

BILL—FREMANTLE MUNICIPAL TRAMWAYS AND ELECTRIC LIGHTING ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

THE MINISTER FOR RAILWAYS (Hon. J. C. Willecock—Geraldton) [10.11]: I have looked into the provisions of the Bill. I thought at first perhaps it might be necessary to move a small amendment to clarify the position. The Fremantle Tramways Board have jurisdiction to supply current within five miles from the Fremantle Town Hall, and to its own local authorities. The Bill is necessary, because the Rockingham Road Board is not adjacent to the Fremantle Town Hall, and so the Fremantle Tramway Board seeks authority to supply current to a road board not within the terms of the Act. All that the Bill seeks is authority for the Fremantle Tramways Board to supply current to the Rockingham Road Board; it does not restrict the right of any other electrical undertaking to supply current to the same local authority. To prevent misunderstanding, it is just as well to make it clear that the measure does not give the Fremantle Tramway Board the exclusive right to supply current to Rockingham. In those circumstances I have no objection to the Bill.

Question put and passed.

Bill read a second time.

In Committee.

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

Third Reading.

On motion by Mr. Sleeman, Bill read a third time and transmitted to the Council.

House adjourned at 10.16 p.m.

Legislative Council,

Tuesday, 11th December, 1931.

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

QUESTION—AGRICULTURAL BANK.

Sale of Abandoned Properties.

Hon. E. H. H. HALL asked the Chief Secretary: 1, What was the cost of advertising Agricultural Bank properties for sale during the 12 months ended the 30th June, 1931? 2, How many properties were sold during that period?

The CHIEF SECRETARY replied: 1, £1,269 8s. 3d. 2, 299.

QUESTION—UNEMPLOYED AT GERALDTON.

Hon. E. H. H. HALL asked the Chief Secretary: 1, What is the number of unemployed at present in Geraldton. 2, What action will be taken to provide work for them before Christmas?

The CHIEF SECRETARY replied: 1, Work has been provided for those who have proved their eligibility for Government relief. 2, Answered by No. 1.

QUESTION—RAILWAYS.

Clackline Station Crossing.

Hon. V. HAMERSLEY asked the Chief Secretary: 1, Upon which body lies the responsibility for keeping in order the railway crossing over the main road at the Clackline station? 2, As it has been in a deplor-

able condition for many months to the discomfort and irritation of road traffic, will the Government consult the authority concerned with a view to having it remedied immediately?

The CHIEF SECRETARY replied: 1, The Commissioner of Main Roads is responsible up to the railway line. 2, The Commissioner of Main Roads is constructing a deviation which will cross the Eastern Railway by overhead bridge, and eliminate altogether the crossing over the Toodyay line. The work will be completed in about six months. Meanwhile the present crossings will be maintained in reasonable condition.

MINISTERIAL STATEMENT—LOAN BILL.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [4.35]: During the course of my speech in reply to the debate on the second reading of the Loan Bill, I promised to obtain certain information for members. I now have the information and I desire to furnish it to the House in the form of a statement. Mr. Thomson desired to know what justification there was for the expenditure of an amount of £40,000 on the provision of harbour facilities at Esperance. He pointed out that members of the Royal Commission on the Agricultural Bank had expressed an opinion that the district was not suitable for wheat growing. I considered that the port would serve a much larger area than the immediate district and submitted the hon. member's remarks to the Surveyor General who has replied as follows—

In connection with the 3,000 farms scheme which, of course, has been abandoned, it was proposed to subdivide large areas south of Southern Cross, at Forrestania, and on towards Salmon Gums, subdivisions having already been made near Lake Carmody, Lake King, etc., on which settlers had been placed. Comprehensive railway proposals were made in connection with the development of this large extent of country, one railway line being intended to connect Southern Cross with Salmon Gums and lines to run eastward from Hyden and Newdegate to join up with this line, the idea being that the whole of the produce from the country at Forrestania, Lake Carmody and Lake King, and from there into Salmon Gums, should be railed to Esperance. It will be seen, therefore, that a very much larger extent of country than the actual Esperance area would eventually make Esperance its port. Although the 3,000 farms scheme is now in abeyance,

the country south of Southern Cross will eventually be developed, and the port of Esperance will then be required to deal with all the produce grown thereon.

Mr. Thomson and several other members also referred to the matter of sewage farms and expressed doubt as to the advisability of discharging effluent into the ocean, fearing that it might adversely affect our beaches. I am informed that the purity of the beaches will be absolutely preserved. The layout of the treatment works provides for the treatment of the effluent by aeration, or, in other words, the activated sludge system, should such ever prove necessary in the years to come when the population has greatly increased. I have in my office a jar containing a sample of the effluent from the Glenelg treatment works, South Australia, which has been kindly provided by the Engineer-in-Chief of that State. That is the effluent from the activated sludge treatment, and is all that passes into the ocean adjacent to the most popular beaches in South Australia.

As to sewage farms, I can only say that such undertakings have not proved to be ultimate successes in either Adelaide or Melbourne, and the abandonment of the South Australian sewage farm is in progress. In regard to the Werribee Farm, which some members quoted as an outstanding success, I cannot do better than read an extract from the annual report of the Metropolitan Board of Works for the year ended the 30th June, 1934—

Owing to outbreak of beef measles in the farm cattle and the restrictions placed by the Government on the despatch of cattle from the farm, it was impossible to make the expected sales. The Board have arranged for Dr. W. J. Penfold to undertake research work with a view to combating the trouble.

Furthermore, I am given to understand that the consumption of meat from cattle infected with the disease will cause the growth of a species of tapeworm in human beings.

Mr. Thomson and Mr. Angelo desired further information regarding the amount provided for purchase of land, pine plantation and forest regeneration. The amount provided in the Bill was £145,000. The heading is rather misleading. Practically the whole of the amount will be used in carrying out forestry relief works, and approximately 90 per cent. of the expenditure will be for the

regeneration of indigenous forests. A portion only of the amount will be expended in the propagation of pines. By far the greater proportion will be spent in regeneration of cut-over jarrah and karri forests and in the generation of mallet. Last year over 29,000 acres of jarrah country were regenerated and about 15,000 acres of saplings were thinned. In the karri forests nearly 4,000 acres were restocked by natural regeneration from seed trees and over 400 acres carrying no seed trees were spot sown with karri seed. Mallet has been established on otherwise useless poison land in the Narrogin district; last year 1,430 acres were cleared and sown and the young mallet is showing wonderful growth. Softwood plantations were increased in area by 1,486 acres, thus bringing the total area of pines established to 8,257 acres. Work this year will be carried out on almost similar lines. Forestation was neglected in pre-war years, and although much has been done to re-establish our forest wealth, it will take some years before the leeway is overtaken.

Members generally, asked for further information in respect of the sewerage proposals. Briefly, the idea is to provide sewerage facilities in Maylands, Inglewood, Victoria Park and South Perth areas at an estimated cost of £1,000,000, which will provide for outfall to the ocean, and for the abolition of the Burswood Island filter beds and river outfall. The amount provided on the current year's estimates for the work is £167,000. The work, which will be commenced early in the New Year, will absorb a considerable number of men in employment on the work itself and in the local production of raw material and manufacture of pipes, etc. It is anticipated that within four months, 1,000 men will be brought into employment that will last for a period of three years, which is the estimated time for carrying out the work. The scheme will benefit approximately 40,000 persons, provide for connections to over 10,000 existing buildings, and enable a further 4,000 vacant allotments to be connected when built upon.

The Claremont-Cottesloe sewerage scheme, estimated to cost £500,000, is expected to benefit 18,000 persons by enabling 4,800 houses to be connected to a sewerage system in Claremont, Cottesloe, Buckland Hill and Peppermint Grove and provide employment for 700 men. The proposals will necessarily

impose an increased demand on water supplies, and to meet the demand two new service reservoirs are being constructed—one at Buckland Hill with a capacity of 10,000,000 gallons to increase storage capacity in Cottesloe and Fremantle districts, the other at Mt. Eliza, with a capacity of 7,000,000 gallons to increase the storage capacity in the Perth district. The Buckland Hill reservoir is estimated to cost £20,000 and the one at Mt. Eliza £37,000.

Mr. Hamersley said he supposed the work would be carried out by day labour and would cost three times as much as it should. I may state authoritatively that that has not been the experience of the present Government. Men have worked loyally and well, and in numbers of cases the completed cost of major works has been much less than the estimate. As instances I may quote the No. 2 Section of the Claremont main sewer, the estimated cost of which was £11,888 and the actual cost £8,100, and the effluent main for which the estimate was £36,150 and the actual cost £27,000. The question of the necessity for a qualified engineer was also mentioned. Mr. Dumas has been appointed engineer in charge of the Metropolitan Water Supply, Sewerage and Drainage Department, and I can assure members that the Government fully satisfied themselves of the gentleman's qualifications before appointing him.

Mr. Hall referred to the shortage of housing accommodation in Geraldton. He considered that people for whom he was sure the Act was never intended to cater were occupying workers' homes in Geraldton, and also that the Act provided for too expensive a type of dwelling. I am informed that the total number of workers' homes at Geraldton is 62, of which 50 are under the leasehold section of the Act, and 12 under the freehold section. The capital cost of buildings under the leasehold section ranges from £390 to £710. The fortnightly instalments to repay the loans include all rates, taxes, fire insurance, ground rents, interest and principal, and range from £1 13s. to £2 15s. 7d. a fortnight. In the freehold section the advances range from £252 to £722 and the instalments from £1 4s. 9d. to £2 6s. 3d. per fortnight, all payments being subject to ½ per cent. rebate if paid within seven days of the 1st of each month. The board endeavour, wherever possible, to build small

wooden homes suitable for workers on low wages. The necessity for these cheaper homes is recognised, and everything possible is done to encourage the building of them. A number of homes have been built at costs ranging from £300 upwards. The Workers' Homes Act provides that, for the purposes of the measure, a worker's income is limited to £400 per annum, and the board endeavour to cater for workers of all classes within that limit. Each application is fully considered by the board, and the cost of the dwelling is restricted to the applicant's ability to meet the repayments necessary.

Mr. Angelo submitted a number of requests for information. I have already supplied it on the items regarding pine planting and short-term advances. The item, Departmental £90,000, I am informed is required to provide for the salaries and incidental expenses of officers employed on Loan works. All salaries are primarily provided on the Revenue Estimates, and allocations are made to Loan by means of rebates, which are estimated on the Loan works to be carried out in the year. At the beginning of the year it is not possible to make a direct allocation of salary and incidental expenses to the works proposed to be carried out, but at the end of each year the expenditure under the heading "Departmental" is apportioned to the appropriate works heading. The percentage of administration to the total loan programme is approximately 3 per cent., which is practically the same as last year's. Reference to Table 18 of the Public Accounts will show the allocation of Departmental expenditure for the year 1933-34.

As to the item "Development of Agriculture £175,000," I am informed that portion of this amount will be applied to the replenishment of depleted authorisations. The anticipated expenditure during the year is £143,500; out of this amount £130,000 will be required to carry on the Nornalup, Nanup, Napier River and South Busselton land settlement schemes. Further assistance in these areas is necessary to enable the settlers to become self supporting, for continuation of work in the reconditioning of holdings in various districts, and for survey of new areas. £1,500 will be required for experimental work and technical assistance to settlers in new irrigation areas. £12,000 is allocated as a carting subsidy to

wheatgrowers in areas settled under the Migration Scheme which are not served by railways.

Mr. Nicholson referred to the risks attendant on the carrying-out of sewerage and drainage work, and instanced certain subsidences which took place after the completion of work undertaken by the Perth City Council. The drains referred to were in places constructed with concrete foundation and concrete block arches. This type of construction has not proved suitable for the class of country passed through, and trouble has occurred through sand percolating into the drain and so letting the foundations down. With reinforced concrete pipes, which it is proposed to use, this will not occur.

As regards Mr. Elliott's speech on the Mine Workers' Relief Act Amendment Bill, in addition to Clause 5, Clauses 6 and 8 of the Bill deal with compensation, and distinctly provide that if the board grant a mine worker an allowance on the ground of extreme hardship, such allowance will be paid "while he continues to receive his weekly payments of worker's compensation." Any such allowance, therefore, will not shorten the period in which the mine worker will exhaust his total compensation of £750 by his weekly payments of compensation, after which he becomes entitled to the benefits prescribed by Scale I. of the regulations under the Mine Workers' Relief Act. The benefits range from 25s. per week for a single man up to £2 5s. per week for a married man with dependants. The actual amount of compensation paid under the Miners' Phthisis Act from the inception of the measure to 30th June, 1934, was £419,416. The State Insurance Office recouped the Treasury £70,000 of this amount on account of the silicosis plus tuberculosis cases prohibited under the Miners' Phthisis Act. The estimated outstanding liability of £350,000 under the Miners' Phthisis Act was arrived at by calculating the amount payable to the various beneficiaries according to their expectation of life, and the amount payable to the children of the beneficiaries until each child attains the age of 16 years.

The surplus of £20,468 shown on the first year's operations of the Mine Workers' Relief Fund can hardly be taken as a criterion for future years, because when those mine workers who are now receiving workers' compensation, or who may receive such com-

pensation in future, on account of silicosis or silicosis plus tuberculosis, have exhausted such compensation, they will then be entitled to the benefits of the fund; and some reserve is necessary in order to meet future liabilities. As to the surplus of £214,315 in the funds of the State Insurance Office under the Third Schedule, it may be explained that the laboratory reports disclose that there are approximately 400 persons still in the industry suffering from silicosis, all of whom are prospective claimants for the maximum compensation of £750 under the Third Schedule of the Workers' Compensation Act. It is therefore obvious that a substantial reserve to meet future liabilities under this fund is essential.

With reference to Mr. Elliott's remarks on the compensation paid in South Africa to miners suffering from miners' phthisis, I may say that the mine owners of Western Australia are now contributing $4\frac{1}{2}$ per cent. of the total wages paid on account of industrial diseases insurance, $3\frac{1}{2}$ per cent. on account of accident insurance, and £1 19s. per annum per man employed, to the Mine Workers' Relief Fund, or approximately £22 per annum for every mine worker employed. It will therefore be seen that workers' insurance is already a considerable burden on the industry, and that the Government are doing the best they can for the mine worker with the means at their disposal.

BILL—FREMANTLE MUNICIPAL TRAMWAYS AND ELECTRIC LIGHTING ACT AMENDMENT.

Received from the Assembly, and on motion by Hon. G. Fraser read a first time.

BILL—MINE WORKERS' RELIEF ACT AMENDMENT.

Report of Committee adopted.

Third Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [4.56]: I move—

That the Bill be now read a third time.

HON. C. B. WILLIAMS (South) [4.57]: With reference to this Bill—

The PRESIDENT: Does the hon. member wish to speak to the third reading?

Hon. C. B. WILLIAMS: Yes, Sir.

The PRESIDENT: Does the hon. member wish to move to recommit the Bill?

Hon. C. B. WILLIAMS: Possibly. I am opposed to certain provisions.

The PRESIDENT: It is rather late to speak on the Bill. The hon. member may not move at this stage that the Bill be recommitted.

Hon. J. Cornell: The hon. member can move for recommitment on the third reading if he has a motion to that effect on the Notice Paper.

Hon. C. B. WILLIAMS: Can I speak on the Bill, Mr. President?

The PRESIDENT: The hon. member can speak, but if he wishes to amend the Bill he will need to have it recommitted.

Hon. C. B. WILLIAMS: I did not think the Bill will go through to the report stage last week. It is part of my Parliamentary duties to assist unfortunate people who come under the principal Act. Having three cases before the Medical Board at the Government Laboratory last Thursday, I naturally went to the fields to appear for the applicants. That is why I missed the last discussion on the Bill. The Minister for Mines being in the East, I naturally thought the measure would not be proceeded with. I offer opposition to the Bill because of the fact that it proposes a concession to certain people who would receive more than £3 10s. per week provided they were in indigent circumstances, and that £1 per week would be granted to a wife in indigent circumstances. After all the discussions which the people affected have had with the Minister for Mines, I should have thought he would have made better provision for them. For instance, the principal Act provides that a beneficiary must prove himself to be in indigent circumstances before he can get an allowance of £1 per week for his wife. I wish to have the Bill amended so as to provide that men with advanced silicosis receiving compensation shall be paid an allowance of £1 a week if they have no other income and no other means. The passing of the Bill in its present form will only mean another amendment next session. A man is allowed to work two years in the mining industry without a certificate from the Commonwealth Laboratory and then, after that period, this can be said to him,

"You are no longer fit for work: out you go." If that man had been examined at the time he entered the industry, and had got a full certificate, he would have been examined within six or 12 months, and he might have passed the examination which would have allowed him to work in the industry. But to allow him to go on for two years is not fair. No man can enter the mining industry in this State unless he can pass the Commonwealth Laboratory test. The doctor there is a very capable man but it is not right that the laboratory should have the say-so as to who is fit to go into the mining industry, and then not examine a man for two years, or even 2½ years. A man would not be examined even then only that he might have developed T.B., and all the compensation he would get would be from the time he was examined at the laboratory after he had become ill. I object to the provision that a man should be allowed to work for two years underground or on the surface without being examined at the laboratory. There is another feature. If a person gets early silicosis and leaves the industry, and he takes his compensation on a percentage basis, there is no provision for such a man contributing to the relief fund so that he might retain his benefits after he has exhausted his compensation. That is an anomaly that must be apparent to the Government. They advise a man who has an early silicotic ticket to leave the industry, and when he does so, provision is made that he will be carried only as far as the compensation is concerned. If such a man has a family, the amount allowed is 7s. 6d. for each child, and if he had two or three children that would bring him up to about half wages. In six months' time he can get a lump-sum settlement, which gives him a chance to go somewhere else. When he becomes totally incapacitated from work, he cannot fall back on the fund to which he has contributed for, perhaps, 20 years. I had no idea that the Bill would reach its final stage so soon, seeing that the Minister for Mines is out of the State. I repeat that the Bill should be amended so that indigent persons might benefit. The amount to be contributed might be made more and I do not think that the men in the industry will object to paying the extra sum over the 9d. per week now paid, so long as the benefi-

ciaries receive another 10s. or 20s. per week.

Hon. J. Cornell: I suggested that when the original Bill was being discussed.

Hon. C. B. WILLIAMS: This year no less a number than 80 men left the industry with advanced silicotics and something like £65,000 would be paid in lump sums. The Mine Workers' Relief Fund has exhausted all the money in the old fund in paying old clients. There are 80 new men now receiving half wages with the right to accept £750 in six months, and in three or four years' time will come back on the Mine Workers' Relief Fund and draw anything from 25s. to 45s. per week, according to the number in the family. It will not then take very long to eat up £20,000. Then, when we realise that there will be another 400 waiting to draw on the fund within the next four or five years, one can imagine the strain that will be imposed on the fund. The union are not altogether satisfied with the Bill and if something is not done to remedy the defect, we shall only have to tinker with it again next session. I am sorry I was not here last week when the amendments were being considered, but I cannot do everything in trying to give satisfaction to all.

HON. J. CORNELL (South) [5.7]: May I suggest to the Leader of the House that, in order to meet the wishes of Mr. Williams, he agrees to postpone the debate on the third reading to the next sitting, and in the meantime Mr. Williams will put his amendments on the Notice Paper and at the subsequent sitting move for a recommitment of the Bill? This can be done under Standing Order 204A.

On motion by Hon. G. W. Miles, debate adjourned.

BILL—FINANCIAL EMERGENCY TAX ASSESSMENT ACT AMENDMENT.

Assembly's Message.

Message from the Assembly disagreeing to one amendment made by the Council and agreeing to two others subject to amendments now considered.

In Committee.

Hon. J. Cornell in the Chair: the Honorary Minister in charge of the Bill.

Council's amendment No. 1: Clause 2.—Delete this clause.

Assembly's amendment—

Strike out the word "Delete" and insert the word "Amend" in lieu thereof. Add the words "by striking out paragraphs (a) and (b) and inserting in lieu thereof paragraphs as follows:—

(a) by deleting paragraph (d) and inserting in lieu thereof a paragraph as follows:—

(d) in receipt of salary or wages in the amount of thirty shillings per week or more but less than the amount of the weekly basic wage, and having no other source of income, or in receipt of income including salary or wages in the amount of seventy-eight pounds per annum or more but less than an amount per annum ascertained by multiplying by fifty-two the amount of the weekly basic wage aforesaid, who prove to the satisfaction of the Commissioner that they are regularly maintaining or contributing to the maintenance of one or more members of their family who is or are resident and domiciled in Western Australia; or

(b) by adding to the section a subsection as follows:—

(2) For the purposes of paragraph (d) of subsection (1) hereof, the words "the amount of the weekly basic wage" shall mean the amount of the weekly basic wage as declared under and in accordance with the provisions of the Industrial Arbitration Act 1912-1925, which is ruling on the dates hereinafter mentioned respectively in the district or locality in which the person (being a person earning salary or wages) is for the time being earning such salary or wages, or in which the person (being a person deriving income) has his permanent home on the 30th day of June ending the year in which such income is derived (as the case may be), that is to say:—

(a) on the thirty-first day of December, one thousand nine hundred and thirty-four, insofar as relates to the tax payable or to be assessed in respect of the period commencing on the first day of January, one thousand nine hundred and thirty-five, and ending on the thirtieth day of June next following; and

(b) on the preceding thirtieth day of June in each and every year insofar as relates to any period of twelve months ending on the thirtieth day of June in any year after the said thirtieth day of June, one thousand nine hundred and thirty-five.

Provided that—

(i) In the case of a person (being a person earning salary or wages) any variation by way of increase made in the amount of the weekly basic wage to operate in any year after the thir-

tieth day of June, one thousand nine hundred and thirty-five, as from the thirty-first day of December in that year shall be applied so as to extend the exemption under this paragraph for the benefit of such person for the balance of such year; and

(ii) In the case of a person resident outside of the State of Western Australia the amount of the weekly basic wage applicable to such person shall be the amount of the weekly basic wage aforesaid ruling in Perth on the appropriate date aforesaid."

The CHAIRMAN: The Assembly's reason for disagreeing is that its amendments are considered to be more equitable.

The HONORARY MINISTER: When this Bill was being debated I said it was the desire of the Government to exempt all workers who were receiving not more than the basic wage, no matter where they might be employed, but added that certain difficulties were in the way of this being done. Up to that time we were not able to find a solution of the difficulty: consequently the Bill as presented to this Chamber provided that the exemption should begin at £3 12s. per week. This was a little above the basic wage for the metropolitan area. Some members said if we were going to exempt the basic wage earner in the metropolitan area we should include the basic wage earner on the goldfields, in which event workers in the metropolitan area would receive an advantage of about 10s. a week above the goldfields worker. As a result of the discussion, further consideration was given to the matter. Conferences have been held between the Commissioner of Taxation, the Crown Solicitor and the Government. The results of the conferences appear in the amendments now before the Committee. The net effect of the amendments is to exempt all workers up to the amount of the basic wage ruling in the district, but for a different period from that for which the basic wage usually lasts. The basic wage is declared for the State every year, to take effect as from the 1st July. Every quarter it is varied in accordance with the determination of the Government Statistician. In order that the Bill may be satisfactorily administered by the Taxation Department it has been found necessary to prescribe that the basic wage shall apply to the first six months of next year, and for that period the basic wage will be that which exists at the 31st

December of this year. That basic wage will be the exemption until the 30th June, 1935, and from then on, as from the 1st July, it will be the basic wage that is ruling in the various districts. We have done our best to prescribe an exemption which shall be equivalent to the basic wage in the various districts.

Hon. L. Craig: What about the 8s. increase just given to miners?

The HONORARY MINISTER: That does not affect the basic wage received by the miners, but represents an increase on that basic wage, which is £4 2s. per week.

Hon. L. Craig: Those who receive more than £4 2s. will be subject to the tax?

The HONORARY MINISTER: Yes. The only men exempt will be those on £4 2s. per week. It is not possible to provide in the Bill that the actual amount prevailing at the particular time shall be the basic wage exemption. The basic wage on the 31st December this year may be £3 11s., but when the quarterly adjustment is made, that may be increased or decreased. Those who are paying taxation at the source will have to pay their taxation before the decision as to the adjustment of the basic wage has been given. If the basic wage is altered in every quarter, it will create an increasing number of difficulties in the administration of the Act. It is believed that by fixing it as arranged in the amendments, that is, for two periods of six months, we shall overcome some of the difficulties.

Hon. G. W. Miles: What will be the effect on the revenue?

The HONORARY MINISTER: We do not know how many men are receiving the basic wage or less in any district, and it would be mere guesswork to estimate the amount that would be collected. The amendments mean that we shall receive less than we would have received under the original Bill. In the drafting of the amendment in another place, some words were used which gave them a meaning opposite from that which was intended.

Hon. R. G. Moore: They brought more men in instead of keeping more out.

The HONORARY MINISTER: I move an amendment—

That the Legislative Assembly's amendment to the Legislative Council's amendment

No. 1 be agreed to subject to a further amendment, as follows:—

Paragraph (a): proposed new paragraph (d)—strike out the words "less than" where they appear in line 3, and also in line 7 of the proposed new paragraph (d), and insert in lieu thereof in both places the words "not exceeding."

Paragraph (a): proposed new subsection (6)—strike out the words "less than," in line 16 of the proposed new subsection (6), and insert in lieu thereof the words "would not exceed."

Strike out the words "less than," in line 37 of the proposed new subsection (6), and insert in lieu thereof the words "does not exceed."

The CHAIRMAN: It is more or less a misnomer to refer to these as amendments on the amendments made by this Chamber. The amendments made by the Council are to strike out certain parts of the Bill and to revert to the Act now in existence. The Legislative Assembly, however, has repealed certain portions of the Act which the original Bill did not affect.

Hon. G. W. Miles: Is it in order?

The CHAIRMAN: I think so, but it is somewhat unprecedented.

Hon. C. F. BAXTER: I oppose the Assembly's amendment on the Council's amendment for two important reasons. The first is on account of the exemption, and the second is because of the amendment as such. Members who were in this Chamber when the original emergency legislation was introduced, will remember that I said the financial emergency tax measure and the Financial Emergency Tax Assessment Bill had to be considered as one because they were so closely interwoven. The following year the then Premier adopted that course, but this session the Acting Premier has seen fit to act otherwise, and the consideration of the two measures has become separated. We have already dealt with the tax Bill, and if we were to accept the Assembly's proposal in regard to the assessment Bill, I do not see how the two propositions could be reconciled.

Hon. J. Nicholson: We are at present considering the Assembly's amendment with regard to the assessment Bill.

Hon. C. F. BAXTER: Of course we are. The point is that the assessment Bill was passed in another place and sent to us; we amended the Bill, but the Assembly did not agree with our proposal and substituted another altogether. We cannot dissociate

ourselves from a consideration of the two measures, and I must mention the tax Bill. That measure was passed in another place, passed the second reading stage in this House, was dealt with in Committee, and has been recommitted. That is the stage at which the Bill rests to-day. If we agree to the Assembly's proposal with regard to the assessment Bill, how can we reconcile such a decision with our attitude on the tax Bill?

Hon. J. Nicholson: We cannot possibly do so.

Hon. C. F. BAXTER: We cannot afford to lose the emergency tax, and therefore we must overcome the difficulty. In the tax Bill, an amount is mentioned. If we accept the Assembly's proposal on the assessment Bill, I do not see how we can overcome that difficulty. I mention the matter because it is one that the Government must deal with. We must save the emergency taxation measures somehow. Dealing now with the exemptions proposed in the Assembly's amendment on the Council's amendment to the assessment Bill, last year the exemption was fixed at £3 10s. But this year it has been raised to £3 12s. The Honorary Minister told us this afternoon that, as a result of the discussion in this Chamber, the Government were also exercised about the same point, and submitted the proposal outlined in the Assembly's amendment as a way out of the difficulty. The desire of the Government to exempt basic wage earners is not very laudable. When the legislation was placed on the statute-book, it was for the purpose of dealing with an emergency. It was determined that those who were lucky enough to be earning something should contribute towards the help of those who were not in such a fortunate position. So that all who were working should assist, the tax was made to apply all round. If it were not to apply in that way, why trouble about an emergency tax at all? Why not increase the income tax, for the latest proposal of the Government amounts to that? Why should not people in receipt of £3 10s. and upwards contribute something towards the emergency tax? What justification is there for saying they should not? Some suggestion was made in this House with regard to the basic wage earners, and the Government accepted it.

The Honorary Minister: That is hardly the position.

Hon. C. F. BAXTER: The true position—I know they are hard words—is that, in advancing this proposal, the Government desire to placate a very strong section of their supporters. That attitude is not justifiable. The Committee would not be justified in agreeing to support such a course. We must do our duty, and say that a large section of the community who can afford to pay something, should be required to do so. To exempt such a large section of the community while requiring others to pay, is not right. There should be no departure from the principle of taxing all in receipt of wages beyond £3 10s., unless it be to grant relief to those with dependants. I do not mean merely married people but those who have dependants. On the contrary, the Government propose to exempt all workers who are in receipt of the basic wage and at the same time do not know, and apparently do not care, what the cost will be. If the financial position is so bad, the least the Government could do would be to tell us how much this exemption will cost the State. I admit we must find some way out of the difficulty, but members of this Chamber will be lacking in their duty if they allow the Government's proposal to go through. The Acting Premier has stated publicly that the session will close this week, but with the financial emergency tax Bills still on the Notice Paper, and eight or nine other important measures to be dealt with, it is clear there is no hope of dealing with them properly and closing the session before Christmas. Members, particularly those who are new to this Chamber, should not be concerned, but should agree to proceed quietly and steadily, analysing every measure to make sure that no mistakes are made. We must do that even though we may have to come back after Christmas.

Hon. C. B. Williams: I do not think members in this Chamber have ever hurried.

Hon. C. F. BAXTER: Had Mr. Williams been here at the end of last session, he would have been aware of the rush we experienced. We should be prepared to sit on so as to be quite sure that we will not pass legislation that will impose a hardship upon any section of the community. The emergency tax Bills should receive most careful consideration.

HON. R. G. MOORE: I support the Assembly's amendment on the Council's amendment. I had intended submitting a somewhat similar amendment myself. I am surprised at the remarks of Mr. Baxter.

HON. C. F. BAXTER: You will not be before we are finished.

HON. R. G. MOORE: If Mr. Baxter were to turn up the reports of his remarks in "Hansard" last year, he would find it hard to reconcile his statement to-day with what he said on that occasion. He told members last year he was satisfied a mistake had been made, and it was a fair thing to exempt people in receipt of up to £3 10s.

HON. C. F. BAXTER: That is so.

HON. R. G. MOORE: And £3 10s. was the basic wage.

HON. C. F. BAXTER: It was the amount I was considering, not the basic wage.

HON. R. G. MOORE: No one knows better than Mr. Baxter that the exemption of £3 10s. was fixed to cover people who were in receipt of the basic wage in the metropolitan area and the south-west. He was satisfied it was a fair thing. If Mr. Baxter has any brains at all, he will know that if £3 10s. was a fair thing when the basic wage was fixed at that amount, it cannot be a fair thing when the basic wage is £3 12s.

HON. C. B. WILLIAMS: It is £4 15s. on the goldfields now.

HON. R. G. MOORE: A proposal that will exempt basic wage workers in one part of the State, and not extend the same consideration to basic wage earners in another part of the State, is not equitable. Mr. Baxter raised the point as to whether the Assembly's amendment was fair in comparison with what had been decided previously. If one section of the community enjoys a privilege, other sections of the community have a perfect right to the same privilege. I would rather see them all in on a lower rate, than half in and half out. But I want to see all those below the basic wage exempted. Who has a better right to be relieved of taxation than the people below the basic wage? We must extend our sympathy to the man on the lowest rung of the ladder. Last year this House disagreed with the Government's amendment to extend the exemption to £3 10s., but in conference we had to give way. If we do not agree to the amendment before us, it will be sent back by another place and we shall be here

after Christmas to consider it further, and still we shall not be given our way. So I appeal to members to accept the Assembly's amendment as being more equitable than the original provision.

THE CHAIRMAN: I do not wish to pose as a schoolmaster, but it is for the Chairman to try to prevent the Committee from getting into trouble. Apart from the merits of the question, I point out we have here in regard to these two Bills a distinct departure by the Acting Premier from the procedure adopted by the Premier last year. Both the assessment Bill and the taxing Bill were amended by the Council last year. The Assembly disagreed with the Council's amendments on the assessment Bill, and the Council insisted on its amendments. Another place then asked for a conference on the assessment Bill, not on the taxing Bill. But the Premier took the taxing Bill into the conference, and all that was reported from the conference to this House was the agreement arrived at on the assessment Bill. Subsequently a message came from another place notifying that it declined to make the requested amendments of the Council in the taxing Bill and submitting alternative amendments which had been agreed upon in the conference, where the Premier had taken the taxing Bill in with the assessment Bill. Accordingly the Council agreed to the Assembly's amendments in the taxing Bill. To-day, however, we have not yet completed the taxing Bill, and we have before us the assessment Bill with the Assembly's amendments alternative to our own. Assuming we do not accept the alternative amendments, but insist on our own amendments, we are still in possession of the taxing Bill and it might even lead to the loss of that Bill; but assuming that we accept the Assembly's alternative amendments, we are asked to amend the taxing Bill. However, this Committee can go no further than request the Assembly to amend the taxing Bill, and whether this amendment is agreed to or no, I can see this Committee ending in disaster. The procedure followed last session worked out amicably, so why not follow it again this session? Let us put aside these amendments until we get rid of the taxing Bill. I appeal to the Honorary Minister to follow the procedure which his Premier followed last year. What will be the position if this Committee disagrees to the Assembly's

amendment now before us? The only alternative will be to fall back on the existing Act or ask for a conference, and we cannot go into conference on the assessment Bill without having the taxing Bill with us. And if we set ourselves up to amend the taxing Bill, another place, rightly, will take exception to it.

The HONORARY MINISTER: With all due deference I submit there is nothing wrong in the procedure adopted. Because a certain procedure is adopted one session, is not to say it should be followed another session.

The CHAIRMAN: Suppose I refuse to accept these proposed amendments to the tax Bill and say they are not permissible, and the Committee uphold me, what are you going to do?

The HONORARY MINISTER: The assessment Bill is a permanent measure, and it is on that Bill that discussion usually takes place. In view of the amendments submitted to us by another place, it is essential that the Committee determine whether or not it is going to agree; and having determined that question, it can then deal with the tax Bill, which is still in this House and will be brought on immediately we have completed this measure. The Committee can deal with that Bill in accordance with what has been done previously. I do not follow the Chairman when he says we are likely to lose the tax Bill.

Hon. C. F. Baxter: There is every chance in the world.

The HONORARY MINISTER: I cannot follow the logic in that reasoning. We are dealing with the assessment Bill as we have always dealt with it, and having determined the question of principle in that Bill—

The CHAIRMAN: We are dealing with the assessment Bill as we have never dealt with it previously.

The HONORARY MINISTER: We have always had the discussion on the assessment Bill. The taxing Bill is for a limited period. It fixes the rate of tax, and this Committee at any time can request another place to make amendments in that Bill.

The CHAIRMAN: Provided the requested amendments do not increase the burden of taxation.

The HONORARY MINISTER: Of course. The tax will be made in accord-

ance with amendments in the assessment Bill.

The CHAIRMAN: Suppose the rates were lowered. That would affect a greater number of taxpayers.

The HONORARY MINISTER: I am afraid we are looking for difficulties which really do not exist. With all due deference to the Chairman, I cannot see any logic in his statement that we are likely to lose the tax Bill by dealing with the assessment Bill as we are doing. In the assessment Bill the Committee is called upon to determine questions of principle. The principle at stake is whether persons receiving more than £3 10s. per week and less than the basic wage shall be taxed. On a previous occasion we determined that persons with dependants and earning not more than £3 10s. a week should be exempt. The amendments on the notice paper provide that persons who earn not more than the basic wage, wherever they might be employed, shall be exempt provided they have dependants. The exemption applying to single men will remain the same. Mr. Baxter contends that the one principle involved is that every person should pay.

Hon. C. F. Baxter: That was the principle when this legislation was originally introduced.

The HONORARY MINISTER: The Labour Party told the electors that, if returned, they would alter that provision and we have altered it, though not as much as we should like to do. Only after considerable trouble have amendments been framed to give effect to the Government's desires. Once we come to a decision on the assessment Bill, there should be no difficulty, because we could then request another place to amend the tax Bill accordingly.

Hon. J. NICHOLSON: The Honorary Minister would be well advised to consider the suggestions made by you, Mr. Chairman, and thus obviate the confusion that might otherwise occur. In dealing with an assessment Bill, we have rights that we do not possess when dealing with a tax Bill. Clause 2 of the tax Bill reads—

The Financial Emergency Tax Assessment Act, 1932, with its amendments, is incorporated with and shall be read as one with this Act.

That shows how the two measures are inter-related. One is dependent on the other,

and the relationship is so close that one cannot well be considered without reference being made to the other. Because of that, I appeal to the Minister to consider the point further, so that the risk of confusion, or even of losing the tax Bill, may be avoided.

The HONORARY MINISTER: I have already stated that once we have determined the principle in the assessment Bill, we will deal with the tax Bill and members can do as they please with it. The two measures could be returned to another place at the same time. The Chief Secretary informs me that it has been the practice to discuss the assessment Bill first.

The CHAIRMAN: I pointed out that last session it was otherwise.

The HONORARY MINISTER: Any difficulty should be met by my assurance that the tax Bill will be dealt with immediately after this Bill.

Hon. H. SEDDON: The difficulty might be overcome if the Honorary Minister agreed to deal with the Bills in the reverse order. The same principle operates in both. The Government have gone a long way towards meeting the objection of members here and, if the Honorary Minister gained his point on the principle in the tax Bill, the ground would be cleared. Otherwise amendments might be made in the one measure that would be inadmissible in the other.

Sitting suspended from 6.15 to 7.30 p.m.

The HONORARY MINISTER: During the tea adjournment I looked into the position, and I am sure that the procedure which the Government are adopting is the only right procedure. According to what may happen to the assessment Bill, so it will be necessary to deal with the taxing Bill; if the former Bill is amended, there will be consequential amendments to be made in the taxing Bill. Those consequential amendments would have to be made as a matter of logic. Until the assessment Bill has been dealt with, it will be impossible to say what amendments are necessary in the taxing Bill. The amendment before the Chair will mean not increase but definite reduction of revenue. Therefore the objection as to this Chamber increasing the people's burden does not apply. We do not know the number of persons who will be

affected. The principle of this assessment Bill is the same as that of last session's Bill, to exempt persons on the basic wage.

Hon. J. NICHOLSON: One appreciates the opportunity the Honorary Minister has had to consider the matter; but, with all respect to whatever opinion has been given to him, I still maintain that the two Bills should be taken together. Both Bills should be in possession of another place at the same time. The danger is that we do not know what amendments may be made in the taxing Bill, but most assuredly we could not make amendments which would have the effect of increasing the burden on the people.

The CHAIRMAN: Perhaps the debate could be shortened. The procedure adopted last session on these two Bills could be adopted now. The Honorary Minister says that that suggestion is not acceptable. The position seems to boil down to this, that we should consider the amendment on its merits, leaving procedure out of consideration altogether.

The HONORARY MINISTER: It is not a question of the procedure being acceptable, but of its being correct. I am advised that the procedure suggested by the Government is the correct one. Last session's procedure may have been totally wrong, but I do not know that we need debate that aspect. According to how we decide in regard to the assessment Bill, so would we decide in regard to the taxing Bill.

Hon. J. M. MACFARLANE: Apparently the Honorary Minister has not been able to answer the question what it will cost to do as the Government suggest. Until the Honorary Minister can answer that question definitely, the safest course is to send the amendment back to the Assembly.

The HONORARY MINISTER: I am surprised at Mr. Macfarlane's statement. The hon. member must be aware that no Government could have knowledge of the number of persons involved in the amendment; nor is there any record by which an estimate could be made. If I gave an estimate which proved to be a long way from the actual position, hon. members would complain. It has now been decided to increase the exemption so as to include basic-wage earners outside the metropolitan area, and it necessarily follows that the revenue from the tax will thereby be considerably reduced.

Hon. T. MOORE: Some members seem to believe that only persons on the basic wage are affected, but there are many small farmers and small pastoralists who may be just within or without the exemption, and they too are affected. It is wrong to use the expression "basic wage" in connection with the amendment. If from our business we receive incomes equal only to the amount of the basic wage, we will benefit by the amendment. All people on small incomes will have their exemption raised by it. That is right, and I stand for it.

The HONORARY MINISTER: Hon. members have only to read the Bill to learn that provision is made for workers who pay the tax at the source, and for persons in receipt of income, whether wages or salary, who pay the tax yearly. Both classes are entitled to the same exemption. It is not a question of one class as against another. The proposed exemption applies to all persons in receipt of small incomes.

Hon. A. THOMSON: I am not able to understand what is going to be the ultimate result. The Minister himself frankly admits that the Government are not in a position to tell us what the proposed amendments are going to bring in. Apparently we are going to have a differential tax. If a man in the metropolitan area earns £3 11s. he will not pay; if he lives on the goldfields where the basic wage, I understand, is £4 2s., he will be exempt. It seems to me we are perpetuating a system that Mr. Moore and the Honorary Minister are endeavouring to overcome. We are placing the man in the metropolitan area at a disadvantage as compared with the man on the goldfields. In view of the lack of information available to members, and also in view of the principle I have long stood for, and which I have always maintained, that irrespective of the amount of salary or wages one might be receiving all should pay their quota towards the government of the country. I shall oppose the amendment.

Hon. E. H. ANGELO: The Minister told us that the amendments had been made somewhat in deference to the wishes of members of this House. That was not the chief reason why I voted for the £3 10s. amendment. The chief reason was because I considered that this was not an emergency tax where every person that could

possibly do so should contribute. When the Bill was introduced in the Assembly, it was pointed out that it was a temporary measure rendered necessary by the depression, and that as soon as the depression began to lift it would be removed. In the meantime every section should contribute a little to the requirements of government. Originally there was a flat rate of fourpence, but on the hustings the present Government promised to alter that tax. But did they tell the people that they would not only alter the flat rate but increase the amount?

The Honorary Minister: Of course we did.

Hon. E. H. ANGELO: Then I consider it was an unfair promise to make to the people whose votes they were trying to secure. It is like shooting a double-barrelled gun at people who are receiving more than the basic wage. If the Government had increased the exemption and left the flat rate or altered the flat rate and kept down the exemption, it would have been fairer. If they go on increasing these exemptions we shall never get rid of the emergency tax. It was imposed in the first case so that every section of the community should subscribe to it, and that is the principle to follow still.

The HONORARY MINISTER: Mr. Thomson complains that I am not in a position to give him certain information. The only thing I have not told him is the number of persons on the goldfields receiving the basic wage.

Hon. A. Thomson: And how much money the Government will lose.

The HONORARY MINISTER: No one can tell that because we do not know the number of basic wage earners. Mr. Angelo's argument is equally futile. He knows that the policy of the Government is to exempt persons on the basic wage. That was stated at every meeting held in his province at the last election. The only point at issue is whether the Government shall be allowed to exempt those who are receiving not more than the basic wage from payment of the tax. If he does not agree with that policy he can vote against the amendments. If the Committee disagrees with the amendments we shall have to amend the tax Bill in accordance with that determination.

Hon. C. B. WILLIAMS: Evidently the support of members on behalf of the wage-earners on the goldfields was not genuine, because now the Government are carrying out the wishes of members, they are finding fault. From the 1st January next the lowest wage in the mining industry on the fields will probably be £4 14s. a week, whereas the few workers not engaged in mining will be receiving £4 2s. a week. The Bill will therefore not greatly affect the goldfields.

Hon. H. S. W. PARKER: I oppose the amendments. No mandate I know of was ever given to the Government to take this action. One of the promises they made in my province was that they would reduce taxation, but they have actually increased it. They now want us to exempt a greater number of people than ever from payment of this emergency tax, but taxation is still not being reduced to the rest of the community. The Honorary Minister says he has not the foggiest notion what the exemptions mean financially. Indeed, I cannot understand the amendments myself.

Hon. R. G. MOORE: The amendments exclude from taxation all basic wage earners with dependants, wheresoever they may be. The only principle involved is whether we shall agree to that arrangement, or whether we shall exclude some and include others. It does not so much matter whether the Government are going to lose a little revenue by the amendments, or otherwise. The question is whether we shall exempt all basic wage earners or a section of them only. A good deal has been said about increasing taxation, and the Government have been blamed, rightly or wrongly, for increasing it. Now members are opposing an amendment that will give relief to people from taxation. They are not satisfied when taxation is imposed, and they are just as dissatisfied when relief is granted from taxation.

Hon. H. S. W. Parker: We would not oppose it if the relief were granted evenly.

Hon. J. M. Macfarlane: You do not suggest that last session's action was correct?

Hon. R. G. MOORE: Last year the basic wage earners were exempt in the metropolitan area and the South-West.

Hon. E. H. Angelo: And they should not have been exempted.

Hon. R. G. MOORE: I am not arguing that point, but the basic wage earners in

those parts of the State were exempt, and those earning the basic wage on the goldfields were not. Can any member tell me what provision in the Bill suggests that we will increase taxation if those earning the basic wage are granted exemption?

Hon. J. M. Macfarlane: Ask the Minister.

Hon. E. H. Angelo: Ask Mr. Baxter. You said he had no brains.

Hon. R. G. MOORE: I did not. I said if he had any brains he would know the position. I am satisfied that Mr. Baxter has brains, and that he does know the position. I want the exemption granted to all basic wage earners, but the relief will affect more people than those who are in receipt of wages. There are a lot of others who are struggling to keep off the dole, and are just making a living.

Hon. L. Craig: They will still be exempt if they get less than £3 10s.

Hon. R. G. MOORE: I know that, but they do not receive the basic wage.

Hon. G. FRASER: I cannot understand the attitude of members. The principal reason why they would not agree to the £3 12s. amendment was that the exemption would apply to a section only of the basic wage earners.

Hon. L. Craig: That was not the attitude of the whole Committee.

Hon. G. FRASER: That was my impression. Now that the Government have accepted the request submitted by members, they still complain.

Hon. L. Craig: That suggestion came from the goldfields, and was submitted by one goldfields member only.

Hon. G. FRASER: The only reason the Government did not submit the proposal earlier was that they could not find a way out, but it has been found now, and members say they will vote for the £3 10s. exemption, but they are against the principle.

Hon. H. S. W. Parker: I was not a member of this Chamber when it was dealt with.

Hon. G. FRASER: No, and the only reason you and Mr. Angelo were not in another place was that you supported the emergency legislation and advocated it before the electors.

Hon. H. S. W. Parker: And after 12 months' experience they have sent us back to Parliament.

Hon. E. H. Angelo: They found out their mistake.

Hon. G. FRASER: Because Mr. Angelo and Mr. Parker were not prepared to favour legislation doing away with the imposition they were rejected at the poll. Now the Government are prepared to place all on an equality regarding the exemption, and that is merely fair and just. It is not fair to oppose it.

Hon. H. S. W. Parker: Place the exemption on a basis of equality, and I will agree to it.

Hon. G. FRASER: I will not impose a tax on people who cannot afford to pay it; it would mean taking food from them.

Hon. H. S. W. Parker: Then why take their 25s. for their union tickets?

Hon. G. FRASER: That story is threadbare. If they had not provided their union subscription, they would not have received the wages they are now getting. It was an insurance against low wages.

Hon. H. S. W. Parker: With a Labour Government in power!

Hon. G. FRASER: Members must know that the Government have no say with regard to wages. I believe members will come to their senses and agree to the exemption.

Hon. C. F. Baxter: Do you want to finish up the session before Christmas?

Hon. G. FRASER: I have been thinking about that. I have sat listening to the discussion throughout and heard members arguing for an hour or more about a question of procedure that had nothing whatever to do with the matter under consideration. I have been very patient and surely to goodness I can have five minutes of the time of the Committee! I will deal with one other point only. The Government put a policy before the people and were returned to power. Are we in this Chamber, which represents a section of the people only, to say that the Government shall not give effect to their policy?

Hon. G. W. MILES: I move—

That the Committee do now divide.

Motion put, and a division taken.

The CHAIRMAN: There being no member sitting on the "Noes" side. I declare the motion unanimously carried. The question now is that the alternative amendment made by the Assembly on the Council's amendment be agreed to.

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

Ayes	..	..	..	..	10
Noes	..	..	..	..	16

Majority against 6

AYES.

Hon. A. M. Clydesdale	Hon. E. H. H. Hall
Hon. J. M. Drew	Hon. W. H. Kitson
Hon. C. G. Elliott	Hon. R. G. Moore
Hon. G. Fraser	Hon. C. B. Williams
Hon. E. H. Gray	Hon. T. Moore

(Teller.)

NOES.

Hon. E. H. Angelo	Hon. H. S. W. Parker
Hon. C. F. Baxter	Hon. H. V. Piesse
Hon. L. B. Bolton	Hon. H. Seddon
Hon. V. Hamersley	Hon. A. Thomson
Hon. J. M. Macfarlane	Hon. H. Tuckey
Hon. W. J. Mann	Hon. C. H. Wittenoom
Hon. G. W. Miles	Hon. H. J. Yelland
Hon. J. Nicholson	Hon. L. Craig

(Teller.)

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

No. 3: Title—Council's amendment disagreed to by the Assembly—Delete the words "four and" in the first line.

The CHAIRMAN: The reason given by the Assembly for disagreeing to this amendment made by the Council is, so that other amendments may be put forward which are considered to be more equitable. The question is that the Council's amendment be insisted upon.

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

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

RESOLUTION—TRAMWAYS CLOSURE.

Claremont Station to Waratah Avenue.

Message from the Assembly received and read requesting the concurrence of the Council in the following resolution:—

That this House endorses the recommendation of the Western Australian Transport Board for the closure of the tramway from the Claremont railway station to and including Waratah Avenue, and sanctions the closure of the said line.

BILL—FINANCIAL EMERGENCY TAX.

Recommittal.

Resumed from the 29th November. Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

The CHAIRMAN: Progress was reported on the Bill, which was originally taken through all stages except the Title. The question now is that Clause 4 stand as printed.

Clause 4—Imposition of Financial Emergency Tax:

Hon. C. F. BAXTER: I move—

That the Assembly be requested to make the following amendments:—

Paragraph (a), subparagraph (ii).—Strike out the word "Fourpence" and substitute the word "Threepence."

Paragraph (a), subparagraph (iv).—Strike out the word "Fivepence" and substitute the word "Fourpence."

Paragraph (a), subparagraph (v).—Add the words "and subparagraph (iv) hereof does not apply."

Paragraph (a), subparagraph (vi).—Strike out the word "Sixpence" and substitute the word "Fivepence."

Paragraph (a).—Insert a new subparagraph after subparagraph (vii), as follows:—

(viii) Sevenpence in the pound where the income is three hundred and sixty-four pounds per annum or more and is less than four hundred and sixteen pounds per annum in the case of a person of the kind mentioned in subparagraph (iv) hereof.

Paragraph (a).—Insert a new subparagraph, as follows:—

(ix) Eightpence in the pound where the income is four hundred and sixteen pounds per annum or more in the case of a person of the kind mentioned in subparagraph (iv) hereof.

Paragraph (b).—Strike out the words "fourpence, fivepence, sixpence, eightpence," and substitute the words "threepence, fourpence, fivepence, sixpence, sevenpence, eightpence."

Paragraph (b), subparagraph (ii).—Strike out the word "Fourpence" and substitute the word "Threepence."

Paragraph (b), subparagraph (iv).—Strike out the word "Fivepence" and substitute the word "Fourpence."

Paragraph (b), subparagraph (v).—Add the words "and subparagraph (iv) hereof does not apply."

Paragraph (b), subparagraph (vi).—Strike out the word "Sixpence" and substitute the word "Fivepence."

Paragraph (b).—Insert a new subparagraph after subparagraph (vii), as follows:—

(viii) Sevenpence in the pound where the amount of the salary or wages is seven pounds per week or more and is less than eight pounds per week in the case of a person of the kind mentioned in subparagraph (iv) hereof.

Paragraph (b).—Insert a new subparagraph as follows:—

(ix) Eightpence in the pound where the amount of salary or wages is eight pounds per week or more in the case of a person of the kind mentioned in subparagraph (iv) hereof.

Members will see that these amendments apply only to those people with dependants. The Government are more happily situated with regard to finance than they were when the original Bill was brought in. Further than that, we have had before us amendments which will give relief to a large section of the people, but one section only. This, I think, proves conclusively that a reduction given to all those who have dependants is more justified than the picking out of any one section. It is only right that this relief should be given to those who deserve it. The Bill was originally brought in as an emergency measure, but it has become a permanent measure, which was never intended. It only serves to show that when a Government once impose a tax, they like to stand firm to it. But we should look upon the Bill as an emergency measure. The only way to get rid of such an emergency measure is to reduce it gradually, for we could not ask any Government in any one financial year to forego the whole of the revenue received from the tax, which amounts to a little over half a million. So we must reduce it gradually, and on this occasion it is desirable that we extend help to those with dependants. Some members have contended that the proceeds of the tax will assist to reduce the deficit. Last year the tax yielded £200,000 more than was estimated and it was not applied to reducing the deficit.

Hon. G. W. Miles: Do you know that the deficit is £200,000 less this year?

Hon. C. F. BAXTER: Not due to this tax.

Hon. G. W. Miles: Of course it is.

Hon. C. F. BAXTER: This measure of relief might well be extended to people who are carrying heavy responsibilities.

The HONORARY MINISTER: If we relied upon income taxation to secure increased revenue for emergencies, more than those people exempted under this measure would be relieved from paying.

Hon. C. F. Baxter: I am aware of that.

The HONORARY MINISTER: Last year the Government did not receive £200,000 in excess of the estimate from this taxation.

I do not propose to speak to any more of the amendments of which the hon. member has given notice. The sooner we get these emergency Bills back to another place, the sooner shall we know where we stand.

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

Ayes	..	..	..	..	11
Noes	..	..	..	..	13

Majority against 2

AYES.

Hon. C. F. Baxter	Hon. J. Nicholson
Hon. C. G. Elliott	Hon. H. Seddon
Hon. E. H. H. Hall	Hon. H. Tuckey
Hon. V. Hamersley	Hon. H. J. Yelland
Hon. W. J. Mann	Hon. E. H. Angelo
Hon. R. G. Moore	(Teller.)

NOES.

Hon. L. B. Bolton	Hon. T. Moore
Hon. A. M. Clydesdale	Hon. H. S. W. Parker
Hon. J. M. Drew	Hon. H. V. Piesse
Hon. E. H. Gray	Hon. A. Thomson
Hon. W. H. Kitchin	Hon. C. B. Williams
Hon. J. M. Macfarlane	Hon. G. Fraser
Hon. G. W. Miles	(Teller.)

Amendment thus negatived.

Clause put and passed.

Bill again reported without further amendment and returned to the Assembly requesting that the amendment (previously agreed to) be made, leave being given to sit again on receipt of a message from the Assembly.

BILL—LICENSING ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—FINANCIAL EMERGENCY ACT AMENDMENT.

Assembly's Message.

Message from the Assembly disagreeing to two amendments made by the Council now considered.

In Committee.

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

No 1. Clause 6—Delete this clause.

The CHAIRMAN: The Assembly's reason for disagreeing is that, owing to the time for the effective application of Section 18 having expired, the section is now unnecessary.

The HONORARY MINISTER: I move—

That the amendment be not insisted on.

Section 18 was the result of a compromise last session. It provided that employers working under an order of the court might apply to the court within a month for a variation. That period has expired. Orders granted will not be affected by this measure, but will remain in force for the term ordered by the court. When the orders expire, either employers or employees may again approach the court. No useful purpose would be served by retaining Section 18, which has become a dead letter.

Hon. J. NICHOLSON: Certain awards and agreements are in force at present, and if Section 18 be repealed application might be made to determine them. Once the foundation be removed the awards built on that foundation must necessarily be affected. If I give power of attorney to a man and subsequently revoke it, he can no longer act under it. The Committee, when deciding to retain the section until the awards had expired, acted wisely and properly. The amendment should be insisted on.

The Honorary Minister: The section is dead.

Hon. J. NICHOLSON: It is not dead at all. Applications have been made under it, and it should remain on the statute-book until the awards in question have expired.

The CHAIRMAN: This is a matter of opinion. If the Committee insist on the retention of the section, the question will go to a conference. The matter is hypothetical, and can only be determined by a court. Thus there would be no question for a conference to negotiate upon.

Hon. J. NICHOLSON: There is the saving of the awards made under the section proposed to be repealed. The reason given by the Government is inadequate.

The Honorary Minister: The awards would still remain in force.

Hon. J. NICHOLSON: It is all very well for the Honorary Minister to say that. If the Committee agree to the repeal of the section, the awards will be invalid.

The CHAIRMAN: There can be no give and take on the question whether the section should be repealed.

Hon. J. NICHOLSON: I submit it is the duty of the Chamber to retain the section. Another place might have suggested a pro-

viso to the effect that any award made under the section to be repealed should not be affected by such repeal. A conference would be fruitful from that aspect.

The HONORARY MINISTER: I must pit my knowledge of the law against Mr. Nicholson's, and tell him that no award has been made under the section in question. All the awards have been made under the Arbitration Act. The applications made were made under the Arbitration Act, not under this section. Any order made by the Arbitration Court was made under the Arbitration Act. Nothing done to any other Act can affect awards made by the Arbitration Court. The Chamber would be adopting a ridiculous stand in insisting upon the retention of a dead section.

Hon. G. FRASER: Any action that was taken in respect of awards was taken under the Arbitration Act, and not under the section here in question. As soon as an application was made, it would come under the Arbitration Act. The contentions of hon. members opposing the motion are erroneous.

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

Ayes	..	..	14
Noes	..	..	10

Majority for .. 4

AYES.

Hon. C. F. Baxter	Hon. W. J. Mann
Hon. A. M. Clydesdale	Hon. R. G. Moore
Hon. J. M. Drew	Hon. T. Moore
Hon. C. G. Elliott	Hon. H. Seddon
Hon. G. Fraser	Hon. A. Thomson
Hon. E. H. H. Hall	Hon. C. B. Williams
Hon. W. H. Kitson	Hon. E. H. Gray
	(Teller.)

NOES.

Hon. E. H. Angelo	Hon. H. S. W. Parker
Hon. V. Hamersley	Hon. H. V. Piesse
Hon. J. M. Macfarlane	Hon. H. Tuckey
Hon. G. W. Miles	Hon. C. H. Wittenoom
Hon. J. Nicholson	Hon. L. B. Balton
	(Teller.)

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

No. 2. Title.—Delete the words "and to repeal Section 18":

On motion by the Honorary Minister, the Council's amendment not insisted on.

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

BILL—FINANCIAL EMERGENCY TAX ASSESSMENT ACT AMENDMENT.

The PRESIDENT: I draw the Honorary Minister's attention to the fact in connection with the Financial Emergency Tax Assessment Act Amendment Bill and the insistence of the Council's amendments, that under Standing Order 226, the Council's reasons must accompany the message. I suggest that a committee of three members be appointed to draw up reasons.

The HONORARY MINISTER: I regret I overlooked this matter. I move—

That the Hon. C. F. Baxter, Hon. J. Nicholson, and the mover be appointed a committee to draw up reasons for insisting on the Council's amendments.

Question put and passed.

Sitting suspended from 9.20 to 9.30 p.m.

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

BILL—FACTORIES AND SHOPS ACT AMENDMENT.

Second Reading.

The HONORARY MINISTER (Hon. W. H. Kitson—West) [9.38] in moving the second reading said: This is a small but a most important Bill. The principal amendment contained in it deals with the definition of "factory" as set out in the parent Act. To-day any premises where fewer than four persons are employed are, with certain exceptions, exempt. It is desired to amend that definition to give the Minister power to include certain premises where fewer than four persons are employed, as a factory within the meaning of the Act. During recent years there has been a considerable increase in the number of such places. As they have not been subject to the same supervision as those that may be termed legitimate factories, they have been able to compete in an unfair manner with those factories. The Act prescribes that certain conditions shall be observed in factories. Conditions are laid down as to hours of labour, overtime, and many other things that are essential in the interests of the workers. It is unfair that legitimate factories should have to observe the conditions laid down by Arbitration Court awards and

agreements, only to find that certain other individuals may carry on their trade or calling regardless of such restrictions. The Bill does not say that all places where fewer than four persons are employed shall be factories within the meaning of the Act, but that the Minister may declare them to be factories within the meaning of the Act. The principal trades affected are the clothing trades, particularly the order tailoring and dressmaking sections. In the metropolitan area and some of the larger country towns the employees engaged in those trades are to an extent protected by awards and agreements under the Arbitration Act. Those who are engaged in premises which do not constitute a factory are frequently deprived of the advantages to which I have referred. In some country centres young girls and women may be employed at dressmaking, millinery or tailoring at any wage the employers like to give them. They may also have to work hours that are not in accordance with the practice laid down in awards or agreements made under awards. This sets up unfair competition.

Hon. V. Hamersley: What is unfair competition?

The HONORARY MINISTER: Competition is unfair where employees are engaged at wages that are less than those prescribed by the court, and have to work hours that are much longer than those worked by persons employed in premises that come under the definition of "factory." We have evidence of quite a number of places of that character. Amongst the present exemptions are premises where the persons employed are all members of the same family. There may be a father with three sons working in premises that are also used for domestic purposes. Because of their exemption under the Act, they are allowed to work under any conditions they may desire. On the other hand those firms that are brought within the definition of "factory" under the Act, must comply with the provisions of the Factories and Shops Act and with Arbitration Court awards and agreements.

Hon. A. Thomson: What will happen to the father and his three sons if you do not allow them to work?

Hon. C. F. Baxter: They can go out of business!

Hon. L. B. Bolton: Make them work under the same conditions as the factories.

The HONORARY MINISTER: There is no suggestion that the father and his three sons shall not be allowed to work? All that the Bill means is that, by order of the Governor-in-Council, their premises may be brought within the scope of the definition of "factory." Each case will be dealt with on its merits. I had in mind the position in the furniture trade, when I referred to that instance. Another provision in the Bill sets out that persons found in a factory whenever an inspector may visit it, shall be deemed to be at work. At present the department are aware that work is carried on in many of these places for very long hours, and when the inspector visits the premises to ascertain whether the proper conditions are complied with, he finds the door is locked against him. When he does gain admission to the premises, he discovers the employees are not engaged upon work at all. They may be having a friendly game of poker or discussing the possibilities of various horses at the following Saturday's races.

Hon. E. H. Angelo: Are you going to stop them doing that?

The HONORARY MINISTER: Certainly, under the conditions I have outlined. The position is that employers and in many instances employees, realise that if they are found at work, they will have committed a breach of the Act and will be liable to a fine. The subterfuge I have indicated is what they resort to in order to obviate that possibility. The parent Act provides that women and boys shall be presumed to be at work in a factory during the whole time they are there, with the exception of meal hours. The amendment I have just referred to makes that provision applicable to all persons found on the premises when a visit is paid by an inspector.

Hon. L. B. Bolton: That is a little bit dangerous.

The HONORARY MINISTER: Mr. Bolton may think so, but I know the difficulties that confront the inspectors. I should have thought the hon. member would have agreed to such a clause because he controls a large factory and has to conform to the provisions of the Factories and Shops Act, and to abide by the applicable Arbitration Court awards. If it can be shown that his competitor is working employees after hours, but when the inspector gains access to the premises and finds the em-

ployees not working but engaged at a game of cards, I should think Mr. Bolton would agree to the clause. It represents an attempt to do away with unfair competition, and members should be prepared to stop activities such as I have indicated. The Bill is not a big one, but it is important from the point of view of both employers and employees. It aims at doing away, as far as possible, with unfair competition, and I feel the Bill lends itself more to discussion in Committee than at the second reading stage. I move—

That the Bill be now read a second time.

HON. C. F. BAXTER (East) [9.50]: I agree with the Honorary Minister that the Bill is small but important, but he could have added that it will have far-reaching effects. The principle embodied in the Bill is not new to members, for year in and year out of late Parliament has been asked continually to pass restrictive legislation. We shall not be here, thank goodness, 50 years hence, for by that time there will be restrictions which will govern all actions.

Hon. V. Hamersley: This sort of thing will be smashed before 50 years are over.

Hon. C. F. BAXTER: It will probably smash the State before that. The Bill deals with what are known as backyard factories that have sprung into prominence during the past few years, because of the depression.

Hon. L. B. Bolton: They were in existence before that.

Hon. C. F. BAXTER: Very few of them. Mr. Bolton has a big factory and recognises what this means. To impose these restrictions is a different matter altogether. Many persons interested in these small concerns are artisans who were out of work, and sooner than go on the dole or rely upon charity, they established small undertakings in their backyards, and those undertakings have developed.

Hon. V. Hamersley: They should be encouraged.

Hon. C. F. BAXTER: It is true that these small concerns need not be brought within the scope of the Act, and that an Order-in-Council will be necessary. We all know that inspectors are Government officers and they will always make the most of their position. That is merely natural. In those circumstances, inspectors will force the position. The Minister for Employ-

ment is keen to extend local production. Do not these small backyard factories represent an extension of local production? They have afforded many men an opportunity to get out of the rut; otherwise they would have been wage earners throughout their lives. The Government should not worry about small concerns having fewer than four employees. What damage can they do?

Hon. L. B. Bolton: A lot.

Hon. C. F. BAXTER: They can do a lot of good. We shall be asked to deal with other restrictive legislation and the sooner we stop passing such measures, the better it will be for the State. As to the provision regarding men who are found on premises when an inspector arrives being considered as at work, it must be realised that many men work part time. On the other hand it may be that the men remain on the premises to discuss various matters after hours. They do not always drop their tools at one time. This power is a dangerous one to place in the hands of an inspector. I cannot accept the Honorary Minister's suggestion that the Bill is one to be dealt with at the Committee stage. I trust it will not reach that stage. The legislation is not needed. It is retrogressive, not progressive; and I trust the House will defeat the Bill at the second reading stage.

HON. L. B. BOLTON (Metropolitan) [9.55]: I am in entire accord with the provisions of the Bill and agree with the Honorary Minister that they can best be thrashed out in the Committee stage. I do not agree with the hope expressed by Mr. Baxter that the Bill will not reach the Committee stage; I hope it will. I can claim to have had some little experience regarding factories in and around the metropolitan area. The amendments embodied in the Bill have been necessary for many years past. It is all very well for Mr. Baxter to say that the Bill represents restrictive legislation. We are justified in passing it in this instance. It is wrong to suggest that the backyard factories have sprung up since the depression. They have been in existence for many years past and represent a menace to the fair trader. That has been my experience. I also know that the furniture manufacturers are hard hit by this type of competition. We should not lose sight of the fact that there are a lot of backyard fac-

tories turning out foodstuffs. Those factories are not under supervision like the larger concerns, and the Bill will mean that they will be under similar supervision. I am a little nervous about the clause regarding men found on factories by an inspector, but the Minister will possibly give members some further information regarding that phase. For instance, will that provision apply to large factories?

Hon. C. F. Baxter: It will apply to all factories.

Hon. L. B. BOLTON: It may be a bit dangerous in that event.

Member: That is a horse of another colour.

Hon. L. B. BOLTON: I have no objection to the clause applying to large factories. In a large factory, such as the one I control, the men leave the factory at knock-off time.

Hon. G. W. Miles: How would the small man start in this State?

Hon. C. F. Baxter: They do not want him to.

Hon. L. B. BOLTON: I would not say that. This will not stop the small man from operating. If Mr. Baxter had had as much to do with factories in the metropolitan area and elsewhere as I have, he would know that the small man commences his operations by himself and then gets in one or two of his sons and gradually the business grows. The point is that it is a long time before such concerns are brought within the scope of the Factories and Shops Act. These men work all hours of the day and night and, in my opinion, their competition in industry is most unfair. I support the second reading of the Bill.

HON. R. G. MOORE (North-East) [9.58]: The Bill is a sort of fifty-fifty measure. It has its good and bad points. In some instances it will be a good thing to bring in many of the people referred to under the provisions of the Factories and Shops Act. In other instances it may impose a hardship. If the Honorary Minister is not too hard and fast, we may overcome some of those difficulties at the Committee stage. My experience with regard to unfair competition in industry has not been in connection with those who have established small businesses, but rather from the wages man who has a good job and does work after hours and on Sundays.

Hon. L. B. Bolton: There are not too many of them now.

Hon. R. G. MOORE: I am speaking of the position on the goldfields.

Hon. C. F. Baxter: This will not affect them.

Hon. R. G. MOORE: That is so. I know of one man on the goldfields who gets £7 a week. He is there all hours of the day, and at odd times he goes and does work for outside people, and then on Sunday he uses his employer's forge to do outside work. So it costs him nothing for his firing. Yet that man will not come under the Bill at all.

Hon. L. B. Bolton: That can easily be stopped.

Hon. V. Hamersley: Why should it be stopped?

Hon. R. G. MOORE: Because the man has a good job, with good wages, and it is unfair competition. The point is that that man is holding down a good job, getting more than Arbitration Court wages and then entering into unfair competition by working at a lower rate when the premises are closed on Sundays. That is unfair competition.

Hon. L. B. Bolton: Which day is Sunday on the goldfields?

Hon. R. G. MOORE: It all depends. I know which day Sunday is for me, but for some men there is no such thing as Sunday. Another point: I came under the Act when I was employing only two men, because I had a motor driving a couple of small machines. Another man who employed two men had no motor, and so did not come under the Act. It is an absurd position. A great deal of the time, my motor was not working at all; it was only when special work had to be done that we ran the motor. I had one small hand-worked machine in the shop which saved me far more time than the motor did, yet that machine did not make a factory of my place. Under Clause 41, paragraph (a), some enterprising employee will be paid more time than he is entitled to, and that not by staying in the factory after closing hours, but simply by taking his meals in the factory.

Hon. H. V. Piesse: That is provided for.

Hon. R. G. MOORE: It is not. When I was running a shop we had an hour off for dinner, but for 50 minutes of that hour the employees were sitting around yarning, not taking their meal at all. Clearly the time meant in the clause is only the time occupied in actually taking a meal. Really I

am not particular whether the Bill passes or not. It is like the old free-trade-protection argument; no matter how long we live there are always to be found people favouring one side or the other.

HON. A. THOMSON (South-East) [10.5]: Like Mr. Baxter, I hope the Bill will not reach the Committee stage. The bulk of our task seems to consist of imposing restrictions on people. This measure is designed to play into the hands of the large business people to the prejudice of the small business people.

Hon. H. V. Piesse: What a shame!

Hon. A. THOMSON: The hon. member is in the happy position of carrying on a business established by his father, who started in a small way. We have in the State many examples of men starting in a small way and building up large businesses. I am amazed at the policy of the Labour Party, who claim they are out to assist the working man, yet here in this measure we have provisions imposing restrictions on men who might wish to get out of the rut. The Minister spoke of a father and three sons. But there is nothing to prevent the sons from leaving and going out into the world, as other sons have done. Plenty of men, with the assistance of their families, have by hard work and a little overtime—that is what is objected to—greatly improved their positions and eventually made good. Who are those afraid of this competition? The big manufacturers, with all their modern machinery are afraid of a man who has only his own hands and those of his sons with which to work up a little business. To-day we have in the city large stores which are slowly but surely strangling all smaller shops out of existence.

Hon. H. V. Piesse: There are more smaller shops now than ever before.

Hon. A. THOMSON: Yet everything is being driven into the claws of the big capitalistic section. Are we to have the large manufacturers of Perth going to the Minister and declaring they cannot compete against Jones, because he and his sons are trying to establish a business in their back-yard? Who is to be the adviser of the Government? That should be clearly set out in the Bill. Mr. Bolton spoke of the unfair competition of small shops manufacturing food-stuffs which did not come under

the provisions of the Act. But all food-stuffs come under the provisions of the Health Act, and so the purity of the food is assured.

Hon. L. B. Bolton: I was referring to the labour conditions.

Hon. A. THOMSON: Is it not better that a man working for himself should have opportunity to get out of the rut? If there is not some ulterior motive behind it, why has the measure been brought down?

Hon. H. V. Piesse: It would not stop the man you are alluding to now.

Hon. A. THOMSON: Yes, you are going to put additional restrictions on him. If he exceeds the hours laid down in the award, he shall be liable to a fine. You are going to bring him within the provisions of the Act and make him comply with the conditions laid down for the proprietor of large machinery. In the interests of the under dog, I will oppose the second reading.

HON. J. M. MACFARLANE (Metropolitan-Suburban) [10.14]: I have not had time thoroughly to study the Bill, but dealing with the principle I must say I am against the intention of the Bill, for the reason that I like the individual to have all the scope he can get to improve his own interests and those of his family. It will be said that what I am doing is against the best interests of the community as a whole; but we can all look back on many cases that have come under notice and see that from small beginnings men have developed commercial concerns of great benefit to the State. Obviously it could not have been done under unnatural restrictions. The trader who is affected by the competition of the small factories would like to have them wiped out so that they would no longer be a thorn in his side. On the other hand, I cannot support the view that the small manufacturers should not be given an opportunity to make their way. Many farmers have, at the beginning, had to depend on the family for support before they could make good. Many such families in Victoria are the most stalwart supporters of their districts because the parent first acquired interests in that way, and in many towns they are as much industrialists as they are agriculturists and the State is the better for such people. The Bill would suppress much that would be

for the benefit of the individual. I cannot go to the length of suppressing an individual merely for my own good, and that is what it would amount to. I cannot support the second reading.

HON. W. J. MANN (South-West) [10.17]: I cannot support the Bill. In my opinion the Factories and Shops Act contains ample power to control most of the industries. We have plenty of inspectors and with few exceptions they keep the employers up to the mark and ensure that there is no cause for complaint. It seems that we are approaching the stage when we shall be overridden with inspectors of one kind and another. Nowadays we have inspectors trooping into business places almost every day in the week. Some of them, to their credit be it said, are very reasonable, but I have known of inspectors who entertained an objection to a trader and maintained a watch that amounted almost to persecution. The Bill will definitely curtail the liberty of the subject, and liberty, of course, is one of the greatest blessings we enjoy. I was surprised to hear Mr. Bolton speak about the menace to fair trade. The Bill would be a menace to the liberty of the individual.

Hon. L. B. Bolton: No.

Hon. W. J. MANN: That is my opinion.

Hon. L. B. Bolton: You have had no experience of factories.

Hon. W. J. MANN: There seems to be a tendency in this House for some members to pose as experts on this, that and the other thing and to regard other members as having no ability. I do not make claim to possess individual experience of the factories I control, but just as the business controlled by the hon. member was started in a small way, so other successful businesses have been built up from small beginnings. One of the greatest manufacturers in Australia to-day was the man who made possible the air race from England to Australia. He started in a small way and has proved himself a great Australian.

The Honorary Minister: And he was subject to legislation.

Hon. W. J. MANN: Yes, and played the game, which was all a decent man could do. This Bill will not pass the second reading with my support.

HON. H. V. PIESSE (South-East) [10.21]: I support the second reading, and I do so because I control a factory. That statement may shock some members of this House, but I know what happens as a result of the unfair competition from backyard traders. I conduct a large factory in Perth, employing an average of 40 to 50 men in the summer, and the machinery we use and the goods we supply are subject to inspection. Every process of the manufacture is subject to Government inspection. Yet a man may start in similar business in a backyard and make any sort of goods, so long as they contain no ingredients deleterious to health, and can sell at 50 per cent. of the factory cost.

Hon. V. Hamersley interjected.

Hon. H. V. PIESSE: We have to pay the union rate of wages and our hands work overtime. Mr. Thomson's remarks reminded me of a statement made by a fellow passenger travelling to Melbourne. He told me that chain stores were being started all over the country and were under-selling the smaller stores. The reason for their success was attributed by him to the backyard manufacturers, who were able to under-sell the others. They were working night and day with their little backyard machines. I congratulate the Government on having introduced the Bill.

THE HONORARY MINISTER (Hon. W. H. Kitson—West—in reply) [10.23]: The proposed new Section 41A referred to by Mr. Bolton will apply to all factories, and it is only fair that it should. The fact that a person may be on factory premises two or three minutes after closing time would be neither here nor there. That is not the sort of thing the Bill aims to prevent. We desire to prevent the working of long hours extending into night time by persons who are evading awards and agreements, persons who are not working under the conditions laid down by the Factories and Shops Act. I quoted an instance of an inspector who went to a factory and found the door locked. When he was admitted the persons inside were engaged in anything but work. I assure members that that sort of thing occurs many times every week. There are factories in the metropolitan area that have made a practice of working their employees after hours without ob-

serving the Act or the arbitration awards covering the trade.

Hon. W. J. Mann: Cannot the owners be prosecuted.

The HONORARY MINISTER: The inspector's efforts are defeated because he cannot get into the factory until the necessary arrangements have been made inside. He may have seen or heard the occupants working, but he cannot get into the factory until the door is opened to him.

Hon. W. J. Mann: An inspector has a right to enter at any time.

The HONORARY MINISTER: But he cannot enter until he is admitted.

Hon. W. J. Mann: They lock him out?

The HONORARY MINISTER: Yes.

Hon. W. J. Mann: Is that an offence?

The HONORARY MINISTER: I quoted that instance to show what is taking place. There is no desire to restrict trade as some members have suggested.

Hon. A. Thomson: The Minister in another place was very keen about that.

The HONORARY MINISTER: That would depend on the definition of restriction of trade. If a man is engaged in legitimate trade he may apply for exemption, and no doubt the Minister would be fair in administering the Act. The measure does not state specifically that the backyard places referred to shall be factories within the meaning of the Act. The Governor, on the recommendation of the Minister, may declare they are factories or not factories within the meaning of the Act. That refers to premises occupied for both manufacturing and domestic purposes. The desire is to regulate work in such places in order that we may not revert to conditions such as prevailed for so many years in the Old Country.

Hon. L. Craig: Surely such conditions do not prevail here!

The HONORARY MINISTER: There are sweating conditions in Perth equivalent to the worst conditions I ever saw in the Old Country. Close on 30 years ago I was a member of a sub-committee associated with a Royal Commission which inquired into the state of certain industries in the Old Country. It is a remarkable fact that the industries that were the worst in those days are the worst here to-day. Principally they are the tailoring, dressmaking and furniture trades. Those trades lend themselves to unsatisfac-

tory conditions, and people who cannot help themselves are forced to accept conditions that otherwise they would not tolerate. It is on account of that fact that those employees are forced to work under sweated conditions, thus giving their employers an advantage over the employer who has to employ union labour. Employers who provide the best conditions for their employees find it impossible, in many cases, to compete against factories of this type. After all is said and done, surely we have reached the stage when we can expect the employees engaged in these particular callings to be given the ordinary conditions provided by our Arbitration Court.

Hon. A. Thomson: Does not the present Act give sufficient power in making any place where four employees are employed a factory?

The HONORARY MINISTER: Unfortunately not. In numerous places employing only four operatives in this particular industry, the employees are forced by economic circumstances to accept wages lower than they should do. In other cases they are forced to work longer hours than they should do. They have no redress.

Hon. L. Craig: Must they work under those conditions? I know it is impossible to get employees for domestic work—quite impossible.

The HONORARY MINISTER: The hon. member must know that there is no award or agreement covering domestic work.

Hon. L. Craig: I say you cannot get domestic servants.

The HONORARY MINISTER: I am sorry to hear the hon. member say that. I do believe that the conditions which would apply in the hon. member's case would be such that he would have no difficulty in securing a domestic servant.

Hon. L. Craig: I have been advertising in Perth for a week, and have got no reply of any sort.

The HONORARY MINISTER: I know it is most difficult to get domestic servants. In most cases the difficulty arises from the wages and the conditions offered.

Hon. L. Craig: It is not so in this case, I assure you.

The HONORARY MINISTER: The conditions frequently are such as the modern girl is not prepared to accept.

Hon. T. Moore: Perhaps she does not want to go to Woop Woop!

Hon. H. S. W. Parker: Does not the Arbitration Court cover girls in dressmaking places?

The HONORARY MINISTER: In some of those places.

Hon. H. S. W. Parker: Where a dress-maker has employees, are they not covered by Arbitration Court awards or agreements?

The HONORARY MINISTER: A factory that is not a factory within the meaning of the Act can employ women and girls for much longer hours than they would be employed if the place came within the definition of "factory" in the Act.

Hon. H. S. W. Parker: Would not the same girls come under an award or agreement?

The HONORARY MINISTER: Wherever the agreement applies, yes. But those agreements, as the hon. member knows, do not apply throughout the State. They apply only within defined areas. I do hope the Bill will not be rejected on the second reading, for I believe there is a great deal of good in it. It simply enlarges the definition of "factory" to an extent which will allow the Minister to determine whether certain premises shall come within that definition, and in other cases to allow the Minister to determine whether particular premises shall be exempted. I do not think there need be much fear of such provisions. I should imagine that any Minister administering the Act would be at least impartial and would certainly give consideration to all the conditions of each case.

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

Ayes	..	..	..	14
Noes	..	..	..	12
Majority for				2

AYES.

Hon. L. B. Bolton
Hon. J. Cornell
Hon. J. M. Drew
Hon. C. C. Elliott
Hon. J. T. Franklin
Hon. G. Fraser
Hon. E. H. Gray

Hon. W. H. Kitson
Hon. R. G. Moore
Hon. T. Moore
Hon. H. V. Piesse
Hon. H. Seddon
Hon. C. B. Williams
Hon. C. H. Wittenoom
(Teller)

NOES.

Hon. E. H. Angelo
Hon. C. F. Baxter
Hon. L. Craig
Hon. E. H. H. Hall
Hon. V. Hamersley
Hon. J. M. Macfarlane

Hon. W. J. Mann
Hon. G. W. Miles
Hon. J. Nicholson
Hon. H. S. W. Parker
Hon. A. Thomson
Hon. H. Tuckey
(Teller.)

Question thus passed.

Bill read a second time.

BILL—ADMINISTRATION ACT (ESTATE AND SUCCESSION DUTIES) AMENDMENT.

Recommittal.

On motion by the Chief Secretary, Bill recommitted for the purpose of further considering Clauses 2, 3A, and 18.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clause 2—Repeal of Part VI., principal Act:

Hon. J. NICHOLSON: Clause 2 is re-committed because it is proposed to transfer Clause 3A to take its place immediately after Clause 2.

Clause put and passed.

Clause 3A:

The CHIEF SECRETARY: When these clauses were before the Committee recently, I suggested that Mr. Nicholson should confer with the Assistant Crown Solicitor on the subject. The amendments which I now move are those which were agreed to by the Assistant Crown Solicitor and Mr. Nicholson. I move an amendment—

That in Clause 3A the words "subject as aforesaid" be struck out.

Mr. Nicholson and the Assistant Crown Solicitor consider those words unnecessary.

Hon. J. NICHOLSON: The amendment we are now making will become Part VI. of the principal Act. Perhaps it would be wise to again postpone further consideration of the clause until the next sitting because I have another appointment with the Assistant Crown Solicitor in the morning.

On motion by the Chief Secretary, further consideration of the clause postponed.

Postponed Clause 18:

The CHIEF SECRETARY: The clause seems to me to have a far-reaching effect. The matter was discussed by Mr. Nicholson with the Crown Solicitor, and it has been decided to strike out the words inserted by a previous Committee "any direction or provision in any deed, writing or will to the

contrary" with a view to inserting "provisions of Section 35." I move an amendment—

That the words inserted by a previous Committee "any direction or provision in any deed, writing or will to the contrary" be struck out, and "provisions of Section 35" be inserted in lieu.

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

Bill again reported with further amendments.

House adjourned at 11 p.m.

Legislative Assembly,

Tuesday, 11th December, 1934.

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

BILL—LICENSING ACT AMENDMENT.

Introduced by the Minister for Justice and read a first time: the second reading being made an Order of the Day for a later stage of the sitting.

MOTION—TRAMWAYS CLOSURE.

Claremont Station to Waratah Avenue.

THE MINISTER FOR RAILWAYS

(Hon. J. C. Willcock—Geraldton) [4.35]: I move—

That this House endorses the recommendation of the Western Australian Transport Board for the closure of the tramway from the

Claremont railway station to and including Waratah Avenue, and sanctions the closure of the said line.

When the measure which became the Transport Co-ordination Act was under consideration in this House, the existing order in regard to transport matters was allowed to continue on the then basis, which was that all forms of transport by train and trams were under the control of the Government, and the bus services were controlled by private enterprise. With the passing of the Act, the Transport Board took over the control of all motor vehicles used for the purpose of carrying passengers, with regard to fares, timetables, routes and licenses. The interests of the travelling public were to be the predominating factor. In cases where those interests were not conserved, stringent conditions were laid down with regard to the granting and renewal of licenses. If the conditions under which a license is held are not such as will serve the interests of the public, when the time comes for a renewal, or before a license is granted, the board may refuse the application. It is provided in Section 11 of the Act that if, in the opinion of the board, the service of any tramway is inadequate for the requirements of the district, or these requirements can be better served by road transport, the board may recommend the closure or part-suspension of the service by the tram, but any such recommendation must be brought before Parliament for sanction or otherwise. Members are familiar with the provisions of the Act and will know what the powers of the board are. The board has recommended that the interests of the travelling public who desire transport in the Claremont district can be better served by motor transport than by the tramway. The board has considered the whole aspect and put recommendations up to the Minister. This recommendation was subsequently adopted by Cabinet, and was to the effect that tenders should be called for a motor transport service. Tenders have been called, and it appears that the service which will be rendered by the successful tenderer will be more adequate and more convenient than the present tramway service. The board recommends that in the interests and for the convenience of the public of Claremont the tramway be closed and a motor transport service substituted. The peculiar features of the district no doubt influenced the board in this recommendation.