Legislative Assembly.

Friday, 22nd November, 1946.

The SPEAKER took the Chair at 2 p.m., and read prayers.

QUESTIONS.

SUPERPHOSPHATE.

As to Allowance for Second-hand Bags.

Mr. WATTS (without notice) asked the Minister for Agriculture:

1, Is the price of superphosphate supplied to farmers by superphosphate companies the same whether supplied in new or second-hand bags?

2, What is the difference in cost to the superphosphate companies of new and second-hand bags, respectively?

3, Would it not be reasonable for superphosphate supplied in second-hand bags to be at a rate which makes allowance for the difference between the cost of second-hand and new bags?

4, Will he endeavour to make arrangements with the superphosphate companies for such a concessional rate or bring the matter before the Prices Branch, or take any other action that may be desirable in order to obtain the allowance, and if not, what are the reasons (if any) which would, in his opinion, make this action undesirable?

The MINISTER replied:

1, Yes.

2, 4s. 6d. doz.

3 and 4, The price of corn-sacks, both new and second-hand, was increased by 3s. during October last. The increase in relation to new bags was not passed on to the farmer, the price of superphosphate remaining as formerly, £5 8s. 6d. per ton. The farmer does, however, receive the increase in relation to second-hand bags which he sells.

On account of the danger of spreading weed seeds, the fertiliser manufacturing companies do not use second-hand bags for superphosphate except where the bags are forwarded by a farmer for return to his own property. Where this occurs, the farmer is charged the usual price of £5 8s. 6d. per ton for his superphosphate but receives a refund from the company of 11s. 6d. per dozen for the second-hand bags supplied.

In order to ensure that each farmer will have his own bags returned to him, it has been necessary for the manufacturers to build special racks. All bags must be tested, repaired where necessary and branded.

Second-hand bags are much slower to handle with regard to bagging and sowing.

Additional costs are incurred in arranging payment of refunds to farmers by cheque.

After meeting these costs, the fertiliser companies are not in a position to make additional profit as a result of using second-hand bags.

MT. BARKER SCHOOL.

As to Domestic Science Centre.

Mr. WATTS (without notice) asked the Minister for Education:

1, Was an application received from the Mt. Barker Parents and Citizens' Association for the removal of the South Kendenup school to Mt. Barker school to be used at the latter place as a domestic science centre?

2, Was such removal recommended by the Public Works Department?

3, Has a decision been come to in this matter as a means of achieving the long promised domestic science centre at Mt. Barker?

4, If so, will steps be taken in the near future to effect the removal and to open the centre in time for the commencement of the next school year?

5. If not, when may some progress be expected in the matter?

The MINISTER replied:

1, Yes.

2, The Public Works Department considered the South Kendenup school building suitable for removal to Mt. Barker.

3, Yes.

4, The necessity for concentration on the erection of buildings for ordinary classroom accommodation and the present shortage of domestic science staff render this improbable.

5, Possibly during 1947.

DEPUTY MASTER, SUPREME COURT.

As to Duties as Private Members' Draftsman.

Mr. WATTS (without notice) asked the Minister for Justice:

1, Does the Deputy Master of the Supreme Court receive any additional remuneration in respect of the duties performed by him as private members' parliamentary draftsman?

2, If so, what is the remuneration?

3, If not, does not he think that some reasonable allowance should be made, and will he recommend that approval for such a reasonable allowance be obtained?

4, If not, why not?

The MINISTER replied:

1, No.

2, Answered by reply to No. 1.

3, No.

4, Because his duty as private members' parliamentary draftsman was taken into consideration when the position of Deputy Master was classified.

MINISTERIAL STATEMENT.

As to Termination of Railway Strike.

THE PREMIER (Hon. F. J. S. Wise—Gascoyne) [2.6]: I desire to advise the House that the railway strike is over.

Members: Hear, hear!

The PREMIER: About half an hour ago the final settlement was reached, and the terms of settlement have been signed for and on behalf of the Government, and for and on behalf of the union. It will be remembered that the Government made certain offers to the union, before and after the strike, and the offers that were then made involved the appointment of a committee to decide when Garratts were to be returned to work, and certain safety factors attended to. I think it wise to read to the House the terms of settlement so that there can be no ambiguity in the minds of members as to what they are. They are as follows:—

That the members of the union shall resume work forthwith, or as soon as possible after notices have been submitted to their members and out-stations, on the following conditions:—

(a) (1) The Government to support an application for the re-registration of the union.

(2) The Commissioner of Railways not to oppose an application by the union for the annulment of all current legal proceedings against the union and its members.

(3) All suspended members of the union to be reinstated immediately without punishment or loss of any kind up to the cessation of work, and that no member of the union be victimised.

(b) Instead of the Committee as previously offered by the Government, an Industrial Board to be appointed, to consist of:—

Two (2) representatives of the Union.
Two (2) technical men, one to be a Commonwealth Engineer and the other to be selected by the State Government.
A non-technical independent Chairman to be mutually agreed upon by the Government and the Union.

(c) No A.S.G. engines to be returned to service unless first approved by the Board and the Board not to approve of any engines being returned to service until the following safety factors are provided for:—

(i) Axlebox sideplay.
(ii) All pivot centres to be examined and oilers provided.
(iii) Flanging leading wheels.
(iv) Steam brake adjustments.
(v) Attention to steam blows.
(vi) Exhaust injectors to be removed.
(vii) The Board to consider reducing width of the cabs.

(d) The number of A. S.G. engines to be returned to traffic after completion of the modifications set out in paragraph (c) as well as any other modifications considered necessary by the Board, to be at the discretion of the Board, and each engine so returned to traffic to be thoroughly tested immediately to the satisfaction of the Board.

(e) In addition to (c) the Board to draw up a plan necessary to give effect to the complete modifications of the

A.S.G. engines as recommended by the Royal Commissioner, such plan to be put into effect under the supervision of a Commonwealth Engineer.

(f) The Board to determine the localities in which the Australian Standard Garratt engines will be worked, and to specify routes over which the Australian Standard Garratt engines will run with a view to eliminating bunker first running and minimising shunting. The first A.S.G. engine modified to be tested in traffic to the satisfaction of the Board.

(g) The Government to provide for the avoidance of daily overtime in the working of the Australian Standard Garratt engines.

(h) The maximum speed on A.S.G. engines to be 25 miles an hour in accordance with the Royal Commissioner's report.

Dated at Perth, Friday, 22nd November, 1946.

For and on behalf of the Government—

(Sgd.) F. J. S. WISE.

For and on behalf of the Union—

(Sgd.) C. H. WEBB.
(Sgd.) A. R. DAVIES.

Mr. McDonald: Can the Premier say when light will be restored?

The PREMIER: It is expected, firstly, that the men will report at midnight tonight at the sheds and that running will start at 4 a.m. tomorrow. We think that as soon as arrangements can be made broadcasting stations will be on the air—almost immediately—to advise the public, and light and power will be restored, light possibly tonight, and power tomorrow.

BILLS (2)—FIRST READING.

1, Licensing Act Amendment.

2, Stipendiary Magistrates Act Amendment.

Introduced by the Minister for Justice.

LEAVE OF ABSENCE.

On motion by Mr. Wilson, leave of absence for two weeks granted to Hon. H. Millington (Mt. Hawthorn) on the ground of urgent public business.

BILL—CEMETERIES ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

MR. THORN (Toodyay) [2.13]: I have had a look at the Bill and have also had the privilege of reading through the Minister's speech. I cannot see the necessity for the introduction of this Bill. It seems to me that if a cemetery board cannot provide accommodation for its employees in some way, without having an Act amended in order to secure land so that it may borrow from the Workers' Homes Board, it cannot have a very flourishing business.

The Minister for Lands: The land is wanted for a home; not to bury people in.

Mr. THORN: Yes. After all, the business is very steady and the board should be able to provide accommodation for its employees, I should say, within its own boundaries.

Hon. J. C. Willcock: It cannot, according to the provisions of the Act.

Mr. Doney: There is no power to build a dwelling-house inside the cemetery area.

Mr. THORN: I understood that some boards had done so and that accommodation is already provided within the bounds of some cemeteries. I believe that the caretaker of the Fremantle cemetery lives within the boundaries of the cemetery, but I am open to correction there. Apparently it is necessary for the cemetery board to secure land within a convenient distance in order to house its employees, and I had the impression that the Act was to be amended to allow the board to borrow from the Workers' Homes Board.

The Minister for Lands: In this particular case the board wants to do that.

Mr. THORN: I think it should be in a solid enough position to arrange its own finance, without borrowing from the Workers' Homes Board.

The Minister for Lands: In some places not enough people die to keep one man alive.

Mr. THORN: That may be so. I was wondering what security the Workers' Homes Board would have on which to advance the money.

Hon. W. D. Johnson: It would have the cemetery.

Mr. THORN: As long as the Government is satisfied that the Workers' Homes Board would be sufficiently secured, I have no objection to the Bill, but I wanted to make this point because I felt that a cemetery

board should be in a position to arrange its own finance, and wondered what security the Government would have for advancing the money. However, as I have been given to understand that the cemetery is good security and that the Government is prepared to accept it, I have no objection to the Bill.

HON. J. C. WILLCOCK (Geraldton) [2.16]: This matter arose in the case of a cemetery situated about three miles from Geraldton. As it was about three miles from the town, there was difficulty in people getting out to it, and the caretaker had to look after the cemetery and to be there at all times. The board therefore decided to erect a home, so that the caretaker should be there when required, but on reference to the Act it was found that there was no authority to erect a house on a cemetery site. I do not know what is the income of the Geraldton Cemetery Board, but the area is healthy and not many people die there. There is not much revenue, but the board wants to erect quarters at the cemetery for the caretaker. First of all it wanted the Workers' Homes Board to erect a house, but the board had no authority to do so without the security of freehold, or on land over which it could not get a mortgage. The site is on the main road and if through any set of circumstances the cemetery board or the caretaker did not want to use the house I do not think it would be hard to let to somebody else, especially with the present house shortage.

Mr. Thorn: As long as it is not too close to the cemetery.

Hon. J. C. WILLCOCK: At Karrakatta the caretaker's house is right alongside the cemetery, and often cemetery sites are made quite attractive. This amendment will rectify a position that was not considered when the Cemeteries Act was drafted. When the Geraldton Cemetery Board endeavoured to finance this house, the Workers' Homes Board said that as a clear title could not be given the money could not be advanced, but it is prepared to advance the money and the cemetery board is prepared to meet all its obligations, and the caretaker is prepared to occupy the premises. If this Bill is given effect the whole matter will go straight ahead.

MR. DONEY (Williams-Narrogin) [2.18]: I thought that the hon. member who has just resumed his seat would have made some reference to the statute which prevents dwelling houses being erected within the confines of cemeteries. I think he said, by interjection, that the law was against it. He went on to refer to the residence of the caretaker at Karrakatta. I understand that that residence is actually within the boundaries of the cemetery.

The Minister for Lands: But you could not get a freehold title to it.

Mr. DONEY: That may be so. I am only seeking for information that the Minister now seems prepared to give, though he did not make the point plain in his second reading speech. The Act gives the board the right to set aside land. It does not say whether it is within the boundaries of the cemetery or outside. If it is within the boundary of the cemetery, obviously that would be the least attractive site for a dwelling-house that could be imagined, particularly from the standpoint of re-selling. Even if it is to be immediately alongside the boundary, I think the site would depreciate the value of the house as a security. I would like the Minister to make the position plain as to whether there is any undertaking by the Workers' Homes Board that it would be prepared to advance the money having regard to the possibility of substantial losses upon re-sale.

The Minister for Lands: That would be a matter for the Workers' Homes Board.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—TIMBER INDUSTRY (HOUSING OF EMPLOYEES).

In Committee.

Resumed from the 19th November. Mr. Rodoreda in the Chair; the Minister for Forests in charge of the Bill.

Clause 5—Housing accommodation to be provided for employees:

The CHAIRMAN: Progress was reported after the member for Mt. Marshall

had moved an amendment to strike out in lines 17 and 18 the words "one-eighth part of the wages or salary."

Amendment put and negatived.

Mr. LESLIE: I move an amendment—

That in line 5 of Subclause (3) after the word "family" the words "on such holding" be inserted.

The subclause provides that if the employer or owner should at any time stipulate as a condition of employment that the applicant should provide accommodation for himself and his family, he will be guilty of an offence against this Act. In the past, that has been done, and we know that employers have told a man that he could be provided with timber and iron with which to erect a dwelling for himself, and that is quite all right. As the clause stands, however, it might mean that the employer, when asked for a job, might tell the worker that he could have a job but there was no accommodation for him and that he could possibly find some in a nearby town. That might be quite legitimate and there might be accommodation available in the township but, if the employer adopted that attitude, he would render himself liable to a penalty under this subclause. The amendment would obviate that and it certainly should not be a condition of employment that the worker should provide his own accommodation.

The MINISTER FOR FORESTS: The hon. member has entirely misinterpreted the meaning of the clause, and the amendment is quite unnecessary. The provision is applicable only to holdings on timber-mill areas, where the business is being conducted. Should an employee desire to build a home for himself, he will not be affected by the Bill.

Mr. McDONALD: I do not like the subclause at all and I do not think it should be accepted in its present form. It is not limited to the building of houses but could cover either the building or renting of premises for the worker and his family. Under this clause, a man might approach the owner of a timber-mill and say he would like a job on the mill. The manager might say, "I will be pleased to give you a job, provided you can find a house for yourself." The millowner would then be liable to prosecution. It would not be safe for a millowner to discuss employment with a man unless there was a vacant house available for him. I support the amendment, which would still leave the subclause unsatisfactory though more reasonable than it is at present.

Mr. DONEY: The amendment is an eminently reasonable one and the Minister would be ill-advised not to accept it. The insertion of the words would not weaken the Bill.

Mr. HOAR: The object of the subclause is to prevent an employer from demanding that a worker shall build a home for himself.

Mr. McDonald: But the subclause does not say so.

Mr. HOAR: I think the meaning is clear. On quite a number of mills, decent accommodation has not been provided and men are existing in the rough shacks mentioned by the member for Mt. Marshall. If we insert the words, the employer could demand that men should provide accommodation for themselves in an adjacent townsite.

Mr. Leslie: No.

Mr. HOAR: That is the way I read it. Sixty or 70 men at Pemberton have their homes in the townsite, but we should not empower sawmillers to instruct employees to provide homes for themselves. The subclause will make it obligatory on the sawmiller to provide accommodation on the holding, but will not allow him to instruct an employee to build a house for himself elsewhere.

Mr. LESLIE: I do not agree with the interpretation of the member for Nelson. A millowner might have an influx of orders and need the services of two or three extra hands temporarily. He would not be justified in erecting special accommodation for them and, though there may be accommodation in an adjacent town, he would be prevented from engaging those men.

Mr. HOAR: A millowner is not under any obligation to employ all and sundry on his mill. The subclause will apply to the men now engaged in the industry. There are many mill cottages which, in course of time, will have to be renovated or replaced by new ones. The workers now living in

those dwellings are the ones principally covered by the subclause.

Mr. STYANTS: The member for Nelson has stated the reason why the Royal Commission recommended this provision. It is not designed to deal with the new worker.

Mr. McDonald: I think the subclause requires to be re-drawn in order to meet with your requirements.

Mr. STYANTS: The Royal Commission had in mind the worker who had perhaps been employed on a mill for a number of years. The inspector would order that certain alterations be made to his dwelling, and the employer would then say to the worker, "We have no accommodation up to the standard for you, but your job is here if you like to provide your own accommodation." The new worker need not be afraid of this happening to him. Suppose a man came from some adjacent townsite to secure temporary employment on the mill, the first thing he would do would be to notify the manager of the mill that he already had accommodation in the adjacent town. This frequently happens. It must also be remembered—if the words "on the mill site" are inserted—that some mill sites are as small as five acres.

Mr. Abbott: It is a mill holding.

Mr. STYANTS: That probably means the same as mill site. An unscrupulous employer might say to an intending worker, "The mill site is only five acres," and if the amendment were agreed to, any kind of a shanty could be built outside the five-acre block. Something may perhaps be required to safeguard the position we had in mind, but if the amendment is agreed to I feel sure that it will bring about a state of affairs not desired by the supporters of the amendment.

Mr. LESLIE: I am in sympathy with the objective of the sponsors of the Bill and I am trying to assist them. If the provision is passed as printed, the employer will be deprived of the right to explain to a worker the whole of the circumstances of the employment. A man might come from Perth to try to secure employment at a mill.

Mr. Hoar: But he would not even be an employee.

Mr. LESLIE: He will be.

The CHAIRMAN: Order! The member for Mt. Marshall will address the Chair.

Mr. LESLIE: The subclause covers the new employee as well as those already engaged.

Mr. McDONALD: I think we are all in sympathy with the objective of the member for Kalgoorlie and the member for Nelson, but unfortunately this provision is not aptly framed to cover what they want. It goes far beyond that. I should say the draftsman was under a complete misapprehension as to the real idea behind the provision. I assure the Minister that in my opinion the clause is completely unsatisfactory. It is dangerous and unfair in its present form. If he will accept the present amendment, which improves the clause, and recommit the Bill after discussing the matter with his advisers, I think he will find the Committee most willing to help him to secure what is the real objective.

The MINISTER FOR FORESTS: I do not agree with the interpretation put on this provision by the member for Mt. Marshall and the member for West Perth. I will, however, have the clause further considered by the draftsman, although I cannot give any promise that I will have the Bill recommitted.

Amendment put and negatived.

Mr. LESLIE: I move an amendment—

That the following proviso be added:—"Provided that nothing in this section shall be construed to impose any obligation on any owner of a timber holding to provide accommodation for any employee."

This Bill is of a revolutionary character.

The Minister for Forests: You mean your proviso is!

Mr. LESLIE: On the contrary. Without the proviso this provision is revolutionary because it imposes a condition on an employer that does not exist anywhere else.

The Minister for Forests: It exists by custom at the moment.

Mr. LESLIE: It does exist by custom, being an obligation that millowners have voluntarily undertaken. It does not exist in connection with any Government undertaking. When a teacher or a railway man, for instance, is sent out to a district where accommodation may be difficult to obtain, there is no obligation on the Government to provide it.

Mr. W. Hegney: What about the pastoral industry? Do not the pastoralists provide accommodation for their employees?

Mr. LESLIE: Yes, under the shearers' award. That being so, the proper place to provide for a similar condition is in the award governing this industry.

Mr. W. Hegney: No, it is a special Act of Parliament.

Mr. McDonald: But it need not be provided.

Mr. LESLIE: I am considering what applies in this part of the State. In townships in country districts there is no obligation on an employer to provide accommodation for his employees.

Mr. W. Hegney: You are thinking of 1896 instead of 1946.

Mr. LESLIE: I am thinking of 1946 and trying to avoid establishing a set of circumstances that will take us back to 1930. I am trying to avoid such conditions being imposed on employers as will discourage them from expanding and make it difficult for them even to carry on their normal activities If we impose conditions like this, we shall limit initiative and enterprise.

The MINISTER FOR FORESTS: This is an absolutely revolutionary proviso, and if agreed to would undermine the whole principle of the Bill. The hon. member seems to be under the impression that this is something new; that is not so. As a matter of fact, the Forests Department, which employs quite a number of men, always supplies accommodation for them. During the war it entered a new industry—the supplying of firewood—and the accommodation which it had to provide for prisoners of war and conscientious objectors engaged in that work was far beyond what is being sought in this Bill. The department had to supply electric light and showers and water had to be laid on for those employees.

Mr. Leslie: That was under the Geneva agreement.

The MINISTER FOR FORESTS: It was not an agreement at all. It was done under Commonwealth and international law.

Mr. Abbott: Such accommodation had to be provided everywhere, not only on timber holdings.

The MINISTER FOR FORESTS: Why not provide similar conditions for our own people? The Shearers' Accommodation Act has been in force for a number of years and pastoralists do not object to it.

Mr. ABBOTT: I admit I am a little confused over this matter. Amongst other things, a timber holding means the area of a permit granted under the Forests Act, 1918. Sometimes the Forests Department gives a spot miller the right to cut timber in a certain area. For instance, there is a spot mill in the town of Harvey and the mill-owner is cutting under a permit issued under the Forests Act. If this measure goes through, it would appear that that man will immediately be compelled to provide accommodation for his employees.

Mr. Styants: What about the power of exemption?

Mr. ABBOTT: I know there is a power of exemption; but do we want it to be a question of Ministerial decision as to whether this man shall immediately be forced to supply accommodation? The whole provision is unsatisfactory. It was intended to deal with those companies which are carrying on sawmilling in a large way and where it has been customary for them to provide accommodation. It was not intended to apply to small spot mills or to mills operating, for instance, at Osborne Park, the owners of which cut timber from forest land under permit issued under the Forests Act. If this provision is passed, unless those people obtain exemption, they will be bound to provide accommodation. I do not propose to vote for the proviso.

Mr. LESLIE: The Minister referred to accommodation for prisoners of war. That was necessary, of course, as a result of the conditions of the Geneva Agreement which we honoured. It was necessary for farmers who employed prisoners of war to provide accommodation of a certain standard, in many cases a standard higher than that previously enjoyed by ordinary farm hands.

The Minister for Lands: Shame!

Mr. LESLIE: I agree. But in many instances that accommodation was provided as additional accommodation, which today is quite unnecessary. In many instances, prisoners of war took the places of members of the family who had lived within the home, and the farmers were not prepared to have

prisoners of war living inside their homes but preferred to provide outside accommodation for them. That accommodation had to be of a particularly high standard. That does not provide the Government with justification for introducing a Bill making it obligatory on every farmer employing labour to provide accommodation of a certain standard. If these conditions applied to prisoners-of-war in the timber industry, why does not the Government go the whole way and make it obligatory on every employer?

The Minister for Lands: Would you support that?

Mr. LESLIE: It would depend on the conditions in the Bill, and whether the Crown would be included. I would support it 100 per cent.

The Minister for Lands: I bet you would!

Mr. LESLIE: I am battling now to get decent accommodation for Crown employees. Mention was made of the power of exemption in the Bill. Every day we see anomalies, in connection with exemptions, creep in. How many members have been asked to approach a department to get something that has been refused to one man but granted to another?

The CHAIRMAN: I think the hon. member is getting away from the purposes of the amendment.

Mr. LESLIE: I must refer to the exemption, because it has been offered as an excuse as to why there is no necessity for my proviso.

The Minister for Lands: That is the basis of the Bill, surely.

Mr. LESLIE: No. The basis of the Bill is to ensure that the accommodation provided is decent.

The Minister for Lands: I introduced this Bill, and I do not think that was my idea of it.

Mr. LESLIE: The Government should remove the beam from its own eye before worrying about a mote in someone else's.

Mr. STYANTS: My interpretation of the Bill is that it is to compel timbermill owners to provide accommodation of a reasonable standard for their employees. The amendment would defeat the whole objective of the measure.

The CHAIRMAN: Before putting the question, I wish to state that I was in some doubt whether I should rule this amendment out as it practically negatives Subclause (1) of Clause 5.

Hon. J. C. WILLCOCK: Do you, Sir, rule that the amendment is in order?

The CHAIRMAN: Yes.

Hon. J. C. WILLCOCK: We have heard a lot about bad drafting. By this Bill, we say that housing shall be provided, but the amendment is to the effect that it need not be done. Anyone reading the measure in future would wonder what we had been doing. The proviso is ridiculous and does not fit in with the purpose of the measure.

Mr. LESLIE: The purpose of the Bill is to place on the mill-owner the onus of providing buildings suitable for residential purposes, having accommodation proper and sufficient for the health of persons who occupy the same, and not the onus to provide accommodation whether or no.

Amendment put and negatived.

Clause put and passed.

Clause 6—Proper and sufficient accommodation defined:

Mr. LESLIE: I move an amendment—

That in lines 4 and 5 of paragraph (b) of Subclause (1) the words "ten feet" be struck out with a view to inserting the words "nine feet six inches."

All the authorities have accepted 9 ft. 6 in. for this purpose; why should we depart from it in this case?

Mr. Styants: Did you look at the plans of the companies?

Mr. LESLIE: Yes, I have them here.

Mr. Styants: They want ten feet.

Mr. LESLIE: The paragraph says "at least." Why not allow the option? I have heard debated here the cost involved in the extra six inches, and I am thinking now of the small man.

Mr. STYANTS: The representatives of the mill-owners recommended that last year's Bill should be altered to provide 10 ft. instead of 10 ft. 6 in. Copies of the plans submitted by them are attached to our report. In the type of dwellings suggested, it is proposed to provide laundry

and ablution facilities on the back verandah and, if the ceiling is dropped to 9 ft. 6 in., the plans could not be followed.

Amendment put and negatived.

The MINISTER FOR FORESTS: The member for Mt. Marshall has on the notice paper an amendment dealing with Subclause (2). I do not agree with that amendment, but I want to improve the clause and I have here an amendment which I propose to move, a copy of which I supplied to the hon. member. My amendment will, I think, achieve his desire so that the clause will apply as it is intended. I move an amendment—

That in line 3 of Subclause (2) the words "with the approval" be struck out and the words "upon the receipt of a report and recommendation" inserted in lieu.

Amendment put and passed.

Mr. ABBOTT: I move an amendment—

That at the end of Subclause (2) the following proviso be added:—"Provided that any owner of a timber holding aggrieved by any refusal of exemption or other determination of the Minister may appeal therefrom as provided in this Act."

This clause gives the administrative officer wide powers and discretion, and where such powers and discretion are given affecting the public it is usual to insert provision for the right of appeal.

The MINISTER FOR FORESTS: I cannot agree to the amendment. The right of appeal is provided for in a later clause in the Bill. I do not think a local magistrate or even a Supreme Court judge would have any better knowledge than would the Minister controlling the Act at the time on which either to agree to or refuse the exemption. The Minister will be guided by information supplied by the Forests Department. If a magistrate decided the appeal he might reverse a decision made in accordance with the forestry plans of the State, and I do not think he should be given that power. It might also be possible for the matter to be decided by two justices of the peace in a country district. I hope the hon. member will not press this amendment.

Mr. McDONALD: The Minister has recognised the need for a right of appeal, in a subsequent clause of the Bill. There he has very properly declined to allow himself to be the sole arbiter, and has declared that the matter should be referred to an independent person, namely, the magistrate of a local court, or an industrial magistrate But where it comes to a determination by the Minister himself, he is unwilling to allow a similar procedure. In this case it is a decision by the Minister as to whether a mill holding shall be wholly or partly exempted from the obligations imposed by this measure. I mentioned earlier a case brought before me, of one of the smaller mills with a liability under the Bill estimated at £16,000. The owners of that mill said they were in doubt whether they could ever find the money. That is too big a power, even if the Minister is as wise as Solon, who I think was the wisest of the ancient Athenians. It is too great a power to remain in his hands without possibility of a review by an independent third person. I support the amendment on the ground that it upholds the principle that I think should be found in every Bill where the Crown has power to impose heavy liabilities on the subject.

Mr. STYANTS: Clause 6 deals with the details of the dwellings. This is different from the amendment previously moved by the member for North Perth, which dealt with the exemption wholly or in part of timber mill holdings. Means of appeal are provided in Clause 10, and I therefore think this amendment is redundant.

Mr. McDONALD: This amendment deals with the power of the Minister to exempt a millowner from any of the stipulations in Clause 6 as to the nature of the dwelling to be erected, or the amenities. It may be important for a mill-owner in particular circumstances to have an exemption, and perhaps to a substantial degree. Once the Minister decides that the individual shall not be exempted, then Clause 10 will be of little value to the mill-owner because the Minister's refusal of exemption has placed upon him the liability to comply with the requirements of Clause 6. In fact, once exemption has been refused Clause 10 is of no use to the mill-owner. What he requires is exemption granted by the Minister under Clause 6 and if the Minister does not see fit to grant the request the mill-owner should have the right to secure an independent opinion, as he has with respect to directions by an housing inspector regarding the execution of other details. What applies under Clause 10 should apply under Clause 6.

Mr. ABBOTT: Subclause (2) makes it clear that under certain circumstances the Minister may exempt the mill-owner from his obligations under Clause 5, but the object I have in mind is to avoid the position that may arise if a Minister is confronted with recommendations from his departmental officers. We know it is difficult for a Minister not to support the recommendations of his advisers, hence my suggestion for an independent opinion.

Amendment put and negatived.

Mr. LESLIE: I move an amendment—

That a new subclause be inserted as follows:—"(2) Except as to the provisions of paragraphs (d) and (e) and the proviso to paragraph (f) of Subsection (1) of this section, the provisions of Subsection (1) of this section shall not apply to any timber holding where the mill has a life of not more than ten years from the proclamation of this Act."

In moving the amendment I am acting in accordance with a recommendation of the Royal Commission. A particular condition that the mill-owner must comply with respecting existing buildings concerns health and comfort in the home—ventilation, roofing and the lining of the rooms. They will have to be brought up to the standard required by this Bill, regardless of the life of the mill. The Royal Commission recommended that the provisions of the suggested legislation should not apply to mills with a life of less than 10 years. Why that provision was not embodied in the Bill I do not know, and I seek to remedy the omission.

The MINISTER FOR FORESTS: I cannot accept the amendment. We have already agreed to give the Minister discretion to exempt any mill from the application of the Act if necessary. Most of the small mills have very few employees and the cost of erecting homes for them would be small. The intention is not to enforce these conditions on mills with a very short life. But the necessity arises for the Minister or someone else to have discretion in such matters. Members probably know that although the permits are issued for a period of seven years, from time to time they are extended as necessity arises and some have been extended for 35 years or so. To accept the amendment would be to defeat the object of the Bill.

Mr. LESLIE: The clause does not line up with the Minister's intentions. No matter how well we may wish the Minister now in charge of forestry matters, we know that he may not always occupy his present position and someone else may hold the portfolio.

The Minister for Forests: But he would be some intelligent person.

Mr. LESLIE: It would be futile to go before a judge of the Supreme Court or anyone else and say that this was the intention of the Minister or of Parliament. The judge would say that he was only concerned with what the Act provided and not with the intentions of Parliament. That is what is worrying me. The present Minister might be quite reasonable, but how his successor might re-act is what concerns me. While it is true that the department extends permits from time to time, that is not much satisfaction to a mill-owner who has to make his financial arrangements. It will be necessary for the people with whom he is making financial arrangements to have some form of security. For the sake of security, the amendment is necessary, and the Minister has not offered sufficient argument against its acceptance.

Mr. STYANTS: If the hon. member realised the effect of his amendment, I feel sure that he would not persist with it. Subclause (1) deals with the details of accommodation. True, certain of the recommendations as to the type of house could not be enforced on some of the existing mills, and certain exemptions have been made. The hon. member suggests that, with the exception of paragraphs (d), (e), and (f), no alteration shall be made to existing dwellings. Paragraph (d) refers to ventilators, paragraph (e) to making roofs waterproof and paragraph (f) to painting in light colour existing wood linings.

Mr. Watts: That is, on a mill with a life of less than ten years.

Mr. STYANTS: Yes. Surely the member for Mt. Marshall does not suggest that a house without a bath, laundry, stove, water service, with ¾in. cracks in the floor or unsatisfactory windows should be permitted to continue in that state. Is it suggested that linings we saw consisting of three or four different kinds of material—paper, hession and linoleum—should remain? Under the amendment, so long as an existing cottage on a mill with a life of ten years has ventilators, a waterproof roof and two coats of paint on linings and ceilings, the rest can go by the board. A previous amendment at-

templated to exempt all existing buildings, and this amendment would require only three minor alterations to existing dwellings.

Mr. WATTS: The member for Kalgoorlie has lost sight of the fact that the amendment approximates very closely to the recommendation of the Royal Commission—

4. That the improvements required on all mill sites with a life up to ten years should be —(1) All roofs to be made waterproof; (2) All rooms to be ceiled and lined with approved material for lining (not hessian or paper), and shall be properly ventilated.

That is all the commission recommended in paragraph 4. The amendment provides for roofs being made waterproof, for proper ventilation and for the whitening of jarrah walls. If it is ridiculous to make the proposal in the amendment, it is equally ridiculous for the commission to have made the proposal in paragraph 4, which the hon. member studied for the purpose of framing his amendment.

Mr. Styants: Perhaps it was an oversight.

Mr. WATTS: I have read the recommendation of the commission dealing with the treatment to be accorded to mills with a life of less than ten years.

The Minister for Forests: Will not that be subject to Clause 4?

Mr. STYANTS: The practice on most mills has been not to provide bath, shower, copper, troughs and, in many cases, stoves, so obviously it was an oversight on the part of the commission because those amenities are actual necessities.

Mr. LESLIE: The further the debate proceeds, the more convinced I am that the amendment is necessary. True, an exemption could be granted under Clause 4. The Minister may decide that the Act shall not apply to any mill, and so all mills would be exempt. This position will arise: One mill will be required to provide a certain standard and another mill a lower standard. Who is to say what the deciding factors shall be?

Mr. HOAR: If the amendment is carried, it would not be obligatory for about 90 mills out of 128 registered to provide any sort of reasonable accommodation at all. It is well known that during the war rapid transport made it possible for pre-fabricated houses or dwellings, which could be speedily bolted together, to be erected at any place desired. If the amendment is carried, even that could not be done. Consequently, the existing conditions would continue and would apply to about 90 out of 128 of the mills.

Amendment put and negatived.

Clause, as previously amended, put and passed.

Clause 7:

Mr. LESLIE: I move an amendment—

That in line 3 of Subclause (1) after the word "holding" the words "and permitted to be occupied by any employee" be inserted.

It is possible for a mill-owner partly to erect a dwelling and then, because of circumstances which might arise, not complete it within the period in which it ought to have been completed. Under the subclause as drafted, he would then be committing an offence. I do not think that is the intention of the Minister. If the amendment be accepted, the offence would be to allow an employee to occupy the building.

The Minister for Forests: Why not alter "employee" to read "person"?

Mr. LESLIE: The object of the Bill is to protect the employee and I prefer to retain that word.

The MINISTER FOR FORESTS: The State Saw Mills cater for persons other than their direct employees. For instance contractors sometimes lease properties from the State Saw Mills. They are not employees, although they are occupying the premises. I think the member for Mt. Marshall might agree to alter the word "employee" to "person."

Mr. STYANTS: While I consider the amendment of doubtful value, I point out that it would be possible at some of the mill sites, where 50 or 60 houses are erected, for a hairdresser to apply for a dwelling and business premises. He might be prepared to pay a rental which would be a good business proposition for the owner. If the Minister's suggestion were accepted, it would safeguard the position so far as the hairdresser, or any other business person was concerned. We do not want to have created a position under which a house of a certain standard has to be built for a employee while a business person can have erected a house that does not conform to the standard laid down.

Mr. WATTS: I move—

That the amendment be amended by adding after the word "employee" the words "or other tenant."

That is what the Minister really wants.

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

Clause, as amended, put and passed.

Clause 8—agreed to.

Clause 9—Power to housing inspector:

Mr. LESLIE: I move an amendment—

That at the end of paragraph (a) the following words be added:—"whether or not the employee is complying with the provisions of Subsection (1) of Section 8 of this Act and."

This clause gives the housing inspector power to enter dwellings on a timber holding to inspect them with a view to seeing that a mill-owner is complying with the provisions of the Act. The measure also contains conditions with which the employee is expected to comply, but there is no provision whereby the owner may be protected in that regard. He cannot carry out an inspection; and it is only reasonable to permit the inspector, who is an impartial man, to protect the mill-owner as well. The amendment provides that the inspector shall see that the tenant carries out his obligations under the measure.

Mr. STYANTS: I agree with the principle underlying the amendment, but it is provided for in Subclause (2) of Clause 8.

Mr. LESLIE: The circumstances are not quite the same. In one case an obligation is placed on the owner or his agent to undertake this task. The employee is given protection by the appointment of a Government inspector, who will make certain that the conditions required are provided. The obligation is placed on the owner to see that his interests are protected. He has to do that himself. He cannot appoint the Government inspector as his agent to do the job. The chances are that in some instances damage would be done and the tenant gone before the owner was aware of the circumstances existing in the house. The amendment does not inconvenience the tenant, but it will ensure that the Government inspector makes certain that the premises are in a reasonable condition and that the tenant is fulfilling his part of the obligation. If he finds that the tenant is not doing so, he will tell the tenant and take whatever action is necessary to inform the owner.

Amendment put and negatived.

Clause put and passed.

Clause 10—Inspector may give notice to owner to make good default:

Mr. LESLIE: I move an amendment—

That at the end of subparagraph (iv) of paragraph (c) the following words be added:—"and shall determine the period within which the owner, his agent or manager shall be reasonably required to comply with such requisition or direction if the Magistrate is of the opinion that the same ought to be complied with."

The MINISTER FOR FORESTS: I agree to the amendment.

Amendment put and passed.

Mr. LESLIE: I propose to move a further amendment that in line 3 of paragraph (d) after the word "therewith" the words "within a reasonable time" be inserted. The object here is to provide that the owner or his agent must comply within a reasonable time with the order of the court or the requirement of the inspector as the case may be. The position is that no time limit is laid down and we have in mind existing circumstances in the building trade. It is possible for an owner to be told by the housing inspector that he has to bring his existing houses up to a certan standard.

The Minister for Forests: I propose to agree to the next amendment.

Mr. LESLIE: Will that cover the position?

The Minister for Forests: It is the same thing. This amendment is unnecessary.

Mr. LESLIE: Then I will not proceed with it. I move an amendment—

That in line 6 of paragraph (d) after the word "comply" the words "within the period determined by the Court or Magistrate" be inserted.

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

Clauses 11 and 12, Title—agreed to.

Bill reported with amendments.

ASSENT TO BILL.

Message from the Lieut.-Governor received and read notifying assent to the Daylight Saving Bill.

BILL—COAL MINES REGULATION.

Second Reading.

THE MINISTER FOR MINES (Hon. W. M. Marshall—Murchison) [4.3] in moving the second reading said: This Bill may appear to be a formidable one, but I point out it is a consolidation measure, and most of its provisions appear in the various Acts which it seeks to consolidate. Of approximately 72 clauses only 10 or 12 seek to amend or alter the parent Act. It has been found, from experience over a period, that certain amendments are necessary in order to overcome the difficulties that have arisen. As a result they appear in the Bill. Before proceeding to deal with the measure I point out to those members who appear interested that there is a marked distinction between this Bill and the statute known as the Mining Act. In other words there are two distinct pieces of legislation which deal with all forms of mining, including that of coal. It is well that members do not become confused in regard to that fact.

The Mining Act has no relation to this Bill or to the Acts that it proposes to consolidate. It deals with the respective mining laws of the State which provide for leasing, the applications for leases and the the defining of areas of leases for minerals, metals, oils, etc., that one can legally apply for. It also sets down the provisions and covenants to which all applicants must adhere if their applications are to be successful. That Act deals with all ramifications of that character, but it does not in any way conflict with the measure now submitted. This Bill deals with the actual working activities of the coalmines, and its essentials are that those who are employed in those mines, shall, by law, receive consideration insofar as their safety and health are concerned. It has been found necessary to have this protection in order to safeguard the lives and health of those engaged in coalmining, and we have similar legislation which applies to mines other than coalmines.

I do not think the House would expect me to go right through all the provisions of the measure, seeing that the majority of them are already law and will remain law no matter what is the fate of the Bill. Some of them have been in the parent Act for as long as 40 years. That, I respectfully suggest, reflects great credit on those who framed the original measure. So, I think, it will be sufficient if I deal with the new factors inserted in the Bill in order to give to members when considering the measure, the opportunity of knowing what changes are actually taking place. That, in conformity with the desire of any member to consider the Bill as a whole, should simplify the decision as to whether members will agree to new provisions, as distinct from the old provisions that are the law today.

In the consolidation of the respective measures involved in the protection of the life and health of miners, a different set-up will appear if one compares the Bill with the parent Act. What I now refer to as the parent Act was introduced in 1902 and there have been two amendments to it, one in 1915 and one in 1926. That might appear to flatter the original measure, but it must be realised that under such legislation much can be done by way of regulation. That eases the necessity for bringing forward amendments, but from time to time it is essential that the parent Act be amended. It will be found that this measure, as distinct from the parent Act, is divided into parts, in order to simplify the method of finding how the law applies to specific points that an individual may have in mind, and I think this has a great deal of virtue in it. Anyone wishing to find what the law actually lays down regarding the management of a mine, can, on looking up the first page of the Bill, see exactly what provision deals with any particular aspect. The various parts are divided up under headings to simplify the finding of the information required.

The first amendment made in the Bill, as distinct from the parent Act, is to the definition of "a mine," which now is to include an open cut. That amendment has been found necessary because of recent years the method known as open cutting has become increasingly popular in the coalmining industry. It provides a means of getting coal speedily and at a much reduced cost, as compared with the mining of coal beneath the surface. It is necessary that the work of open cutting be subject to supervision by inspectors, and therefore open cuts must be brought within

the scope of the measure. Open cuts sometimes go down to a considerable depth, and it is now proposed even to extract pillars from some old workings by that means. The extraction of pillars is probably a little more dangerous than ordinary mining, and involves a greater risk for the miners engaged in it. I think members will agree that this form of coalmining should be brought within the scope of the measure.

The next amendment appearing in the Bill deals with workmen's inspectors. In order to get highly qualified men to supervise the work and give effect to the provisions of the Act, it is desired that some examination should be set for those applying for the position of workmen's inspector. It is proposed that no person shall be qualified to hold that position unless he is the holder of a second-class or third-class certificate under the Act. In passing I would point out that the third-class certificate is in addition to the two certificates now essential under the parent Act, which provides for a certificate for a general manager who must, before being accepted as general manager of a coalmine, hold what is known as a first-class certificate of competency. For an under manager or an over-man, a second-class certificate of competency is necessary.

Under the Bill provision is made for the issuing of a third-class certificate, and it will be necessary for a workmen's inspector to have passed the prescribed examination, and be the holder of either a second-class or third-class certificate, before he is qualified for that position in the coalmining industry. The idea, of course, is to get highly qualified and skilful men. Other terms and conditions are set out for the workmen's inspector, who must have had five years' experience in practical underground mining, of which at least 12 months must have been served at what is known as the face. That is already provided for in the parent Act, over and above the obligation now laid down for him to hold either the second-class or third-class certificate.

Ever since the introduction of workmen's inspectors to the coalmining industry, as well as in metalliferous mines, the term for which they have been elected has, up till now, been two years. Experience has shown that men elected by the workers have, generally speaking, given every satisfaction. To my personal knowledge, I do not think it has ever been obligatory upon the Minister to take action under the Act to dismiss a workmen's inspector on account of incompetency or misbehaviour. No-one has taken any exception to the proposal, and both the companies and the union agree that the term should be extended from two to three years. For the information of members, I would point out that the parent Act provides power for a Minister to take action at any time when he considers that, because of actions of an objectionable character on the part of a workmen's inspector, his dismissal was warranted.

Mr. Seward: Then why extend the term of office to three years?

The MINISTER FOR MINES: From the departmental point of view, it does not matter very much, apart from the fact that a certain amount of cost is involved. The inspectors have to be elected, and invariably there are aspirants for the position. In most instances, elections must of necessity be held because there is more than one applicant. The provision in the Bill will obviate elections as frequently as they are held under the principal Act. Apart from that, the department has no fixed opinion on the subject. From the standpoint of the workmen's inspectors themselves, the term of two years appears to be too short. Such an inspector is elected by the miners and is actually their servant subject to the provisions of the Act, and they have offered no opposition to the proposal. So to speak, this is only a minor amendment and has no other virtue than that it is in conformity with the desires of those concerned. Alternatively, it would appear to be more satisfactory because the inspectors are to all intents and purposes similarly situated to members of Parliament. True, they must be men who have had practical experience in the industry, but it might be equally true to say that they may not have closely studied the laws under which they have to work. That is one aspect.

Another point is that thoughtful and conscientious men would take some time in becoming accustomed to administering the law, and it could easily be that just when feeling their feet, as it were, they would have to go up for election again. In the circumstances, I feel that a three-year term would be more appropriate, seeing that it would give inspectors a better opportunity to find their feet and become as efficient as we

could desire in the execution of their duties. Another amendment has been found necessary with respect to giving the Minister power to authorise a departmental officer, or some other person, to make an inspection of a particular mine. Such a provision should have been embodied in both the mining regulation Acts long ago. Although I must admit that I do not know of many instances, it is true that on one or two occasions some resentment at least, if not definite objection, has been taken to persons delegated by the Minister to make an examination of the underground workings of a mine. That has reference to other than those operating under the existing Act—the district inspector, the workmen's inspector and any person appointed to act as a special inspector.

There are times, more particularly in coalmines, when the Minister should have the right to appoint someone—obviously a Minister would not appoint a person who was not competent to undertake the duties—to carry out an investigation of a mine and a thorough inspection of its workings for the purpose of submitting a report on certain points upon which the Minister desired to be informed. So that the Minister may have freedom of action in this regard, a new provision has been inserted in the Bill to that effect. There is another amendment that deals with a somewhat new phase. The manager of a coalmine may appoint deputies who are actually in charge of the daily operations. In metalliferous circles, these deputies are known as shift bosses and they have grave responsibilities, seeing that, in essence, they are required to safeguard the safety of the lives and health of the miners during the period they are in charge of their respective shifts. It has been considered prudent that such deputies, like workmen's inspectors, should undergo examination and qualify for their position. That provision appears in the Bill. In future these men will have to hold what is known as a third-class certificate, which is the lowest qualification, but that they should hold such a certificate after having passed the requisite examination is essential to prove that they are qualified to undertake this very responsible position.

There is a further provision dealing with the responsibilities of these deputies, namely, that there shall be imposed upon them statutory obligations relating to the health and lives of the miners. When a deputy takes charge of his shift each day, these statutory obligations will be his first function. It will be necessary for him to examine for the presence of gas, ascertain the sufficiency of ventilation, state of roof and sides, supervise the general duties of shotfirers and all other matters relative to the general safety of the mine, including the checking and recording of the number of persons under his charge. There is nothing in the Bill to prevent a deputy from carrying out other duties. It might be that only an hour or two will be involved in giving attention to the statutory obligations. Having satisfied himself that all is well in these respects, he may proceed to do any or all of the things that are the responsibility of a deputy.

The next amendment is one which I feel sure the Opposition will support wholeheartedly. The proposal is to alter the daily and weekly hours of work in or about a coalmine from those laid down in the existing Act. No new principle is involved. As long ago as 40 years, it was considered to be right and proper to put in the Act that no more than eight consecutive hours in any one day or 48 hours in any one week should be worked. The provision in the Bill follows that principle, but does not outstrip the trend of events or the awards of the Arbitration Court. It merely sets forth what has been the practice in the industry for 20 odd years, namely, that the hours of work shall be seven hours in any one day or 42 hours in any one week. Apart from that provision, the coalminers have for a number of years worked on what is known as the bank-to-bank system, but under this Bill we merely seek to regulate the daily and weekly working hours in conformity with the existing award. I think members will agree that the trend today is in the direction of working not longer but shorter days or weeks, and the proposal in the Bill breaks down no principle whatever, because the regulation of daily and weekly hours is provided for in the existing Act.

Another alteration deals with the employment of boys in coalmines. Here again there is no attempt to break down a principle, but it has been found necessary to

tighten up the provision in the Act governing the age at which boys may be employed in a coalmine. The Act provides that a boy of 14 or over may be employed. In the past, when a boy was employed on the assertion that he was 14 years of age and it was afterwards found that he was not of that age, if his parents or guardian had represented to the management that he was 14, the parent or guardian was responsible for the representation and was guilty of an offence under the Act. Thus the responsibility was placed on the parent or guardian.

Two alterations are proposed by the Bill. The first is that no boy may be employed in the industry if he is below the school-leaving age at the time of his employment. Parliament has passed a law, which has not yet been proclaimed, to increase the school-leaving age to 15, and if that law were proclaimed tomorrow, it would be unlawful for any coalmining authority to employ a boy who was under the age of 15. In the course of years, the school-leaving age may be raised still higher, and so the Bill provides that no boy may be employed in a coalmine if he is below the school-leaving age. By setting out the provision in this form, we shall be able to keep step with any adjustments that may be made in the school-leaving age.

The next alteration provides that, in order to clear up any doubt about a boy's age, a copy of his birth certificate, or an extract of it, must be produced when he applies for employment. There is then no argument. No-one has any responsibility in the matter except the person who has to certify that the certificate or the extract is genuine. The next provision deals with a fund which was inaugurated and called the Accident Relief Fund. The parent Act made it obligatory upon the miners and the companies to contribute to this fund, which was brought into existence before our workers' compensation laws were as generous as they are today. In course of time it was found necessary to increase the contributions to the fund as it was found that the contribution of 1s. per week was insufficient. The men thereupon volunteered to pay an extra 6d. per week. That alteration has never been ratified by Parliament and we take the opportunity to ratify it now in this consolidating measure.

Another point is this: The original intention was to use the contributions to the fund to subsidise workers' compensation payments should a miner meet with an accident. The fund was so used for a considerable number of years; but it was found that because the fund was to provide for accident relief, no other compensable payments could be made from the fund to the dependants of a miner who was receiving compensation payments. Miners were from time to time afflicted with dermatitis and other compensable complaints; but unless these were the result of an accident his dependants could not receive any benefits from the fund. Under this Bill it will be possible for his dependants to have the workers' compensation payments subsidised by payments from the fund. Members will also notice that the Infirm Coal Miners' Superannuation Fund has disappeared. As members are aware, that fund was superseded by the Coal Mine Workers (Pensions) Act. Provision is made for a third-class certificate of competency for deputies.

There are several clauses in the Bill which provide for an inquiry into the competency of a deputy and for regulations governing the issue and the cancellation of certificates, as well as for penalties for forgery or misrepresentation by a deputy. These are machinery matters, but nevertheless essential to the Bill. Before I deal with the next amendment, which is the final one, I would point out that the existing Act provides for what are known as general rules and special rules. Experience has proved that it is unwise to provide in a measure of this kind for general rules. The reason is that mining methods are constantly changing and improving, and therefore it is considered wiser and more prudent that the general rules should be dealt with in regulations. Members will readily understand that this would be a more convenient method, as regulations can be altered from time to time with the changing conditions of the industry. In common with other members, I do not like regulations; but experience has shown that it is not practicable to include general rules in a Bill of this nature.

Members who sit behind me and who are greatly experienced in goldmining, will realise the rapid changes that occur and will occur in the coalmining industry. The regulations will require to be altered from time to time to meet those changing condi-

tions in order to ensure the health of the miner and protect his life. In the main, this alteration is based upon the recommendation of the Royal Commissioner, who has taken such an active part in the industry. He recommends some further powers. On one or two occasions I have visited Collie where our principal coalmines are, and I feel that these further powers are very essential if we are to have contentment in the industry and maintain it permanently—and it will be tragic if we do not—for it is only by years of experience that men become skilled in the practice of mining. It is not as simple as some people believe. The more skilled a man becomes, the more efficient he is; and when there is a skilled man alongside one who is not so efficient, the company itself suffers severely, as does the industry generally. So we seek these further powers and I want to enunciate them so that all members will know that they are new and consist of something over and above what appears in the parent Act. They were recommended by Mr. Wallwork and are as follows:—

Improved types of miners' lamps and first-aid facilities; sanitation of mines; improved change houses and lighting; transport of workers underground.

I want to refer to the question of transport. The companies do not altogether object to providing some form of transport for at least some of the way through the mines. In one mine it is necessary for the men to walk over a mile to and from work. That is becoming rather irksome; and it does not encourage a man to work too hard during the day when he knows that at the end he has to walk along an inclined shaft for a distance of a mile or a mile and a quarter to reach the surface.

Further powers are required in respect of drainage; the introduction of improved mining methods; shelter for surface workers; suitable crib places; and eradication of dust. I think that these are factors in which members will agree, on reviewing the matter, that Parliament should have some say. They are not altogether for the benefit of the miners. It will be found that new companies operating on the goldfields have realised the great importance of providing the best facilities for men employed on the mines. There has been a material change in the outlook of the management of the goldmines compared with that which existed years ago. Visiting a modern goldmine, we find such things as air-conditioned dormitories for the use of men on night shift—the suggested provision of which a few years ago would have been met with the strongest hostility from companies. The comfort, happiness and welfare of these men are receiving attention today.

I do not suggest that it will be necessary to force our coalmining companies to realise that something better must inevitably be provided in the future than has been provided in the past and that the change will be equally advantageous to them and to the miners; because, if they can make their men contented, they will be assured of long years of service from miners competent to do the work. Apart from the additions and amendments to which I have referred, there are no alterations of the provisions of the parent Act. I feel that the House will give favourable consideration to the few amendments enunciated, and I assure members that there is no other desire on the part of the Government than to do a little to foster the coalmining industry and provide justice alike for the companies and for the men. I move—

That the Bill be now read a second time.

On motion by Mr. Seward, debate adjourned.

LOAN ESTIMATES, 1946-47.

In Committee.

Resumed from the 20th November; Mr. Fox in the Chair.

Vote—Departmental, £200,000 (partly considered):

MR. SEWARD (Pingelly) [4.57]: We have before us on this occasion something that appears to be rather unique, inasmuch as there are what might be termed the official Loan Estimates and the unofficial Loan Estimates. The Loan Estimates were introduced by the Premier a few weeks ago and forecast a certain amount of expenditure totalling about £5,000,000. What I refer to as the unofficial Loan Estimates were set out by the Minister for Works and covered undertakings in various parts of the State. In all, the projected activities will involve an expenditure of something like £10,000,000.

The figure covered by the Loan Estimates is the highest reached in this State for 30 years. During the war, as was only natural, loan expenditure was reduced to a minimum, and it is reasonable to expect that now the war is over—or we fervently hope it is—there should be a resumption of such expenditure. At the same time, we must not expect the policy to be adopted that now hostilities have ended the Government can jump into unbridled expenditure of loan money. I think there must be in the minds of all of us a recollection of the happenings of the period succeeding World War 1. Members will recall that after that war State Governments, and the Commonwealth Government particularly, embarked on what might be truthfully termed an orgy of expenditure. Not only did we borrow to the limit of our capacity, but we finished up by actually borrowing money to pay interest on our loans. That marked the beginning of the depression in this country.

Up to that period we had no difficulty in securing the moneys we required. But by the time they had finished the enormous loan expenditure entered into in the nineteen-twenties, the London market was closed to us, and that really marked the beginning of the depression in this country. It was the result of the prodigal loan expenditure to which I have referred. However, by that time we were hopelessly committed. We had borrowed everything we could and we were also borrowing money with which to pay our interest, with the result that the London market was closed to us and we went to America, from which country we obtained a loan that is still carrying the same rate of interest that applied when it was originally obtained. The British investors gave us some relief in the rate of interest, but the other money is still carrying the same high rates as originally.

We should keep in mind the result of the heavy borrowings of the nineteen-twenties or we will shortly find ourselves in trouble. Many people today want to know whether we shall have a depression, and how it can be avoided. It seems to be thought by some that the natural corollary to a war is a depression. That was not so after the previous war. In fact, we went into a boom at that time and, while the possibilities of a depression most certainly confront us at present I am of opinion that, if we take the necessary precautions, there is no reason why this country should have to face another. On the contrary, there is ample money available for all the requirements of the individual and the Government, provided a prudent course is steered. But if we just let things go—and unfortunately it seems to be the prevailing thought of many that we will—there is not the slightest doubt that we shall land ourselves in a depression that will entail a great deal of trouble.

Some of us remember the boom of 1893, which preceded the first depression I can recall. That was brought about by lavish expenditure and allowing values to exceed their proper level. Once we get over these things, we seem to forget altogether about them. But there is plenty of evidence that boom conditions could come here now if we were to give way to the prevailing cry for an early relaxation of the many controls provided, and wisely provided, during the war. A great number of those controls must still be maintained so that we can gradually pass from a war footing and the manufacture of munitions to the manufacture of consumer goods for which the people are now crying out. That there is ample money at present is shown by the figures we get from the banks.

The savings bank figures, as members know, have increased to an enormous extent. In 1941-42, the average figure was £54 per depositor, and at present it is £107. Deposits in the trading banks have gone from £17,312,000 in 1941 to £31,886,000 in 1946, while, in the same period, advances have decreased from £21,000,000 to £15,000,000. In addition, the note circulation has reached the unprecedented figure of about £1,500,000,000, and bank credit has been availed of to a large extent. The point I make is that the lesson we learnt after the last depression is that it is wise policy for the Government to make money available in times of depression to provide employment. At the moment there is no lack of money, but if we continue to disregard the large source of money available and launch out on a programme of Governmental loan expenditure we will certainly head for the same thing that resulted from the loan borrowings and liberal expenditure after the first world war.

At present, what is required, far more than loan expenditure by Governments, is some relief from the burden of taxation under which industry is labouring, so that private enterprise can extend and offer employment to the people rather than that our citizens

should simply be absorbed in Government employment. We all know that there is not the slightest inducement for private industry to expand, even if it could, because the greater the profits it makes the more it contributes to the Federal Treasury. One could quote many instances of that and I cite the position of a company operating in one of our country towns. This concern, which manufactured certain agricultural articles, employed as many as 20 people before the war. Today it is employing only two because, as the proprietor said, "It is not the slightest use my going back to my pre-war level because the money only goes to the Federal Taxation Commissioner." I would prefer to see some taxation relief for the private individual so that he could give employment and enlarge his business, if we are to get back to the production of consumer goods, rather than have Governmental expenditure.

It might be interesting to recall the rapid curtailment of loan expenditure at the time of the 1914-18 war. In 1914-15, we had, in this State, a loan authorisation of £2,500,000, and that progressively shrank, during the course of the war, until it got down to a little over £750,000. After the war, in 1920, loan expenditure increased. It rose by £1,500,000 in the first year to £2,500,000, and averaged £3,000,000 for the first five years succeeding that war. During the next five years, it went higher still, and we averaged just over £4,000,000 of loan money from 1923-24 onwards. So it continued until 1927-28, when the maximum amount of £4,680,000 a year was reached in Western Australia. Then we came to the depression and again had to curtail our loan expenditure which came down by about £2,000,000 in one year. It continued to decrease until we came to the last war, when we had got to an average of well under £1,000,000 loan expenditure.

Having now got rid of the war I hope we will not embark on prolific loan expenditure, as was done after the previous conflict. Rather would I see the Government accumulate its resources so that, if things change in the next few years, it will have money to spend when private industry may not have it to make available. The fact that private industry is not able to expand was brought home to me recently when I read something dealing with our steel output. Of course that is an Australia-wide matter, and one that we cannot alter, though we are affected by it. It will be remembered that as Australians we prided ourselves only a short time ago on the fact that we were making steel in Australia and selling it in England at a price cheaper than that at which it could be made and sold in England. That was a feather in our cap but, in recent publications, it is pointed out that the steel industry is declining to some extent in this country. We reached a maximum steel production of 1,690,000 tons, but that has declined to 1,200,000 tons, or even further than that.

I was astounded to read in the paper the other day that we have now to go to America for imports of steel. That is an astonishing state of affairs, brought about largely by the unfortunate stoppages of industry that have occurred in the Eastern States, owing to disputes and troubles in the coalmines. Something must be done to remedy the position and get our people back into full employment, which is so necessary for them. Of course the cry is frequently heard that, because we found a lot of money for the war, we must be able to find almost the same amount of money during peacetime. That is a false cry that should be stifled, because if it is believed many people will regard the Government as a kind of milch cow which should find employment that really should be provided by private individuals.

If we notice what is going on today we can see that the Government is affording relief, through pensions and so on, to a remarkable degree. I was interested recently to read something that had a bearing on the subject. It is worth quoting. We are apt to think that when we bring in some new social benefit, perhaps a scheme such as child endowment, we have done something that is original, while in fact it is not. This matter is headed—

> The Same Old "Plans" That Ruined Rome. Most of the "Plans" for Continued State Control these "New Order" schemes, are exactly the same as ancient Rome adopted when it began to decay. They are all "decay" schemes. And this ought to be widely known. History repeats itself. Every prosperous nation has to fight for its life against dictators, or against demagogues, officials and parasites.
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> It is a startling fact that ancient Rome, when it began to go down, had the same sort of Government departments that we have today. It had a Farm Debt Conciliation Com-

mittee; a Resettlement Administration; a Public Works Administration; a Food Relief scheme; a Home Owners' Loan Corporation; an Agricultural Adjustment Administration; a Farm Credit Administration; a Prices and Wages Act, and so on.

The Premier: There is an interesting discourse on that by two Queensland writers, writing under the titles of "A Psychologist and a Physician."

Mr. SEWARD: It goes on to say—

The "profit" motive was attacked. There was a "Price Control Act" in A.D. 301, when the end of the Roman Empire was near. Prices were set too low, and at once there was a shortage of commodities. Rome was eaten up by doles and subsidies. At one time 320,000 people were on the dole for wheat. To keep the masses quiet, they were given "bread and games." They were pauperised by State help. As many as 200,000 were given free bread—2 lb. of bread a day. Also, they were given pork, olive oil and salt every now and then. The Government became a giver. The doles attracted to Rome the vagrants and the lazy people. They attracted the German tribes, too, and they began to filter into Rome. And most of the enterprising, self-reliant men left Rome and went elsewhere. The soldiers and the Government employees clamoured for more and more money. They made incessant raids on the Treasury. As a result, taxation steadily increased until it became intolerable. Then the currency was inflated by a flood of new money. This inflation destroyed the rich and the middle-class. Almost all private enterprise came to an end, and the whole nation came to a standstill and decayed. Rome fell because of internal decay. The heart was taken out of the enterprising men. The masses were taught to expect something for nothing. Rome became totalitarian. The Government set out to control everything. As a result, there was soon not much to control. The controlled industries became extinct. Just before Rome collapsed half of the people were on the public payroll and there was not enough money to pay them, as the taxpayers had been bled to death. At the height of its power Rome had a population of 1,000,000 and ruled about 70,000,000 people. But in the year 1400 it had only 20,000 and no Empire. It went back to pasture land, and cows and sheep wandered about in it. The Romans were the greatest and wisest people in the world for 400 years. Then a rot set in. Then came degeneracy—a degeneracy that still exists, as we have seen in recent years. From Marcus Aurelius to Mussolini is a tragic drop from the heights to the lowest depths. Rome had a golden age under the five good Emperors. It lasted 84 years. It was the peak of ancient civilisation. During that period taxes were low. Private enterprise was encouraged and business men were in high positions. There was real social security for all industrious people. There were no poor except those who deserved to be poor. Then came the politicians, followed by the planners and the whole shining structure of Roman life was broken down. This story of how Rome fell should be taught in all English-speaking countries.

There is not much difference between the conditions that existed then and those existing in this country today. Unfortunately, we have too many people who do not want to work. The other night the Leader of the Opposition referred to the fact that the Premier had stated the Government had the money but was unable to get the men.

Mrs. Cardell-Oliver: Too many boards!

Mr. SEWARD: That is the trouble. Having come through the war many of these men, who during the war simply had to do the work allotted to them, now find themselves with a fair amount of money in their possession and they have no desire to work until that money has been expended. That is the problem we have to overcome, to get them back to work before their money is expended, so that they will have it to help them later on. The great need, as has been pointed out by many speakers, is increased production in order to avoid a depression. On going through the proposed Loan expenditure I looked to see in what way it is going to expand production. I agree that money has to be spent on railways and on harbour facilities, which are necessary. If we are to produce we must be able to haul and handle the produce, but I see nothing much in the Loan expenditure that will have the effect of increasing production.

The Leader of the Opposition drew attention to the item of £300,000 to be expended on public buildings. I agree that our public servants are entitled to be well housed, and in addition to that the convenience of the public should be served by having public offices centrally situated and brought together as much as possible. I venture to say that if the expenditure of the £300,000 set apart for the provision of public offices were held up for a few years, and that amount made available to finance a housing scheme for the country, the farming community would be more content to stay in the rural areas and produce more than they are at present. If we take a glance at the position of the agricultural industry today we find it is far from reassuring. I was fortunately able to get hold of a few figures from the Government Statistician and, while I shall not quote

them to the Committee, they show that today the primary industries if not going back are almost at a standstill.

It would be futile to quote figures relating to the production of wheat seeing that what has happened has been due to seasonal conditions. That also applies to the number of livestock although there again the picture is rather better. We have a fair number of sheep, but to me there is one disquieting feature in that regard. If we take the figures for a few years ago we find we had one type that was establishing a very good name for Western Australia. I refer to the Southdown lamb for which there was excellent inquiry and a ready market. We have not heard much of that breed of fat lamb lately, and it is almost extinct. While we are not going in so much for fat lambs, attention should be given to that phase. We certainly do breed some fat lambs but they are not of the number we produced so satisfactorily and sold so well in the past. A disquieting feature is associated also with the particulars of sheep mating—I refer again to the fat lamb side. In these days we are going in more for merinos, of which there are too many and of too poor a type in the agricultural areas. We would be far better off if we produced more of the fat lamb type than of the merino.

Hon. J. C. Willcock: With wool at 2s. 6d. per lb?

Mr. SEWARD: That is one of the unfortunate features operating today. I refer to getting growers to go in for fat lambs as compared with the production of wool.

Hon. J. C. Willcock: They go in for something that pays them!

Mr. SEWARD: Quite so, but present-day prices will not remain. Fat lambs will pay well, and growers must be induced to breed them to a greater extent. I think it would be far sounder were they to operate along those lines. Then there is the dairying industry in connection with which the Government hopes to settle so many returned soldiers. The production of butter has declined and the number of head of stock on farms has also decreased. We have fewer dairy cows today that we had some years ago and, which is of greater importance, less young stock. When one seeks for avenues from which increased production may be derived, the outlook is not reassuring by any means.

The other day I asked the Minister for Works questions with regard to the power scheme. We have fortunately emerged from the latest hold-up of power and light. Naturally everyone wants to know what are the prospects of a repetition of those unfortunate experiences, two of which we have had within a short time. I asked the Minister the other day whether there was any intention of putting in an alternative plant at the East Perth power house. I understand the Government is doing that at South Fremantle, but the Minister replied that as it could not be put in any quicker at East Perth, it would not be done. It was not very reassuring to me in respect of matters with which I am concerned to know that should any unfortunate hold-up occur in the future we would not have sufficient power to supply the requirements of the people. As I indicated in my question, there are many individuals who have now determined to instal alternate units for themselves. They must do that because it is essential that they shall keep their businesses going as well as have the necessary lighting facilities. If they are forced to do that, it will involve an enormous waste of money because those plants, after having been put in, will have to remain idle merely so that they may be available in an emergency.

The Government should take seriously into consideration the question whether the installation at the South Fremantle power house will be adequate to meet all requirements there and serve the East Perth plant as well should the necessity arise. Then again we must have some assurance that any alternate plant at East Perth will be capable of supplying what is necessary at Fremantle as well. These are the only matters I wish to deal with on the Estimates and I trust that every possible effort will be made by the Government to induce private enterprise to resume the production of goods, to ensure that as many people as possible are put back in profitable employment, and that conditions are made favourable in the country districts so that the people there will be encouraged to remain in the enjoyment of more amenities than they have at present. I join with the member for York in his appeal to the Minister with regard to the maintenance of roads. This work has gone far beyond the capacity of road boards to under-

take owing to the heavy traffic during the war years cutting the roads up so much, on top of which there has been the effect of the excessively wet seasons during the past two years. I trust the Government will extend the necessary help so that the country roads may be repaired and restored to their previous satisfactory condition. At the present time that task is far beyond the capacity of any road board in the country districts.

Progress reported.

House adjourned at 5.29 p.m.

Legislative Council.

Tuesday, 26th November, 1946.

Pursuant to notice, the House met at 2.30 p.m.

ELECTION OF PRESIDENT.

The Clerk of Parliaments reported that, owing to the death of the President, Hon. James Cornell, the office of President was vacant and it was therefore necessary for members to elect one of their number to that office.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [2.31]: I move—

That Hon. Harold Seddon do take the Chair in the Council as President.

HON. L. B. BOLTON (Metropolitan): I have pleasure in seconding the motion.

HON. C. B. WILLIAMS (South) [2.32]: It is my very sad duty to oppose the election of Mr. Seddon as President and I make no apologies for so doing. Some time ago a motion was passed by this House calling upon me to leave the Chamber. It was not passed in conformity with the Standing Orders of this House, and Mr. Seddon was one who supported it. If Mr. Seddon as an ordinary member could not interpret the Standing Orders then, I fail to see how he will be able to interpret them any better as President. Mr. Seddon had an opportunity, after due and requisite notice had been given under the Standing Orders, to consider the wrong done by following the misinterpretation of the Standing Orders by the late President.

But did he do so? Yes, he said he knew that he had voted wrongly, but he did not have the courage of his opinions, as had seven other members of the House, to admit that the Standing Orders were not carried out in my case. I am thankful to say that all the Labour members in this House, apart from the Ministers and the Independent, also admitted the fact. How can I be expected to vote in favour of a motion that Mr. Seddon is a fit and proper person capable of carrying out the Standing Orders of this House when he knew and admitted that he was wrong?

Hon. G. B. Wood: Do not talk such atrocious rubbish!

Hon. C. B. WILLIAMS: The hon. member had better rub his eye. Is it still sore? Mr. Seddon as well as the member with a sore eye knew that he was wrong. I refused to be a party to the meeting held earlier today to decide who should be President, and I know nothing of that meeting. I do know that the meeting had no right to elect a Chairman of Committees; still it has done so. I shall have something to say on that later. I have already drawn the attention of members to the fact that what is sauce for the turkey is goat's milk for me. Any member of this House who cannot interpret the Standing Orders will not receive my support. If he does not carry out the Standing Orders—and they were not carried out in my case—retribution must come to the man that brought it on me.

I was wrongly outed from the Chamber, and the hon. member who is now to be elected President admitted it. Yet he did not have courage enough to get up and do what other members did, namely, support the motion that the record of the suspension be expunged from the minutes. I know, Mr.