: On behalf of the managers I have to report that the following amendments have been made to the Council's amendments:—

No. 2.—In the definition of "dependant" in Section 4 of the Act insert after "upon," in line 2, the words "or wholly or in part supported by."

The remainder of the Council's amendment has been agreed to.

No. 4.—Section 6 of the Act is hereby amended by deleting the word “and,” in line 2, and inserting in lieu thereof the word “or,” and also by inserting after the word “employment,” in line 2, the words “or whilst the worker is acting under his employer’s instructions.”

These last words have been added as the result of the conference.

No. 13.—Delete from the Council’s amendment the words “whose decision shall be final.”

In all other instances the Council’s amendments have been agreed to.

Members: Hear, hear!

BILL—RACING RESTRICTION ACT AMENDMENT.

Second Reading—Rejected.

Order read for the resumption of the debate from the previous day.

Hon. H. A. STEPHENSON (Metropolitan-Suburban) [6.41 a.m.]: I move—

That the question be now put.

Motion put and passed.

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

Ayes	7
Noes	9

Majority against	..	2
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AYES.

Hon. J. M. Drew	Hon. J. W. Hickey
Hon. J. Duffell	Hon. G. Potter
Hon. E. H. Gray	Hon. W. H. Kitson
Hon. V. Hamersley	(Teller.)

NOES.

Hon. J. Ewing	Hon. A. J. H. Saw
Hon. E. H. Harris	Hon. H. Seddon
Hon. A. Lovekin	Hon. H. J. Yelland
Hon. G. W. Miles	Hon. H. A. Stephenson
Hon. J. Nicholson	(Teller.)

Question thus negatived; Bill rejected.

BILL—WORKERS’ COMPENSATION ACT AMENDMENT.

Assembly’s Further Message.

Message from the Assembly notifying that it no longer disagreed to the amendments insisted upon by the Council and that it agreed to the alternative amendment proposed by the Council to amendment No. 2, subject to a further amendment; that it proposed an alternative amendment to No. 4 and had further amended No. 13, now considered.

In Committee.

Hon. J. W. Kirwan in the Chair; the Colonial Secretary in charge of the Bill.

No. 13.—Delete from the Council’s amendment the words “whose decision shall be final”:

THE COLONIAL SECRETARY: I move—

That the amendment be agreed to.

Question passed; the Assembly’s amendment agreed to.

No. 4.—Section 6 of the Act is hereby amended by deleting the word “and” in line 2 and inserting in lieu thereof the word “or,” and also by inserting after “employment” in line 2 the words “or whilst the worker is acting under his employer’s instructions.”

No. 2.—In the definition of “dependant” in Section 4 of the Act insert after “upon” in line 2 the words “or wholly or in part supported by.”

On motions by the Colonial Secretary the foregoing amendments were agreed to.

Resolutions reported, the report adopted and a message transmitted to the Assembly accordingly.

BILL—TRAFFIC ACT AMENDMENT.

Assembly’s Message.

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

ADJOURNMENT—CLOSE OF SESSION.

Complimentary Remarks.

THE COLONIAL SECRETARY (Hon. J. M. Drew—Central) [7.30]: We have now arrived at the termination of our labours. I desire to thank the President and you, Sir, for the kindness you have both shown to me since I have occupied the position of Leader of the House, and also to offer you my best wishes for a happy Christmas and a prosperous New Year. I desire to extend these thanks and these good wishes also to members of the House, and to acknowledge the kindly consideration and great forbearance they have shown to me on all occasions. I should like further to express my gratitude for the help I have received from the officers of the House generally, and I wish to testify to the efficiency of the “Hansard” staff, the members of which have had a most trying time, especially during the last few weeks. It is intended on this occasion to follow the procedure of last session. Parliament will be prorogued by proclamation, and an adjournment is to be asked for in order to allow of time for Bills to be checked. When

this is completed a proclamation will be issued proroguing Parliament. I move—

That the House at its rising adjourn until Thursday, the 22nd January, 1925.

Hon. J. EWING (South-West) [7.32]: I should like to take this opportunity of extending my thanks, and those of every member of the House, to the Leader of the House and the Honorary Minister for the extreme courtesy they have extended to us during the session. I congratulate the Colonial Secretary on so successfully conducting the business of this arduous session. It is true that a large number of Bills have not passed, but in their wisdom members on this side have thought it better not to pass them.

Members: Hear, hear!

Hon. J. EWING: Throughout the time you have occupied the position of Chairman of Committees you have given extraordinary satisfaction to members. The work you have done during the last 48 hours or so, however, must have tried you very much. I am sure that members extend to you their deepest thanks for the manner in which you have conducted the business and join in wishing you a happy Christmas and a prosperous New Year. I have had considerable experience of the officers of the House and I know them to be thoroughly efficient, and that everything has been done in apple pie order. It is perhaps superfluous on my part to mention the "Hansard" staff. In that staff we have one that is equal, if not superior, to any other "Hansard" staff in Australia. The Leader of that staff has performed his duties with great efficiency and courtesy. The manner in which the "Hansard" work is carried out cannot be surpassed in any of our Parliaments. I wish you, Mr. Chairman, the Colonial Secretary, and all a happy Christmas and a prosperous New Year.

The DEPUTY PRESIDENT: On behalf of the President and myself, and the clerical as well as the "Hansard" staff, I desire to express our warm appreciation of the very kind remarks that have been made by the Leader of the House and by Mr. Ewing regarding our work. I reciprocate the kindly feelings that have been expressed towards us, and hope that members will enjoy to the full the coming season.

Question put and passed.

House adjourned at 7.35 a.m.

Legislative Assembly.

Tuesday, 23rd December, 1924.

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The SPEAKER took the Chair at 11 a.m., and read prayers.

QUESTION—WATER SHORTAGE, NORTH BODDALIN.

Mr. GRIFFITHS asked the Hon. J. Cunningham, Honorary Minister: 1, Is he aware of the alarming position of the North Boddalin settlers in regard to water supply: (a) The dams are absolutely empty, not one having a kerosene-tinful of water in it; (b) the average acreage to be cropped this coming autumn will be 250 acres per settler; (c) to get this acreage in there are the following:—Shaddon, Marshall, 18 miles from pipe line; Earle, Bassett, 19 miles from pipe line; Morgan, Kinklock, 17 miles from pipe line; King, Foley, 15 miles from pipe line; five others, 14 miles from pipe line; two others, 10 miles from pipe line; five others, nine miles from pipe line—entailing for cartage of water a total journey of from 38 to 18 miles? 2, Is he aware that unless water is made available the acreage to be cropped will be approximately cut down by half; namely, 2,000 acres will be cropped instead of 4,000 acres? 3, In view of the great economic loss and retarding of progress, will he cause action to be taken to save the situation?

Hon. J. CUNNINGHAM replied: 1, A proposal to extend the water main to the