

men now practising to continue, it will be only just. I remember when the Architects Act came into operation, one man who had been drawing plans for an individual in the country was admitted as an architect.

Member: Designing fowl-houses.

Mr. J. H. SMITH: Yes; and because he had done that work, he was registered as an architect. A gentleman who once occupied a seat in this House was also registered as an architect, and I do not think he possessed any professional knowledge.

Hon. W. D. Johnson: That is not fair: he did.

Mr. J. H. SMITH: The same applies to other men.

Hon. W. D. Johnson: He was a qualified man.

Mr. J. H. SMITH: I do not think he was.

Hon. W. D. Johnson: I have seen his plans and I know he was.

Mr. J. H. SMITH: When I first knew him, he was not qualified. The same thing applies to veterinary surgeons. Because a man had looked after a sick cow or filed a horse's tooth, when the Veterinary Act came into force, he was registered as a veterinary surgeon, while another man who knew more about the work could not practise because of his inability to pass an examination. For the last 13 years, people have been asking for the door to be opened for the registration of men practising dentistry throughout the State. If we give them a chance, they will still have to pass an examination before the Dental Board. The Minister has agreed that some alteration of the existing system is necessary. Let us pass the second reading and then, if necessary, the Bill can be amended in Committee.

On motion by Mr. Wansbrough, debate adjourned.

*House adjourned at 10.4 p.m.*

## Legislative Council,

*Wednesday, 6th December, 1933.*

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

### SOUTH-WEST PROVINCE.

*Seat Declared Vacant.*

**THE CHIEF SECRETARY** (Hon. J. M. Drew—Central) [4.35]: I move—

That this House resolves, that owing to the death of the Hon. John Ewing, late member for the South-West Province, the seat be declared vacant.

**THE HONORARY MINISTER** (Hon. W. H. Kitson—West) [4.36]: I second the motion.

Question put and passed.

### PAPERS—GASCOYNE-MINILYA ROAD BOARD.

On motion by Hon. J. J. Holmes, ordered "That all correspondence since the 1st January, 1933, between the Departments of Public Works and Labour and the Gascoyne-Minilya Road Board be laid on the Table of the House."

### BILL—APPROPRIATION.

Received from the Assembly and read a first time.

### BILLS (3)—THIRD READING.

1. Permanent Reserve (A†1162).
2. Augusta Allotments.
3. Reserves.

*Passed.*

## BILL—STATE TRANSPORT CO-ORDINATION.

### *Second Reading.*

**THE CHIEF SECRETARY** (Hon. J. M. Drew—Central) [4.44] in moving the second reading said: The developments in modern methods of transport have led to a disturbance of former systems and have created problems which are almost world-wide. These problems are receiving the attention of many countries in the hope of finding a satisfactory solution. So far no country may be credited with having discovered an easy way out of its difficulties in this connection. Yet, if the legislative enactments which have been introduced to deal with the question are carefully studied, it will be found that they trend in one direction—they trend towards a policy of co-ordination and control. In dealing with the question in the public Press, a wide divergence of views has been apparent. Generally speaking, there are two schools of thought. One favours a system of rigid prohibition of the newer forms of transport, where they adversely affect either national utilities or old-established concerns privately owned but fulfilling public functions, and with large vested interests involved. The other school of thought supports the doctrine of "sit still, do nothing and let things take their course." Both schools may be actuated by the most sincere motives: at the same time, it is just possible that both may be wrong.

I have little doubt that, even in this House, disciples of each of these doctrines are to be found, just as they are to be found outside. If such be the case, it is desirable to examine the complicated position that has arisen, and to lay down certain postulates, the acceptance of which will clear the way for a thorough knowledge of the principles behind this measure. That economical means of transport in any community should not be discarded is a proposition with which all thoughtful persons will agree. The main essential of a system of cheap transport is to remove or reduce the disabilities that distance from ports, markets or consumers, impose on producers or manufacturers. It matters little how those disabilities are overcome, so long as they are overcome in ways which bring benefits to the community as a whole.

Until recent years, the transport system which ministered to the wants of our State

may be said to have been in the form of railways. How they have performed the service for which they were created should be well-known. They can be judged by results, which, after all, constitute the best test. Whatever defects or shortcomings may have appeared in the working of the railways, no one can dispute the fact that the development of Western Australia has depended largely on the system of railway lines, as planned by successive Governments, to assist in the carrying out of their respective developmental policies.

Many years ago when the miner uncovered the wealth of Coolgardie, the first cry that went up from the isolated community was for means of communication. The same may be said of every productive part of the Eastern and Murchison goldfields. In response to those demands, long lines were thrown out from the modest railway system that had previously served only a narrow area of the State. The finding of gold gave the first great impetus to railway construction in Western Australia. The result was that, between 1894 and 1910, approximately 1,100 miles of railway were built to serve the mining industry. It is quite true that the railways owe a lot to the goldfields; it is equally true that the goldfields owe a lot to the railways.

Later on when the production of gold had seriously declined, a policy of intensive land settlement was pursued with the object of maintaining the financial position of the State. In connection with that policy the construction of railways to serve the new areas was a dominant feature. To convey some idea of the extent of the railway mileage so constructed it may be stated that approximately 2,200 additional miles of line were built since 1910. With very few exceptions, the vast expenditure involved was undertaken with one object, namely, to assist in the development of agriculture. The value of the assistance rendered by the State to our mining and agricultural industries needs no stressing. One has only to compare the present map of the State with that of, say, 1894 to measure the great strides that have been taken in the intervening years. There are other evidences. Prosperous towns have arisen where formerly wilderness reigned, and it is a significant fact that these towns are situated on our railway lines. That is not

all. From a large importer of flour, we have become a large exporter of wheat, and we are building up a fine export trade in flour.

It must not be assumed, however, that the country districts alone were the beneficiaries under this rapid development of the State's resources. Only a short-sighted person would harbour such an assumption. The city itself provides a fitting reflex of the important change which has taken place. There has been an enormous increase in trade, and, until the temporary set-back, from which the whole world is still suffering, the metropolitan area was enjoying great prosperity. To minister to the wants of the inland population, secondary industries have sprung up. It cannot be denied that, in many instances, the products of these industries are not availed of to the extent they should be. But it is also beyond argument that these industries owe their existence, in a large measure, to the growth of settlement in the areas out-back. Dairying, horticulture and other kindred activities have shared in the benefits which the provision of a home market means. Behind all these, although often forgotten, is the railway machine linking up producer and consumer, or hauling, day in and day out, the raw materials essential to both primary and secondary industries.

But the building up of this immense system of transportation has not been accomplished without great cost. It has involved the State in a weighty liability. To-day there is invested in our railway asset the enormous sum of £25,000,000. With the exception of £641,000, the whole of the money has been borrowed, and the annual interest on the sum now totals approximately £1,000,000. These figures and what they mean are not realised by many in the State. To a community of just over 400,000 souls, this heavy indebtedness is an important matter. It is so important that a Government that failed to regard seriously any action which would impair the efficiency of the railways, or tend to destroy their value as a public asset, would be guilty of a gross dereliction of duty. And it would not be just to the bondholders who lent us the money to build these lines.

In the face of these facts, the taunt so often uttered that, in seeking a solution of the intricate problem of transport, the interests of the railways alone are considered,

is scarcely fair. So far as the Government are concerned, such a charge is without foundation. In the Bill, which is now submitted, an honest attempt has been made to hold the scales evenly, and to do justice to all concerned. Only one thought has actuated the Government in framing the Bill—the good of the State as a whole. So far, I have merely presented, in broad outline, the need of an efficient and economical means transport for the State and indicated how our railway lines have developed to cater for such need. Perhaps the terms “efficient” and “economical” will incite challenge in this House as they have outside of it; but I very much doubt it.

In justification of the claim that the railways are performing efficient and economical service in the interests of the State, let me show very briefly the work they are doing:—

For the year ended 30th June last the railways carried roughly 11½ million passengers and 2,840,077 tons of goods and livestock. The return received for the haulage of goods and livestock worked out at 1.49d. per ton per mile—an astoundingly low figure. No doubt this achievement will be discounted to some minor extent by the fact that on the year's work a loss of £175,681 was encountered.

Let us turn back, then, to 1928—the year the railways last showed a profit—and see what the results were. In 1928 the goods and livestock tonnage amounted to 3,697,648 tons, on which the average earning received was 1.76d. per ton mile and the surplus recorded was £26,671.

The years 1924, 1925 and 1927 were all years of profit, and in each instance the average rate per ton mile earned was greater than 1.76d., the return already quoted for 1928. It follows, then, that the average rate of 1.76d. per ton mile is a payable average. Whenever the Railways earn that amount, a profit ensues: whenever the earnings drop below that amount a loss in working is disclosed.

Pursuing still further the analysis between the years 1928 and 1933 some striking results are revealed. For instance, out of the 3,697,648 tons hauled in 1928, 51 per cent. was hauled at less than the payable average rate. Turning to 1933 it is found that of the 2,840,077 tons hauled approximately 2,100,000 tons, or 74 per cent. of the total, returned less than the average rate.

Is it any wonder, then, that a loss was disclosed in last year's working? Had the average rate earned in 1928 been realised last year, instead of a loss of £175,681 the railways would have shown a profit of £200,301, despite the effects of the depression.

To the minds of most men, it is clear that the railways are performing efficient and economical service to the State. The claim for efficiency can easily be established. The transit of approximately 12 million passengers was accomplished last year without serious accident.

On the goods side nearly three million tons—including a heavy harvest—and roughly 1½ million head of livestock were transported last year. Such an accomplishment speaks for itself. It seems fitting here to refer to some of the causes of recent railway losses. Since 1929 a series of lean years have been experienced. For the five years ended June last the total amount of railway deficits was £1,328,930. Much capital has been made out of these losses, particularly by people who are either interested financially in road transport, or those who have only an imperfect knowledge of the subject.

To appreciate fully the true position, and to come to a logical decision it is essential to review the operations of the railways since the date of their inception. A fact which escapes the critic with immature ideas is that the railways are a sound and substantial investment. For the whole 54 years of their existence, they have shown a balance over working expenses sufficient to meet all but £1,553,000 of their aggregate interest bill of £22,000,000. Let hon. members consider every aspect of the question. Let them weigh this comparatively small loss against the part the railways have played in the development of the State. They have made possible the working of mines in far-off parts; they have been largely responsible for the growth of our agricultural industry. The facilities they provide have enormously increased the value of the land; and they have assisted in creating immense sources of revenue for the State Treasury. In the light of such valuable service, is not this major transport system entitled to paramount consideration?

A prime factor in the losses experienced by the railways in recent years has been the drifting away of traffic to the road motor vehicles and business both on the passenger and goods sides has been seriously affected in consequence. A comparison between the years 1928 and 1933 shows a drop in passenger earnings of £326,421, due, in some measure, to the

depression, but due largely to the inroads made by motor buses in the metropolitan-suburban area and the advent of the private motor car. These facts are well-known. No one can dispute them—no one who goes about with his eyes open.

To meet the competition from the buses, railway fares on suburban lines were recently reduced, additional train services brought into operation, and running times speeded up. Hence it cannot be said that the railways' personnel has sat down with folded arms. On the goods' side of the business a more disquieting set of circumstances has arisen. Due to the operations of the road motor vehicle over 50 per cent. of the payable goods traffic—exclusive of wool—has been taken away, and, in consequence, railway revenue has suffered a severe setback.

Hon. A. Thomson: It is not all entirely due to motor transport.

The CHIEF SECRETARY: I am informed it is. The production of the various districts is well-known to the Railway Department. They have means of ascertaining the facts, and I am told that the information I am supplying to this House is authentic. In forming this estimate the year 1928 has again been taken for the purposes of comparison, but a recognition of the fact that the railways were faced with competition in that year makes the extent of the subsequent drift of traffic alarming. In 1928 the higher paying goods, carried under 1st, 2nd and 3rd classes in the railway classification, represented 407 tons per thousand of the population of the State. In 1933, the goods carried by the railways under these classes represented only 182 tons per 1,000 of the population.

Another item where loss has been experienced is wool. Although the production of wool has increased since 1928, the tonnage of this commodity hauled last year was roughly 4,000 tons below that carried in 1928. Here, again, the railway management has sought to hold its ground by reducing the rate for carriage, but, unfortunately, the results achieved by the reduction of suburban passenger fares were not realised in the case of wool. Measured in terms of money, the losses due to motor competition may safely be set down at not less than £150,000 per annum, and had this new transport agent not appeared, the financial position of the railways would have vastly improved.

In considering a measure of this kind, there is one vital factor which must be given earnest consideration and that is, the Government railways are operated through good times or bad, irrespective of whether they are profitable or not, whereas transport systems, operated by private companies or persons, will only operate so long as the service is a payable proposition. Another form of transport which has felt the effect of road competition is the metropolitan tramway system.

Hon. J. Cornell: I do not wonder at that.

The CHIEF SECRETARY: The effect of the new competing agent however, is not reflected so gravely in the financial results of the tramways as in the case of railways. Confined as the tramways are to a limited area, where the distance of the journey is comparatively short, it is only natural to find that the competition from the road vehicle is not so serious in its consequences. An advantage, too, possessed by the tramways is the protection accorded by the Traffic Act, under which buses are prohibited from picking up or setting down passengers within a certain limit of a tramline. A prohibition also exists in the case of railways, but in this instance the prohibited area is in the vicinity of railway stations, leaving, as may be imagined, the remainder of the lines open to competition. It is impossible then, to close one's eyes to the fact that road motor competition has been responsible for most of the railway losses experienced. The reason why this new transport agency has been able to wrest so much traffic away from the older concern is to be found in the structure of railway rates and fares.

I have shown that the railways are national in their operation. Because of that fact, any tariff imposed must take into consideration our national needs. That is the policy which has been pursued. Hence the railways of this State have never been permitted to base their charges for carriage on ordinary business methods. The goods the railways have to sell are in the form of transportation; but, unlike the ordinary business house, the railways are not allowed to charge as a business house would do, for the actual cost of the service given. As a rule the public view the railways from two angles: as an ordinary trading concern, or as an agent assisting in the State's development. As a trading concern the public look to the rail-

way management to pay their way: as an agent of development the railways are expected to carry enormous tonnages at unpayable rates in order that industries may benefit thereby. Since both these angles are quite divergent, it is illogical to ask the railways to conform to both standards at the same time. Yet this is what they are called upon to do every day in the week.

Ever since the first railway was built there has been in force a system of charges which has for its basis something quite foreign to ordinary business principles. The rates fixed do not have regard to mileage and tonnage only; they have regard also to the value of the goods transported. This is the principle known as "charging what the traffic will bear," and is entirely distinct from the principle of charging what the traffic costs to convey. By applying the system, then, in a comprehensive way, the railways have framed a scale of charges under which the high-priced article is charged a higher rate than that imposed on a low-priced article.

In this way, and before they experienced competition from the road vehicles, the railways were able to carry an enormous tonnage below the payable average. The leeway in earnings was made up by the charges collected from the high-priced goods. After the war, when motor vehicles commenced to operate on a commercial basis, their operators discerned a profitable field to be exploited. The settlement of the country, aided by the railway communication provided, had established a business, a part of which was open to assault by motor transport. Motor transport then set itself out to cater for that part of the business which was profitable, leaving the unprofitable tonnage to the railways to carry. Under such conditions, then, motor transport is not a real competitor with railways, but a specialist who looks for a profitable return on each transaction. He sets himself to pick the eyes out of the traffic. Some capital has been made out of the fact that in recent years, motor transport has been engaged in carrying certain goods which come under the low rates in the railway tariff. Fruit and vegetables may be cited as instances. What the upholder of the motors does not tell us is that these commodities are carried as back-loading. After having taken a highly payable load into the country, the motor operator finds it pays him to accept low freights

on his return trip rather than run back empty.

The case against the buses in the metropolitan area is quite as grave. Figures taken out by the Railway Department go to show that of the suburban season tickets in force, over 70 per cent. are issued at concession fares. The buses, on the other hand, are freed from any responsibility to bear a share of the thousands of school children, apprentices, junior workers, and others whose scanty wage demands that they shall be transported at specially low rates. Similarly in country districts it is the railways which provide low fares at holiday periods, and all-the-year-round concessions for conference delegates, farmers' wives and families, goldfields children, students, maternity cases, judges at agricultural shows, settlers, visitors to Wooroloo Sanatorium, and scores of others.

The question has often been asked as to why the railways do not rise up and meet this competition by reducing their rates on the higher-priced goods. Last year an experiment was made in this direction by reducing the railway freight on wool to the pre-war level. Immediately the new scale of charges was issued, the motor operator dropped his charges to the same, or to even a lower level. Catering as he does for the carriage of payable goods only, the motor operator has a far greater margin of profit than the railways, and consequently he is able to reduce his rates to a greater extent.

It is clear, then, that the only way in which the railways can meet the competition with which they are faced—other than by proper regulation—is by a complete recasting of the tariff. Such an act would at once divest from the railways their role of an agent of development and invest them with all the prerogatives of a trading concern. The Government naturally do not wish such an event to come about. They realise that it would be the means of casting an additional burden on the primary producer. Yet they cannot allow the unfair competition, and the costly overlapping of services now existing, to continue. On the other hand, the public must realise their responsibilities. In their clamour for railways they are always prepared to accept any terms provided a line is built.

Hon. G. W. Miles: People will vote for any railway, anywhere, any time, any price!

The CHIEF SECRETARY: I shall now deal with various clauses of the Bill. Clause 4 limits the power of the provisions in the Bill to the extent of the legislative power of the State. Clause 5 provides for the formation and constitution of a State Transport Board of three members, one representing the Government, one representing rural industry, and one representing city interests, none of the members to be financially interested. Their term of office is limited to three years. The Government will appoint one member of the board to be chairman. Members shall not be subject to the Public Service Act, 1904. They may receive such remuneration as fixed by the Governor. A quorum consists of two members; any differences of opinion to be referred to a full meeting of the board. Members may be deemed to have vacated office in case of bankruptcy, or absence from three consecutive meetings, or being interested in contracts with the board. Clause 6 provides that a member may be removed from office for misbehaviour or incompetence. Clause 7 directs that casual vacancies on the board shall be filled by the Governor. Under Clause 8 provision is made for the appointment by the Governor of deputy members to fill temporary vacancies on the board caused through illness, suspension or absence. Under Clause 9 a secretary to the board and other necessary officers and servants may be appointed. Such appointments may be made under the provisions of the Public Service Act, 1904. The board may use civil servants with Ministerial consent. It is not intended to set up a new and expensive department. The board will make use of the existing organisation, and will have only a secretary and a skeleton staff. Clause 10 defines the powers and duties of the board, giving it all the powers and authority of a Royal Commission for the purpose of investigations and inquiries into transport matters. In making such investigations and inquiries, the board shall give consideration to, among other factors, all or any of the following matters:—(1) The question of transport generally in the light of service to the community. (2) The needs of the State for economic development. (3) The industrial conditions under which all forms of transport are conducted. (4) The impartial and equitable treatment of all conflicting interests.

Clause 11 authorises the board to inquire into and report upon railway and tramway services, with the right to recommend the closure, or partial suspension, of inadequate services, and to call tenders for an adequate road or air transport service in lieu thereof. Any such recommendations made must be submitted to Parliament for its sanction. By Clause 12 the application of the Bill is limited to that part of the State south of the 26th parallel of latitude. Clause 13 makes it an offence to operate a public vehicle without a license under the provision of the Bill. Provision is made whereby this clause shall not apply if the board are satisfied that a journey was made in a case of special emergency. Clause 14 provides for the imposition of license fees. For an omnibus or for an aircraft the fee shall be assessed on a basis of the earnings of the vehicle, but in no case shall it exceed 10 per cent. of the gross earnings of the vehicle. For a commercial goods vehicle, the fee shall be determined by the board, but shall not exceed 7s. 6d. per power load weight. The additional fees prescribed under Part 2 of the Third Schedule of the Traffic Act are not payable for an omnibus licensed under this Bill. This means that omnibuses will not have to pay license fees based on the number of passengers they carry, as is now the case. That part of the Traffic Act will not apply to them. Subsidies paid to aerial services shall not be regarded as earnings. The regulations will provide the machinery for assessment. Clause 15 prohibits any person from sending passengers or goods by an unlicensed vehicle, and the next clause provides for a penalty for failure to comply with the provisions of the Act. Clause 17 makes it an offence to use a commercial goods vehicle for the carriage of passengers unless such passengers are members of the owner's family, or servants carrying out the owner's business, or persons carried in case of special emergency. Clause 18 provides that the Board may order public vehicles and goods carried to be weighed. Under Clause 19 the Board may grant transfers of licenses subject to its approval of the transferee, and the next clause prohibits the use of omnibuses not licensed under this measure. Clause 21 provides that the Board may grant licenses to omnibus owners, and specify routes, areas of operation, description of vehicle, maximum

number of passengers, nature of service, fares, etc. Clause 22 sets out the conditions and particulars of the license. Clause 23 defines the matters to be taken into consideration by the Board before granting or refusing a license, and Clause 24 gives the Board power to grant applications for licenses, subject to certain conditions in regard to picking up or setting down passengers within a certain distance of established railways or tramways. Clause 25 makes it a condition of every omnibus license that the vehicle shall be maintained in a serviceable condition, that insurance requirements are carried out and that relevant industrial awards are complied with. Clause 26 gives the Board power to impose conditions in regard to specified routes, number of passengers to be carried, fares, time-tables, and requires that prescribed records and statistics shall be kept and supplied to the Board. Under Clause 27 the Board may vary or cancel conditions of the license, provided such variation is not in conflict with the provisions of the Act. Clause 28 provides that licenses for buses shall expire on 30th June of each year, unless granted only for a limited period, which may be done. By Clause 29 the Board will have power to authorise licensed vehicles to make temporary deviations and to operate temporarily on routes not specified on the license. Under Clause 30 the Board may require local authorities to appoint stands for buses within its district. In the event of dispute, the matter shall be referred to arbitration.

Clause 31 provides that buses must be licensed in accordance with the Traffic Act, 1919-32, before being granted a license under this Act. The provisions of Clauses 32 and 33 are that commercial goods vehicles must be licensed under this Act, but exceptions are allowed in the case of vehicles which operate solely within an area of 15 miles from the General Post Office, Perth, or operate solely within a radius of 15 miles from the place of business of the owner. Other exceptions allowed, as outlined in the 1st Schedule of the Act, are in the case of vehicles being used for the carriage of farm or forest produce from such farm or forest to the nearest town or railway station; privately owned vehicles carrying the owner's grain to a mill to be gristed and the return of the products of the gristing to the farm; the carriage of ore and mining requisites

in any prescribed mining district; samples of foods for exhibition and not for sale; the carriage of livestock to and from agricultural shows or exhibitions, and the carriage of milk and cream to a factory. Vehicles used by the Crown or by a local authority for its own purposes are also exempt. Provision is also made for the carriage of perishable commodities from place of production to any other place and the return carriage of requisites for domestic use or use on the farm. By Clause 34 the Board may grant licenses to commercial goods vehicles. Under Clause 35 applications for licenses shall give particulars of route or area in which it is proposed to operate, description of vehicle, class of goods to be carried and other prescribed particulars.

Clause 36 prescribes that the Board will consider the necessity for the service in relation to existing conveniences, conditions of roads to be operated on and the character and financial standing of the applicant. Clause 37 gives the board power to grant or refuse applications. Clause 38 provides that licenses shall be granted on condition that vehicles are kept in a serviceable condition, regulations are complied with, limitation of hours of driving, and relevant industrial awards are complied with. By Clause 39 the Board may attach certain conditions to any commercial goods vehicle, including a condition that it shall operate only upon specified routes or in a specified area, and under Clause 40 the Board may vary or cancel any condition imposed. Under Clause 41 licenses for a commercial goods vehicle shall expire on the 30th day of June of each year. Provision is made to enable the granting of temporary licenses. Clause 42 lays down that the Board may permit temporary deviations or alterations of routes, and by Clause 43 all vehicles must also be licensed under the Traffic Act, 1919-1932. Clause 44 declares that aircraft are not to operate within that part of the State south of the 26th parallel of latitude unless licensed, excepting where continuous flights take place commencing from and terminating on the same landing ground, or in cases of special emergency. By Clause 45 the Board may grant or refuse licenses to aircraft. No licenses will be granted for aircraft which do not comply with Commonwealth laws, and by Clause 46 relevant provisions of certain sections of this

Act shall apply to aircraft. Clause 47 limits the continuous driving period for drivers of commercial goods vehicles and provides a penalty for contravention of the provisions of the Act. Clause 48 makes provision for members of the police force and officers authorised by the Board to take action for the purpose of ascertaining if the provisions of the Act are being carried out. Under Clause 49 certain matters will be deemed proved unless defence proves otherwise, as for instance no license, and ownership of vehicle. By Clause 50 licenses must at all times be carried in the public vehicle licensed, and under Clause 51 both driver and owner shall be guilty of an offence for operating an unlicensed vehicle, but the driver may get off if he proves he reasonably believed the vehicle to be licensed. Clause 52 provides that proof that passengers were carried on a vehicle shall be considered as sufficient evidence that the vehicle was operated as an omnibus. Clause 53 contains penalties for infringement of Act or regulations, Clause 54 gives the Board power to revoke or suspend licenses, and by Clause 55 the Board may direct that legal proceedings be taken for the recovery of penalties. Clause 56 provides that this Act shall not affect the operation of the Traffic Act, but that Act has to be construed subject to the express provisions of this Act. Clause 57 grants the Board power to make regulations with respect to matters in connection with administration and transport control, and Clause 58 indemnifies the Minister, Board, and officers of the Board in respect to action or liability for matters done under the authority of this Act. Clause 59 makes financial provision for the operations of the board. Funds will be derived from revenue from fees and any Parliamentary appropriation. Against this, cost of administration is charged; any balance divided between statutory authorities for the maintenance and improvement of roads used by the vehicles licensed. Under Clause 60 the Board may operate validly in the period after the passing of this Act and before it comes into operation, but no license can become operative until the measure becomes law. This will enable the Board to do preliminary work on a legal basis before the Act comes into effect, so that there may be a clean start on 1st July next from which date the Act commences.



Some of our railway users are devoid of moral sense. Many instances could be cited where important concessions have been made by the railways to individuals and industry, and where they have been met with no reciprocation. After enjoying to the fullest extent the benefit of these concessions, many who owed much to them have patronised motor transport where it was possible to make some small saving as a result. Railways have been built in response to the persistent agitation of residents of various districts—railways which under fair treatment would be payable propositions—but no sooner have they been completed than they have had to encounter at the hands of their rivals, cut rates on higher-freight goods—rates which did not exist previously and which were only introduced when road transport was faced with railway competition. It should be obvious to all that the rates would never have been reduced at all only for such competition. It is to prevent such uneconomic and wasteful overlapping of transport that the present measure has been framed. There is no intention of killing motor transport. It is recognised by the Government that, in certain respects and in certain circumstances, road motor transport is superior to rail transport and is capable of rendering valuable service to the community. But, under the present conditions of unregulated competition, road motor transport is frequently doing a dis-service instead of a service to the community. To remedy this state of affairs road motor transport must be prepared to submit to an adequate measure of control.

Let me quote the views of Professor D. B. Copland, Dean of the Faculty of Convocation, University of Melbourne, on this important question of road motor competition. The Professor has said—

It cannot be conceded that motor transport is to be forbidden merely because it takes traffic from the railways and therefore increases the railway deficit to be met out of the Consolidated Revenue. In some cases the maintenance of railway facilities might involve the community in a greater economic loss than would the increased taxation required to meet that portion of a railway deficit due to motor competition on some lines . . . . A mere prohibition of motor transport cannot be regarded as an economically sound course. By such action the community in effect ignores the advantages to be derived from a new form of mechanical

transport. . . . Governments would not be serving the best interests of their communities if they sought to establish a complete railway monopoly for the purpose of reducing the burden of railway finance upon budgets. On the other hand, the claim of private transport interests that unrestricted competition should be allowed cannot be sustained. Where motor transport is not a common carrier and merely takes the cream of the traffic on favoured routes, it may return a handsome profit to the private owners. To suppose that the existence of such a profit indicates a net economic gain to the community involves a fundamental error. In this case, the profit may be less than the net loss to the community through the reduction of railway revenue on routes where the railways are forced to carry the less profitable freight. For handling some goods, motor transport may have advantages over railways. Yet, taking the whole of the traffic for any area where this traffic is considerable, it cannot be conceded that motors would offer facilities equal to those of the railways. While this condition of affairs prevails, the State is justified in protecting its railway assets, and any inconvenience caused through the railway handling the goods most suitable for motor traffic is counteracted by the facilities offered by the railways on the whole of the traffic. Of course, if the community could afford both forms of transport, it would not be necessary to restrict motor competition in such a degree. In any event, the more bulky traffic should be sufficient to meet the overhead expenses of the railways, but in Australia evidence has not yet been furnished to show that such a condition of affairs is possible. It is, therefore, necessary to regulate competition between road and rail transport by rationing the services.

An article by Professor T. Hytten, published in a circular issued by the Bank of New South Wales on the 1st August, 1933, copies of which are in the hands of members, supports Professor Copland in vital respects. It may be said that the Government are seeking to strangle private enterprise. The Bill furnishes no evidence of such a motive; no such motive exists. The Government regard road motor transport as a public utility and therefore subject to control in the public interest. This principle has been well stated by the Supreme Court of the United States of America as follows:—

When one devotes his property to a use in which the public have an interest, he in effect grants to the public an interest in that use and must submit to be controlled by the public for the common good to the extent of the interest he has thus created.

In this respect road motor transport is not being singled out. The State railways

are subject to the strictest control—control not only in matters of policy, but in their operations. They will be subject to control under the Bill. Many public men who are opposed to the control of road motor transport would stoutly resist any attempt to free the railways from the control that is now imposed on them. It is difficult to understand how such an illogical attitude can be taken up and maintained.

As an illustration of the value arising from proper control, let me cite the amalgamations that were imposed upon the railways of Great Britain under the Railways Act of 1921. Not only were the companies arranged into groups calculated to produce economical working, but the principles of their charges were laid down by a tribunal with a view to securing a standard revenue to the companies.

Hon. A. Thomson: Will that apply under the Bill to our railways?

The CHIEF SECRETARY: The Bill will apply to the railways. In the United States of America another tribunal has an over-riding authority as regards railways. In fact, from what I can learn, such a principle obtains wherever railways exist. The reason behind all this regulation of operation is that railways are everywhere regarded as public utilities, and road motor transport must accept similar conditions or go out of business. The Government are not unmindful of the fact that the passing of the Bill will restore to the railways a measure of their former conditions of operation and a consequent increased earning power. As a quid pro quo for this protection, the Government should soon be able to make a solid reduction in those rates which are found to be bearing heavily on railway customers because of the fall in commodity values.

Hon. J. J. Holmes: The board to be appointed will not control the railways.

The CHIEF SECRETARY: No, but they will exercise all the powers conferred by the measure. If the Government are unable to secure the passage of a Bill of this kind, only two courses will be open to them. One will be to increase the freight on goods in order to make the railways pay, and the other will be to impose increased taxation. Either of those courses would be unjustifiable while there are means that may be availed of, with justice, to control

traffic generally and protect the railways, in which a vast sum of money has been invested. I move—

That the Bill be now read a second time.

HON. J. J. HOLMES (North) [5.54]: It has been suggested that the debate should be adjourned, but as we are nearing the end of the session, I am prepared to proceed with the discussion to-day. One remark by the Chief Secretary that I could not quite understand was that there were two schools of thought, one of which advocated sitting down, doing nothing and letting things go as they were.

Hon. J. Cornell: That would not be a school of thought.

Hon. J. J. HOLMES: Certainly we could not include the motor transport people under that heading because, so far from sitting down and doing nothing, they have made good progress. I consider that the Bill does not conform to the title. I am not raising the point in order to get a ruling; I merely refer to the fact that the measure is designated a co-ordination of transport Bill and I cannot read any co-ordination into it at all. It seems to me to be a Bill to protect the railways. Whilst a good deal has been said under that heading, I would have liked to see more evidence of co-ordination. The measure practically exempts the whole of the North Province, seeing that it is not to apply above the 26th parallel of latitude, but I take it that members representing the North Province have a duty to see that equity and justice are meted out to all sections of the community. Metropolitan and Country Party members are vitally concerned in the Bill and we shall probably hear their views in due course. So far as I have been able to ascertain, no country has yet discovered a solution of the problem of railway and motor transport. I do not suggest that this Bill will provide a solution in this country, but we can take a good many steps towards solving the problem, and perhaps the necessity might arise in the near future, and in the light of increased knowledge, to take additional steps that will carry us to the point at which we are aiming. I do not believe that any one form of transport, whether railway or motor, will meet all the needs of the public. Railway transport might have sufficed 50 or 60 years ago, but in these days when people desire to travel

rapidly and do things quickly, no one form of transport will meet all the contingencies that arise. We should bear in mind that the steam power used by the railways is generated from coal which is a product of the country. True, we have been paying too much for the coal, but seemingly the Government are getting on the right track now. The point is that the money expended on coal to generate the power for the railways is kept in the country, while the fuel used for motor transport is imported from overseas and the money goes out of the country.

Hon. V. Hamersley: What about producer gas?

Hon. J. J. HOLMES: There has been a lot of gas-producing in the House, and there will be more by Country Party members before this Bill is finalised.

Member: What about oil in the North?

Hon. J. J. HOLMES: Evidently the railways have not taken sufficient advantage of the improved mechanism introduced into steam engines. They certainly have not taken advantage of the system of electrifying railways, which, I understand, is cheaper than ordinary steam power. Even if electric power were used for the railways, we would still be generating it with locally produced coal and the money would be kept in the country. Some States run light trains very cheaply, though perhaps for the carriage of passengers only, but we do not seem to have made any move in that direction. Certainly we have not moved at the rate motor transport has moved. The people interested in motor transport are awake to every improvement in mechanism and effect improvements to their services almost every day of the week. I am not blaming the railway officials, because the chances are that Parliament has not provided them with the money required. The fact remains, however, that the railways might have done better by running lighter or perhaps heavier trains. I travel frequently on the Midland line. On that line one can hardly see where a train begins and ends, especially on a Saturday morning. The trains carry passengers, merchandise, live stock, agricultural implements, in fact, almost everything one can mention. So far as the brake-van is concerned, the guard must be very expert to be able to unravel the parcels and deliver them at their right destination. Compare that with our Government railways, where you see a passenger

train starting practically empty, and then followed by a goods train. I have not been able to understand why we cannot amalgamate passenger and goods trains and thus effect economies in our railways.

Hon. A. Thomson: That is frequently done.

Hon. J. J. HOLMES: On the Government railways?

Hon. A. Thomson: Yes. They call them mixed trains.

Hon. J. J. HOLMES: I travel about the country as much as most people do. I see mixed trains on the Midland line and passenger trains and goods trains running separately on the Government railways. We must remember that £25,000,000 of money has been invested in the railways of this State. We cannot blame the Railway Department, the Commissioner, or the traffic officers for that. Many of our railways have been forced upon the department by the politicians of this country, and a good many of the politicians came from the country, too. Those railways have not been patronised by the people for whom they were constructed to the extent that they should be. The Bill should be so framed as to compel those who advocated the construction of those railways to use them, and my assistance will be given in that direction. Those railways were forced upon the Railway Department; they are political railways, one cannot call them anything else. Some railways, the construction of which was authorised seven and even ten years ago, have not yet been built. Recently Parliament authorised the construction of two railways, and they will be pushed on to the Railway Department also. We are told, too, that those railways will not pay. Members have spoken in this House about writing down the capital cost of the railways; yet they would push new railways on to the Commissioner the next moment and then come along next year and ask that the capital cost of them be written down also. The railways have not had a chance in this country. We have built roads parallel with the railways to take the traffic away from the railways.

Hon. A. Thomson: Would you not have roads connecting towns with each other?

Hon. J. J. HOLMES: I would not have roads leading from someone's backyard to Perth, so that people could dodge paying railway freights. The Railway Department are compelled to maintain a safe line, upon

which the trains can travel. That is not so with motor traffic, which can knock the road to pieces. They shoulder no great responsibility for the maintenance of the roads. The railways are at another disadvantage with respect to high grade and low grade traffic. High grade traffic pays a high rate and low grade traffic a low rate. Yet the advocates of railways have the audacity to send all their high grade freight by motor truck and ask the Railway Department to carry their low grade freight at the lower rate. That is neither honest nor fair. From what I have read in papers published in the Eastern States and elsewhere, it is not considered possible for the railways to carry all the traffic, but it is considered possible for the two systems of transport to work in harmony. Some time ago Mr. Thomson raised the question of carriers feeding the railways and loading the trucks, and then other carriers meeting the trucks at their destination and distributing the goods. That proposal was rather ridiculed by the Minister, but I find that the practice is growing elsewhere, with advantage to the Railway Department and the public generally. That is what I mean by co-ordination and provision should be made in the Bill for something of that nature. With respect to suburban traffic, which the Minister looks upon as very important, the railways can make up their mind that that traffic is lost to them. They can never regain it, unless motor transport is prohibited altogether. People will not use the trains and be put out at a railway station when they can travel by motor transport which picks them up at the door and puts them off where they want to alight. I shall quote from the report of the Chief Traffic Manager of the Railway Department evidence to show that a distinct attempt was made to get this passenger traffic back, but without success. I repeat that I do not think the railways will regain the suburban traffic, unless power is given to the Transport Board to stop the motor service. If that were done, I think the public would rebel. Members will therefore see the propriety of steering the middle course of co-ordination which I suggest. It must be borne in mind that the Board will have power to fix passenger rates for the bus services; and there is a possibility that the board may fix those rates at a figure so low that it would not pay for

the petrol. Then the motor service would have to be discontinued and the public consequently inconvenienced.

Hon. L. B. Bolton: That will never come about.

Hon. J. J. HOLMES: The public would be subjected to such inconvenience that they would not tolerate it. Still, the fact remains that such power is to be given to the board. Parliament would not do what I suggest the board might do, because members have to consider the people with votes; but the transport officers could do so, because they would not be influenced by people with or without votes. I raise the point to show the danger that we may run into. Provided the right men are appointed, I think the proposal to appoint a board consisting of three members is an excellent one. They should be men with brains, and they should be just and equitable. I cannot bring myself to believe that, when it comes to the appointment of members of the board, what is now known as the "policy declared from the housetops" will be put into operation. I refer to preference to unionists. If I thought that policy would be applied to the members of this board then, instead of trying to assist the passage of the Bill through the House, I would work 24 hours a day, seven days a week, to try to wreck the measure. We are to have a representative of the Government, a representative of the city people, and a representative of the rural people. Provided the appointees are untrammelled and unbiassed, that they are men with brains and have equitable minds, I do not think anyone could make a better suggestion. They need not necessarily be men with railway experience. The best board I know of is the South Australian board comprised of three members, none of whom knew anything about railways or transport. They had brains and ability, however, and have achieved the best results in Australia.

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

Hon. J. J. HOLMES: In dealing with the qualifications of members to be appointed to the proposed board, I want to make it clear that I look upon the board really as the Bill. If we get the right men for the right board, we shall get the right results. From the standpoint of age, I have in mind some men who have been asso-

ciated with other institutions and have reached the retiring age at which, from that standpoint at any rate, they are of no further use to the organisations with which they are associated. I regard the question of age, as applying to the appointments to be made to the board, as of considerable importance. I do not suggest that younger men have more brains than older men, but the fact remains that younger men are more in touch with the trend of modern times and know what is going on in the community. Under the Bill, extensive discretionary powers will be vested in the board and, so far as I can see, there is no provision for an appeal against any decision the board may arrive at. In view of the exceptionally wide powers with which the board will be clothed, I do not know that it would not be fair and equitable to make provision for an appeal either to one of the qualified resident magistrates or to a judge of the Supreme Court, who would be able to hear both sides and give an equitable decision on the facts adduced. If we are to give the board a free hand, I have already indicated how it will be possible to drive motor traffic off the roads by fixing rates that will be unpayable for those interested in that form of transport. There is another aspect to be considered. If the license fee is fixed and the charges on vehicles are levied on a very high rate, owners of those vehicles may be compelled to increase the fares charged to such an extent that the travelling public or the products of the country areas will be penalised. There again the provision represents a double-barrelled issue. By fixing an unremunerative rate, the board may push the motor traffic off the road, or on the other hand, by fixing an exceptionally high rate, while not pushing the traffic off the road, the board would victimise the travelling public. When we consider the matter in that light, I think members will agree that it would be equitable if we provided some method of appeal. Again from the standpoint of equity, those concerned in the motor transport services have established businesses and have rendered services to the community. They may be compelled to abandon routes or even their businesses. I do not know that they should be entitled to compensation for loss of business, but if the whole of their plant were to be set aside, then I think the question

of compensation should apply when their vehicles have depreciated to an extent that they represent a more or less unsaleable asset.

Hon. A. Thomson: Surely a certain amount of good-will must be involved if a reasonably good business has been built up.

Hon. J. J. HOLMES: I do not know about good-will. These people embarked in the business of their own free will. They knew, as everybody knows, that it was only for the time being. If the board in their wisdom choose to refuse a license the vehicle will practically be of no further use. Then the question of compensation may arise. Compensation was provided under the provisions of the Licensing Act, and in the same way compensation provisions could be included in the Bill and the payments under that heading could be made from the funds at the disposal of the board. As I have pointed out before, I am merely considering the matter from the standpoint of equity.

Hon. G. W. Miles: Who would compensate the Railway Department if the board decided to close down a line?

Hon. J. J. HOLMES: I will come to that phase; I am taking one hurdle at a time. The Bill provides for fees payable in respect of licensed motor vehicles, and one is payable on the basis of 10 per cent. of the gross earnings. I understand the license fee payable under the Traffic Act will mean another two per cent., so that under those two headings there is an impost of 12 per cent. on motor vehicles. Those charges will have to be passed on to the public. In considering the Bill, it will be our duty to see that the interests of the public as well as those of others concerned, are adequately protected. The public are vitally interested in this question. Motor transport is a great convenience in getting from place to place, particularly in these days when we have to do so much in so little time. As a fact, one can get to Fremantle and back by motor bus in the time that would be occupied in waiting for a train to depart from Perth. In my opinion the railways will never regain the passenger traffic in the metropolitan area, unless motor traffic is pushed off the roads altogether. If that were attempted, it would be an injustice, not only to the proprietors of motor buses and cars, but to the public gen-

erally. To verify what I have contended, I shall quote some extracts from the report of the Commissioner of Railways and also other references of which I made a note from time to time. In 1933 the Railway Department made a distinct attempt to get back some of the suburban traffic and, according to the departmental report, the trains travelled an additional 80,000 miles over and above the mileage traversed in 1932. It will not be an exaggeration if we consider the running costs at 10s. per train mile. That would represent an additional £40,000 to run 80,000 extra train miles. The railways carried 1,200,000 more passengers in 1933 than in 1932, but, strange to say, the net result was that the department received £922 less in 1933 than in the previous year. A huge sum must have been spent in advertising in an attempt to get the people to patronise the railways to a greater extent. On reliable authority—I do not remember seeing the information in the Press—I have been informed that the Commissioner of Railways announced early in 1932 that he proposed to spend £25,000 on advertising. Certainly it brought 1,200,000 more people to the trains, but the net result was a return of £922 less than was received in the previous year. In the past—this is why I look with more satisfaction on the proposed board, especially now that we understand that they will have some control over the railways—everything has been done that tends to make the railways unprofitable. Long service pay has been provided; a 44-hour week was instituted; roads were constructed parallel to the railways to rob the system of traffic. Then there is the question of the transport of school children. Some of the young people in the outer areas have brains and it becomes advisable for them to attend the larger schools in the city. I understand that they pay 1s. per month over short distances in order to attend schools where they receive their education free. That does not seem to me to be quite fair. Women and children in the outback portions of the State may desire to visit the city. If it be thought advisable for them to do so, there should be some other means provided to enable them to come to, and go from, the city, without penalising the Railway Department by requiring them to be conveyed at reduced rates. When people criticise the Railway Department regarding net results, they should realise that the department has very little say

in such matters. Like the Chief Secretary this afternoon, I take this opportunity of mentioning what the railways have done in the interests of the State under adverse conditions. The Chief Secretary told us what had been done between 1928 and 1933. I have not the figures available, and probably some other members will follow the matter up, but I would like the Chief Secretary, when he replies, to tell me how many men were employed in the Railway Department in December, 1932, and how many are employed during the present month of this year. I understand that a statement was published in one of the Eastern States papers to the effect that 1,000 more men were employed in the railways this month than there were in December, 1932. What is puzzling me is what the Chief Secretary stated this afternoon, that whilst there has been an enormous decrease in the traffic, there appears to have been a big addition to the staff. When we come to the producers being compelled to patronise the railways, I do not want them to be victimised to the extent of having to carry on their shoulders an extra thousand men. I desire the producers to get a fair deal in the way of freight when they are compelled to send their products to market by rail. I could go on like Tennyson's brook drawing attention to the dead-heads that are being pushed on to the Railway Department, people that the department should never be asked to carry. Another question arises, and that is the power of the board in connection with the closing-down of railways. If carried out in the right way and in the right spirit, this is what we have been looking for for a long time. Subclause (2) of Clause 11 sets out—

If in the opinion of the board the services of any railway or tramway as aforesaid are inadequate, impossible of improvement—

I ask members to note those words "impossible of improvement"—

—and the requirements of the district are or can be better served by road and/or air transport, the board may recommend the closure or partial suspension of service of the railway or tramway.

The board, after analysing the whole position, comes to the conclusion that a particular line should be closed down. A motor service may suit a section of the community better than either a railway or a tramway,

and then the board has to come to Parliament before the railway or tramway can be closed down. What has happened in this House during the last 20 years, in connection with every railway Bill that has come up for approval, no matter how good or bad it may have been? All those Bills were approved. Several were approved as far back as ten years ago, and the lines have never been built. I ask, therefore, what hope have we of closing down a railway that may be recommended by the board as "impossible of improvement"? I have specially marked Subclauses (3), (4) and (5), because if we are not going to give the board power to do all this in the case of railways that are "impossible of improvement," it will get us back to where we are now. Let a judge of the Supreme Court or a magistrate decide the point on the evidence adduced. In view of what has happened in Parliament, we shall never get anywhere under a proposal such as that contained in the Bill. Subclause (7) of the same clause sets out—

It shall be the duty of any person or persons charged with the promotion or proposing to construct any new railway to confer on such proposal with the board, which shall inquire into the same and report thereon. The board's report shall be laid before Parliament when the Bill to authorise the construction of the railway is introduced.

I have marked that clause as "too late." We have just recently authorised the construction of two railways and unless we can make the subclause retrospective, so that we can make it apply to those two railways, it will not have my support. My desire is to see that the railway charges that are imposed are normal, and that a huge staff is not built up, as is now suggested.

The Chief Secretary: Who is your authority for saying that a huge staff will be built up?

Hon. J. J. HOLMES: An Eastern States newspaper. As I said at the outset, the Bill will apply to the State south of the 26th parallel. Therefore it does not really affect the province represented by Sir Edward Wittenoom, Mr. Miles and myself. Still, we try to take a broad view of the whole situation and of all the legislation that comes before this House. It does affect the southern part of the State and there are two points that concern us. The Bill provides

that produce must be carted to the nearest railway station.

Hon. E. H. Harris: To which there may be no roads.

Hon. J. J. HOLMES: Yes, and which may be almost inaccessible. If we carry that out, we may have men on the Murchison carting to Meekatharra over 300 miles away instead of perhaps going in to Pindar.

Hon. C. F. Baxter: The Traffic Act meets that difficulty.

Hon. J. J. HOLMES: It does not meet the difficulty that may arise under this Bill, that you have to cart to the nearest railway station and, as I have just said, the nearest railway station sometimes is not accessible. South of the 26th parallel there are some big stations and, if the Bill passes as it is, the station owners, in carting to the nearest railway station, may have to cart their produce away from Perth and unnecessarily add 300 or 400 miles to the railway journey. The only other amendment that we ask for the North is in connection with shearers. It is customary at the commencement of the shearing season for the contractor to get his team together in Perth. The contractor, in his motor truck, makes a bee-line for Kimberley with all his shearers. Then he works back from station to station, and when he has finished, lands his team back in Perth. All we ask is that these men be allowed to continue as they have done in the past; that is, to go up by motor truck and return in the same way when they have finished their job. I am advised that the Railway Department have no objection to that. I intend to give general support to the Bill. I hope that when we get into Committee we shall be able to amend it on equitable lines. I shall not take any steps that will jeopardise the passing of the Bill; my efforts will be devoted solely to making it an equitable measure. There is just one other matter, and it is that I should like to know whether Clause 60 does not attempt to amend the Interpretation Act. It says—

Notwithstanding the provisions of the Interpretation Act, 1918, etc., etc.

I hope the Minister will be able to explain the meaning of it. I am more than ever convinced that every clause in a Bill should conform to the Title of the Bill.

If I start an action against anybody under the Licensing Act, I do not want to look up other Acts of Parliament to see whether they contain a section bearing on the Licensing Act. The House would be acting wisely by not having an amendment of the Interpretation Act tangled up with a Bill to provide for the improvement and the co-ordination of means of and facilities for transport. I support the second reading of the Bill.

On motion by Hon. A. Thomson, debate adjourned.

## **BILL—FIRE BRIGADES ACT AMENDMENT.**

### *Recommittal.*

On motion by Honorary Minister, Bill recommitted for the purpose of further considering Clause 2, the inserting of a new clause to stand as Clause 8, and to amend the Title.

### *In Committee.*

Hon. E. H. Gray in the Chair; the Honorary Minister in charge of the Bill.

#### Clause 2—Arrangement:

The HONORARY MINISTER: During the Committee stage a suggestion was made that the Second Schedule to the principal Act should be brought up to date. I have, as promised, inquired fully into the matter; and the amendments appearing on the Notice Paper deal with it. The present members of the board have been elected to hold their seats until 1934, and the first amendment of which I have given notice provides that, notwithstanding the passing of this Bill, they shall do so. Believing that the new schedule which forms the subject of the second amendment will be agreed to, I move my first amendment—

That the following be inserted to stand as paragraph (c).—"by adding an additional proviso at the end thereof, as follows:—'Provided, also, that notwithstanding the amendment of the Second Schedule to the Fire Brigades Act, 1916, as enacted by the Fire Brigades Act Amendment Act, 1933, the constitution of the board shall continue under the provisions of the Second Schedule as enacted by the principal Act until the 31st day of December, 1934.'"

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

#### New clause:

The HONORARY MINISTER: I move—

That the following be inserted to stand as Clause 8:—

8. The Second Schedule of the principal Act as enacted by section four of the principal Act is repealed, and the following substituted:—

#### Second Schedule.

##### Part I.

Municipal District—The City of Perth.  
Road District—Perth.

##### Part II.

Municipal Districts—Claremont, Cottesloe, East Fremantle, City of Fremantle, Guildford, Midland Junction, North Fremantle, Subiaco.

Road Districts—Bassendean, Bayswater, Buckland Hill, Canning, Greenmount, Melville, Nedlands, Peppermint Grove, Perth, South Perth, Swan.

##### Part III.

Municipal Districts—Boulder, Kalgoorlie.  
Road Districts—Coolgardie, Cue, Kalgoorlie, Leonora, Meekatharra, Yilgarn.

##### Part IV.

Municipal Districts—Albany, Bunbury, Busseton, Collie, Geraldton, Narrogin, Northam, Wagin, York.

Road Districts—Beverley, Brookton, Katarung, Kellerberrin, Meckering, Merredin, Northam, Toodyay.

Each district under Parts II., III., and IV. to be named the (name of municipal or road district) fire district. The letters (R.B.) to follow the names of the Perth and Kalgoorlie road districts.

It was asked why the schedule did not include the names of certain local authorities which have come into existence in recent years, and why it did include the names of certain local authorities which have gone out of existence during those years. Therefore it may be as well for me to read some information supplied to me, which will probably satisfy Mr. Harris that the new schedule is complete. The president of the Fire Brigades Board writes—

A fire district cannot be established without a reference to the local authority concerned (Section 30). Fire districts are not constituted by the Fire Brigades Board, but by the Governor-in-Council. It is the practice for the Minister to refer such applications to the Fire Brigades Board for their recommendation. No fire district has ever been created except at the request of the local authority concerned. The municipal districts and road districts referred to in the Second Schedule of the Act are constituted as "fire



districts" under Section 6 of the Act. Those authorities, therefore, do not have voting power as a local authority, but solely as a constituted "fire district."

The names which appear in the new schedule are the whole of the constituted fire districts in the State at the present time.

When any fire district becomes extinct, and is not a contributory to the board, such district has not been permitted voting power. The Act is deficient in its direct power to abolish any fire district once constituted. In practice, however, once a local authority ceases to contribute to the board, that local authority has not been permitted to exercise a vote for board representation. Any newly created district is added to the schedule of the Act by Order-in-Council.

That is in accordance with Section 4.

New areas beyond the boundaries of any particular fire district and in another local authority's area are joined as a united fire district. Each local authority within the area of a united fire district has voting power. The Second Schedule to the Act does not alone provide voting power for the fire districts mentioned therein, but also allocates the representation of membership on the board. The districts mentioned in each of the four parts of the schedule elect one representative, so that there are one representative each for the city of Perth (Part I.), metropolitan area (Part II.), goldfields areas (Part III.), other areas in the State (Part IV.). The city of Perth has the right of one representative, being by far the largest local authority contributing to the board's funds. The districts mentioned in the other parts of the schedule were intended, when the present Act was framed, to represent as far as practicable a community of interest; but while Part III. embraces goldfields communities, Part IV. also included the goldfields areas of Cue-Day Dawn and Meekatharra. It was considered at that time that the representative of the Eastern Goldfields area could not reasonably represent, by reason of distance, the Murchison Goldfields areas mentioned. The district of Wiluna will probably shortly be declared a fire district, and then the Eastern Goldfields representative can more readily take in Wiluna and Meekatharra, if not Cue, under Part III. At present the goldfields representative embraces a very small area indeed. The attached schedule is suggested as a more reasonable and more workable one than that now existing under the present Act, which is 16 years old. Should any change in the schedule be made by Parliament, it would be advisable to provide that the existing membership of the board should stand until the 31st December, 1934, after which members could be elected by districts apportioned under the new schedule.

That being the position, elaboration on my part is not needed. If this new clause is

agreed to, it will bring the schedule up to date and will provide for the future inclusion of fire districts by Order-in-Council.

Hon. J. CORNELL: As the member who drew Mr. Kitson's attention to the need for revising the schedule, I support the clause.

New clause put and passed.

Title:

Hon. J. CORNELL: It will be necessary to amend the Title. I move an amendment—

That after the words "forty-two" there be inserted "and the Second Schedule."

Amendment put and passed: the Title, as amended, agreed to.

Bill reported with further amendments, including an amendment to the Title.

### BILL—LOTTERIES (CONROL) ACT AMENDMENT (No. 2.)

#### *Second Reading.*

Debate resumed from the 29th November.

HON. C. F. BAXTER (East) [8.14]: This Bill, I see, is an old friend back, with an amendment to include relief of unemployment. When the original Bill was introduced here, I being in charge of it, there was a strenuous debate. The objection I then expressed to the inclusion of unemployment relief within the purview of the Bill is the objection I have to express now. Such a thing tends to create a permanent body of unemployed. There are other ways and means of financing unemployment, and we should not saddle any Act of Parliament with such a provision as that proposed in the Bill. According to the statements of the Minister for Employment, there is not now so great a need for financing unemployment. I am informed, whether correctly or not, that at the opening of the Local Products Campaign in Kalgoorlie the Minister said that the present Government had it to their credit that they had brought about a position in which there were only 4,000 unemployed.

Hon. E. H. Gray: Four thousand families.

Hon. C. F. BAXTER: I hope the statement is correct. In any case, one must not doubt the word of a Minister. That being the position, what need is there for such

an amendment as the Bill proposes? Then where is the need for such an amendment as this? I object to any Act of Parliament that will create a permanent body of unemployed. During the past three and a half years quite a lot of our younger people have got into such a frame of mind that it will be very difficult, when the time comes, to get them to carry out the work that has to be done in the community.

Hon. E. H. Gray: It is not their fault.

Hon. C. F. BAXTER: No, that is true, and I am very sorry for them; but do not let us do anything to encourage them in that attitude. The next amendment provides for the Minister's approval in the allocation of funds proposed to be made by the commission. The parent Act in its passage through Parliament was one of the most discussed and most criticised measures I have ever known. Unfortunately for my peace of mind at the time, I was the man responsible for piloting it through this House. The one thing paramount with the then Cabinet was that the Act should be kept absolutely free from ministerial control and authority. I contend that that attitude should be maintained to-day, and indeed right through the piece. Let us keep these lotteries clear of politics and free from political influence, no matter what Ministry may be in power. We have too many State activities now, for there is over £2,000,000 involved in the State trading concerns and we have no hope of realising on any of them.

The Honorary Minister: You would not suggest a loss being made on this one.

Hon. C. F. BAXTER: No. This is entirely profitable, which is the greater reason why it should be kept free from ministerial control. Why should it be necessary for the Minister to give his approval to any allocation resolved upon by the Lotteries Commission? Why should the power be taken out of the hands of the commission? Has anything gone wrong? Has there been any justification for such a proposal? I do not think anything could be more satisfactory than the carrying out of the lotteries and the distribution of the moneys. This proposed change, handing over the power of distribution to the Minister, should not be tolerated, and I hope that in Committee this amendment will be struck out. Ministers have quite enough to do

without this added duty; and, irrespective of that, the proposed principle is absolutely wrong. The complete power of distribution should be in the hands of the commission, not in those of the Minister. I trust that in Committee neither of these two amendments, the one proposing to include the unemployed amongst the beneficiaries to a greater extent than is now provided, and the other to give the Minister power over the distribution, will be agreed to. There are other ways and means of assisting the unemployed.

Hon. G. Fraser: How can the unemployed be assisted without this?

Hon. C. F. BAXTER: Under the Act the Lotteries Commission have power to assist them up to £250 from each lottery. Palpably, the money is intended for charitable purposes, not for the unemployed at all.

Hon. G. Fraser: But this amendment is only to widen the distribution when required.

Hon. C. F. BAXTER: No, if it remains in the Bill it will become mandatory.

Hon. G. Fraser: No more mandatory than it is at present.

Hon. C. F. BAXTER: Yes, it means nothing but mandatory power. I hope that neither of the two amendments will be agreed to.

HON. W. J. MANN (South-West) [8.22]: There is very little in the Bill that I can support at all. The only clause to which we might reasonably agree is Clause 4.

Hon. E. H. Gray: And you will amend that?

Hon. W. J. MANN: Yes, if I have my way we will substitute 1934 for 1936. If the Lotteries Commission are competent to conduct the lotteries, then surely they are equally competent to say who shall participate in the distribution of the proceeds. I am surprised at the inclusion of the clause giving the Minister power to veto the decisions of the commission in the distribution of the funds. By it the Minister is only building up for himself a lot of trouble. If I were the Minister I should be glad to see that provision struck out and so save me from being bombarded by individuals and organisations wanting to participate in the distribution. I will support the second reading, but in Committee

I will oppose Clauses 2 and 3, and will attempt to amend Clause 4 by striking out "1936" and inserting "1934."

**HON. J. M. MACFARLANE** (Metropolitan-Suburban) [8.25]: There is in the Bill very little I can approve of. I will support the second reading, but in Committee I will vote against the inclusion of the unemployed in the distribution of the proceeds. Last year I voted for the original measure, desiring to see chaos resolved into order. I am satisfied that the year's work of the Lotteries Commission has effected that. But the position is still difficult. If sufficient money were produced by the lotteries fully to finance the charitable institutions enumerated in the Act, I might be prepared to support the inclusion of the unemployed in the distribution. But we are a long way from that position, and so I will adhere to my decision of last year until the charitable institutions named in the Act are fully provided for; until then I will not help to extend the field. Clause 3 does not appeal to me either, for I do not think the Minister should interfere with any commission or other body, so long as they are doing their work satisfactorily. It is only in extreme circumstances that Ministers should step in and exercise authority. Such interference with the Lotteries Commission would be quite wrong, and I will not support it. Also I think the Act should be continued for only one year.

Hon. G. Fraser: Make it a hardy annual?

Hon. J. M. MACFARLANE: Yes. I regret that it should be necessary to have it on the statute book at all, and I would make it an annual measure so that it should come up each year for review. I will support the second reading.

**HON. E. H. HARRIS** (North-East) [8.30]: In keeping with the Title of the Act passed in 1932, the object was to provide for commissioners to conduct a given number of lotteries and make recommendations as to other persons who might be permitted to conduct lotteries. I recall the fight that occurred on the floor of the House for the recognition of unemployment relief committees, such as are provided for in this Bill. When the original measure was before us, Mr. Kitson and Mr. Gray moved amendments along similar lines which, like the amendment proposed in this Bill, pro-

vided for mushroom growths or organisations being permitted to partake in the distribution of some of the cash to alleviate the difficulties of the more unfortunate section of the community.

Hon. E. H. Gray: It could not be done under the present organisation.

Hon. E. H. HARRIS: The other night Mr. Fraser put up a case which Mr. Holmes described as consisting of sob-stuff, and he did well. One could almost hear the tears dropping on the carpet! I can visualise a candidate on the platform of the Labour Party. One of the planks he would adopt would be the basis of a promise something like this, "If I am elected to Parliament, the first thing I will do will be to see that the unfortunate unemployed get a greater degree of sustenance than is granted them now."

Member: And the sick would get a percentage less.

Hon. E. H. HARRIS: Quite so. On that the candidate would fight the election and would be able to make out a very good case. I suppose that independent candidates too, would adopt the same cue and make it a political issue. Last session, when the original legislation was before us, Mr. Kitson moved an amendment to include in the definition of "charitable purpose" the following—

*Any body organised for the purpose of dispensing relief to the unemployed.*

At a subsequent stage Mr. Gray moved an amendment—

*Or any unemployed relief committee recognised by the Minister.*

Thus Mr. Gray was prepared to go a little further than Mr. Kitson proposed. If the Minister looked around amongst the numerous people desirous of getting their hand on some of the money, he might have said, "There is Mr. Gray, a reliable citizen, I will give him a good wad." We should not countenance anything of that kind, or permit of its being introduced into a political campaign.

Hon. E. H. Gray: The poor old thing is used in political campaigns.

Hon. E. H. HARRIS: What will candidates not resort to in a political campaign? I have lived in a district where the dirtiest things have been adopted. However, I do not wish to discuss that matter. Mr. Kitson's amendment was defeated by 18 votes

to six, and Mr. Gray's amendment shared a similar fate, the voting being 16 votes to six. On that occasion members showed definitely that they would have nothing to do with such a proposition, and if we voted on the question to-night, I venture to say the numbers would be about the same.

Hon. G. Fraser: You are not allowing for some of the members having been educated during the last 12 months.

Hon. E. H. HARRIS: The hon. member had better not talk about educating anyone. Clause 2 proposes to give the Minister power to say to whom the money shall be given. That, in my opinion, is an impudent proposal to include in a Bill forwarded for the consideration of a House of revision. To put up that guff in another place where nothing but party politics is served up from one side to the other may be all right, but it is not a desirable thing to submit to this House, and I hope members will not approve of it. I do not think that provision was inserted with the idea that the Minister should be merely a rubber stamp. I think the object was that the Minister, representing the Government of the day—my remarks refer to any Government, irrespective of party—should be able to use it to political advantage. We all know that the Labour Party's Gibraltar of finance has been industrial unionism, and it has been stated by members of this House that they would not be here but for sweeps. That was a candid admission and quite a true one.

Hon. W. J. Mann: Do you mean consultations?

Hon. E. H. HARRIS: If necessary, I am prepared to quote the names and dates from "Hansard."

Hon. J. M. Macfarlane: What is the definition of sweeps?

Hon. E. H. HARRIS: Consultations conducted by a party, and it was said with some degree of truth that the funds had been utilised for political purposes. May I indicate a few amendments that I consider desirable. One member suggested that he would like to make this legislation subject to review annually. I have provided a necessary amendment. I am sorry my amendments are not on the Notice Paper, but owing to circumstances over which I had no control, I was prevented from placing them there. The amendments are such that, if we make it necessary for this legislation to be

renewed annually, the appointment of commissioners will also be made an annual matter. The other day we had a Bill before us purporting to protect a member of this Chamber, and it limited the protection to the 31st December, 1933.

Hon. J. J. Holmes: Was it not 1934?

Hon. E. H. HARRIS: As introduced by the Government, it provided for protection till the 31st December, 1933, and this House decided to protect that member till 1934.

The Honorary Minister: You know that that is not strictly accurate.

Hon. E. H. HARRIS: I moved the amendment.

The Honorary Minister: The Bill went further than you have indicated.

Hon. E. H. HARRIS: The Bill definitely provided protection for that member till the 31st December, 1933.

Hon. J. Cornell: The Bill proposed protection for that member or any one of the other 79 members.

Hon. E. H. HARRIS: I said at the time that it opened the door wide to affording protection to the other 79 members, and I am glad that the House took the view that the Bill should afford protection to the one member only. I propose to move in Committee that this measure be extended till 1934, but as the other Bill sought to protect a member of this Chamber till 1933 only, and that other members of the commission may have their services dispensed with at the same time, I should like an assurance from the Honorary Minister that the Government will re-appoint the present commission. In making that request, I do not consider that I am asking too much. It has been suggested that the Government do not intend to reappoint some members of the commission. One member we have endeavoured to protect until 1934, but the Government may defeat the will of the House by failing to re-appoint the present commissioners on the 1st January next. If I thought that was likely to happen, I would not support the second reading of the Bill, and I do not think there are 10 members of this House who would do so in those circumstances. It may be that any action that has been or may be taken here will prove valueless. If a decision to that effect is given elsewhere, it will be an endorsement of the views expressed by some members of this

House. There is a provision in the Constitution Act that notwithstanding any amendment that may be made, a charge against an individual may not be invalid against him. I do not intend to enter into further details on that point. My vote on the second reading will be contingent on the reply of the Honorary Minister when he closes the debate.

Hon. C. F. Baxter: When alluding to a statement made by the Minister for Employment on the goldfields, I did not quote him correctly. By way of personal explanation, I wish to give the exact words reported to have been used by him in two speeches delivered in Kalgoorlie. They were—

Less than 18 months ago there were 17,000 families on sustenance. The statistician's figures showed that last Saturday the number had been reduced to 2,500 families. Within the past few months, as a result of the campaign to induce people to purchase the goods of their own State, no few than 4,000 additional hands had found employment in the factories in Western Australia.

**HON. R. G. MOORE** (North-East) [8.43]: I do not intend to speak at length on this Bill. I spoke on the second reading of the other Bill, and if I knew how to kill this measure, I would certainly do it. I am not concerned about what assurance the Minister might give in reply to the question asked by Mr. Harris, or whether any of the amendments are objectionable or otherwise. I do not intend to support the second reading. On a previous occasion I gave my reasons for my opposition to legislation of this kind. It is a well-known fact that the gambling evil, not only in Western Australia but in all parts of the civilised world, is a contributing factor to the poverty and distress that exist.

Hon. C. F. Baxter: Can you suggest any way of stopping it?

Hon. R. G. MOORE: I am suggesting that we should not encourage it by legalising lotteries. I also suggest that if the Government desired to suppress gambling, they could suppress it to a great extent.

Hon. W. J. Mann: Did you yourself ever have a little flutter?

Hon. R. G. MOORE: Yes, I have purchased a ticket in an art union.

Hon. W. J. Mann: How did you get on? Did you win anything?

Hon. R. G. MOORE: Yes, on one occasion I won a rooster. As it is recognised by all that gambling is responsible for a great deal of poverty, and as it is only poverty that makes charity necessary, I think it a false policy, apart from the principle altogether, to encourage the cause in order to relieve, to some extent, the effect. In other words, if we encourage gambling, as we do by these lotteries, we are cultivating the germ responsible for the spread of the disease.

Hon. G. Fraser: Will the hon. member say in what other way we can relieve the prevailing distress?

Hon. R. G. MOORE: I have already told the hon. member; but no people are so blind as those who will not see. Among other things, the hon. member said that when he was going around he wished he was a wealthy man so that he could give away so much for the relief of unemployment.

Hon. J. Cornell: A sort of Father Christmas!

Hon. R. G. MOORE: It is a very easy matter to find hundreds of people who are anxious and willing to give away what they have not got. I am reminded of the saying of Josh Billings, "Always say you are sorry for the poor, it does not cost anything." I am just as sympathetic towards the poor and towards charity as anybody else; but in this instance I do not think the end justifies the means and, because I think encouraging the gambling evil is demoralising the people and because I think gambling is economically unsound—last year we found that it was necessary for the people to contribute £70,000 in order to give £30,000 to charity—I shall oppose the second reading of the Bill.

Hon. H. Seddon: I move—

That the debate be adjourned.

Motion put and negatived.

**HON. G. W. MILES** (North) [8.48]: I shall vote for the second reading of the Bill, although I am opposed to the second and third clauses and I desire the fourth clause to be amended. After what various members have said with regard to the previous Lotteries Bill that was before the House, and with regard to the splendid way in which the Commission have conducted the lotteries during last year, I am glad Mr.

Harris raised the point he did and asked the Minister direct whether it is the Government's intention to re-appoint the members of the commission. If we do not get that assurance, then I think we should insert a clause in the Bill stating that the present members shall be re-appointed for a term expiring in 1934. I hope the Minister will give the assurance asked for; if not, it is the duty of the House to extend the appointment of the commission to 1934.

**HON. H. SEDDON** (North-East) [S.49]: I moved the adjournment of the debate because I thought it quite possible hon. members would like an opportunity to look further into this matter, but it is the wish of the House that we should not adjourn. With my colleague, Mr. R. G. Moore, I am opposed to the holding of lotteries: but, as it is determined to hold them and as they meet with the approval of the greater number of the people of the State, then we must see they are properly controlled. One result of the present Act is that many indiscriminate lotteries with which the people of the State were being pestered from one end of the country to the other are now brought within reasonable limits. I have no fault to find with the operations of the commission. They have carried out their work in an excellent manner and in accordance with the Act. When in Committee I propose to move an amendment providing that the auditor's report upon the lotteries should be laid on the Table of the House and not merely submitted to the Minister. With regard to the limitation of the term, I think it well that the Act should come up for revision by the House. By that means any genuine faults that may be found in it can be ventilated and corrected. I support the second reading of the Bill, but I qualify that support by saying that the term should expire in 1934.

**HON. L. B. BOLTON** (Metropolitan) [S.51]: It is my intention to vote for the second reading of the Bill. Unlike some of the previous members, I propose to vote for Clause 4. I consider the good that has been done and the assistance that has been rendered to various charities and hospitals, warrant the continuance of the control of lotteries until 1936. I am totally opposed to the unemployment clause and I shall vote against it. I shall also vote against Ministerial control, as I consider the excellent way

in which the allotments have been made by the present commission does not warrant the Ministerial interference suggested by the Bill.

**HON. J. CORNELL** (South) [S.52]: I did not intend to speak on the question of enlarging the Bill to give relief to unemployment and to provide for Ministerial control. When the previous Bill was before the House, I then expressed myself as opposed to those two provisions. I rise merely to speak on the point raised by Mr. Bolton as to the duration of the Bill. The proposal is to continue the Bill for three years. That cannot be termed temporary legislation. Temporary legislation is usually for one year. If there is justification for exceeding that period, then no limit should be fixed at all. The measure is permanent. The position then is that the Government of the day may bring down a Bill to repeal it, or any private member may do so. To say that three years is temporary legislation is at variance with the Standing Orders. The position appears to me to be somewhat inconsistent. I ask hon. members to throw their minds back to last session when the Bill was submitted that I decided to oppose. After months of acrimonious debate, it was agreed to bring down the Lotteries Bill, and at the tail end of it the Minister in charge of the Bill fell to the Leader of the Opposition. After winning all the way through, he agreed to the suggestion of the Leader of the Opposition to limit the Bill to 12 months. I think Mr. Scaddan deserved his defeat for that alone. Now I understand the position is that the Premier thinks a year is not long enough, that the term ought to be three years. Last year, on the eve of the election, he thought a year was long enough.

Hon. C. F. Baxter: He has changed his seat since then.

Hon. J. CORNELL: That is so. If we are to fix the term for longer than 12 months, we should make the measure a permanent one. I would not be averse to its being made permanent, but I am averse to the period being fixed for three years.

**THE HONORARY MINISTER** (Hon. W. H. Kitson—West—in reply) [S.54]: I think the arguments advanced have been worn just about threadbare, but I feel called upon to reply at least to one or two state-

ments that have been made. First, I will deal with the clause relating to unemployment. I feel impelled to say that, judging by some of the remarks made by members, they must have a very poor conception indeed of how bad the position is with many thousands of our unemployed to-day. Mr. Baxter seems to doubt the statement made by the Minister for Employment, but I may inform him that, so far as I know, Mr. Kenneally's figures are correct. There are to-day less than 3,000 families on sustenance. That, however, does not get away from the fact that there are many people who are in want, not necessarily of food, but of other things almost as essential. May I draw the attention of members to this fact? The clause which appears in the Bill would not be there had it not been that the auditor drew the commission's attention to the fact that they had allocated certain money for the purchase of blankets for the unemployed last year, and that, in the auditor's opinion, did not come within the interpretation of the term "charitable." It was at the request of the Lotteries Commission that the clause was included in the Bill. Some members may have forgotten that on the previous Bill I gave particulars of the allocation of money made by the commission up to that date; and it may be well if I remind members that a sum of not less than £900 was provided by the commission for the purchase of blankets for the unemployed last winter. I can assure the House that that £900 did not go half as far as we would have liked it to go in order to relieve people who in many cases had no bed covering at all.

Hon. J. Cornell: But the point is that the Commission in their goodness of heart went beyond their authority.

The HONORARY MINISTER: I do not admit that. Owing to the fact that the Auditor-General considered that actions of that kind did not fall within the scope of charitable purposes, it was considered advisable, upon the request of the Commission, so to amend the Act that the Commissioners would be empowered to make such allocations as they thought fit. There were two or three other donations towards different bodies of unemployed. For instance, the Unemployed Single Girls' Sewing Centre was granted a sum of £400 during the year. Was not that a deserving object? Would it

not rightly come within the term "charitable purpose"? The South-West Unemployed Relief Board were granted a sum of money, and there were two other minor allocations of the same kind. I point these things out in order to show hon. members that the clause is not inserted at the Government's request but at the Commission's. No one can deny that the Commission have done good work. Looking down the full list of allocations made by them, one cannot complain of the varied nature of charitable institutions assisted from the proceeds of lotteries up to date. Mr. Baxter suggested that it would be inadvisable to do anything which would create a permanent body of unemployed. I ask how the allocation of certain moneys from the Lotteries Commission will create, or help to create, a permanent body of unemployed. We must remember that in Western Australia there are thousands of people who have been unemployed for years, except as regards relief work provided by the Government.

Hon. C. F. Baxter: Many more will be unemployed if there is money available.

The HONORARY MINISTER: If the hon. member takes note of statements made by the Minister for Employment, he will realise that the men whom he speaks of have no chance whatever of being supplied with sustenance in the future unless they are prepared to accept the work available to them. But the point I wish to deal with is that many thousands of those people have got right down to bedrock in the matter of clothing, bedding and other things of that kind. How can it be asserted that with 7s. per unit per week it is possible for such families to purchase anything but bare necessities, by which term I refer to food only? Certainly they cannot pay rent. How could a married man on 14s. per week, being without children, or a married man with one child on 21s. per week, pay rent, provide food, and at the same time secure clothing and necessary replacements in the way of bedding and so forth? It simply cannot be done. Many thousands of families in this State are in that position. I was one of those who were highly pleased when the Lotteries Commission last year showed themselves prepared to recognise that it was a charitable purpose within the meaning of the Act to provide money for such families. I was only sorry that it was not possible for

the Commission to give more in that direction. Now as regards the amendment providing for what is termed Ministerial control. There is no difference between the clause in question and the corresponding sections appearing in numerous Acts. The clause does not take away from the Commission the right to make allocations, but simply provides that after making the allocation they shall submit it to the Minister for his approval.

Hon. C. F. Baxter: It does not read that way.

The HONORARY MINISTER: The Minister may query some particular allocation, but I am surprised to find that members of this Chamber are prepared to argue that the Commission are likely to be infallible and that the Minister is likely to prove fallible. Apparently the board could not make a mistake but the Minister might. To my thinking, there is no harm in the clause. Particulars of allocations made for various charitable purposes and of the moneys so distributed are published from time to time. The two Houses of Parliament and the general public have, and will have, a full knowledge of the application of the proceeds from lotteries. For that reason alone I fail to see why strong exception should be taken to the amendment. Next as to the amendment extending the operation of the Act for three years. I agree with Mr. Cornell that it would be preferable to have no limit whatever on the operation of the Act. I would prefer to see it a permanent enactment. However, when the principal measure was before Parliament last year, Parliament in its wisdom said, "We do not know how this is going to pan out; we will give it a trial for 12 months." It must be admitted—almost every member who has spoken on the measure has admitted—that the operations of the Lotteries Commission have been highly successful, more successful than the most optimistic ventured to suggest last year. On that account alone I should say it is desirable, instead of limiting the Act to another year, to agree to its operating for another three years. That would ensure a time limit; and if within that period anything should occur to make it desirable to repeal or materially amend the measure, there would be opportunity for review. I see no valid reason why the time of both Houses of Parliament should be spent every

year in considering a measure of this kind, possibly involving a repetition of the arguments which have already been used here and in another place. In this Chamber there will always be some members opposed to legislation of the kind.

Hon. R. S. Moore: I for one.

The HONORARY MINISTER: I admire the hon. member for his consistency. On principle, the hon. member objects to anything in the nature of lotteries. He has more than once been outspoken on that aspect, and I admire him for sticking to his guns. His criticism at all times is at least reasonable, which is more than can be said about the criticism of some members. I do not know that elaboration is needed from me as to the date to which the Act should be allowed to operate; but, in view of all the circumstances, I suggest that the House agree to the date appearing in the Bill. Lastly there is the point raised by Mr. Harris, who demanded from me an assurance as to what the Government would do if this Chamber passed the Bill. My reply is simply that I can give him no assurance whatever. It is a matter for the Government to decide. They have not yet decided it. When they do decide, the House will be duly notified.

Question put and passed.

Bill read a second time.

*In Committee.*

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

Clause 1—Short Title:

Hon. E. H. HARRIS: Unfortunately I have not been able to place my amendments on the Notice Paper, but I have copies of them available. The first amendment I wish to move is the insertion after the word "Amendment," in line 2, of the words "and Continuance." Later I shall move the deletion of Clauses 2 and 3 and the insertion of other provisions in lieu.

The CHAIRMAN: Mr. Harris anticipates that the Bill will eventually become a purely continuance Bill. That would mean the deletion of Clauses 2, 3, and 5, and the amendment of Clause 4. Thereafter the Bill would have to be so moulded as to become a purely continuance measure. Mr. Seddon, however, has on the Notice Paper an amendment which, if agreed to, will make the Bill



an amending measure as well as a continuance measure. Therefore I suggest that Mr. Harris should not at this stage pursue the course he has in view. If Mr. Seddon's amendment is not agreed to, Mr. Harris can move as he has indicated.

Hon. E. H. HARRIS: In view of your remarks, Mr. Chairman, I ask leave to withdraw my amendment.

The CHAIRMAN: We will take it that the amendment has not been moved.

Clause put and passed.

Clause 2—Amendment of definition:

Hon. E. H. HARRIS: I ask the Committee to strike out the clause. After seven or eight members have expressed their opinion in conformity with my request, and having heard the Honorary Minister's reply, I do not think it necessary to stress the fact that members do not think it desirable to extend the scope of the Act in the direction suggested.

Hon. E. H. GRAY: I do not suppose any remarks of mine will alter the opinions held by members, but I desire to reply to some of the wild statements that have been made.

Hon. E. H. Harris: Did the Honorary Minister reply ineffectively?

Hon. E. H. GRAY: I endorse the Honorary Minister's statements, but there are other matters that may be stressed. When Mr. Harris endeavours to make out that politicians seek to use the unemployment problem to further their political interests, he goes beyond the bounds even of absurdity. Anyone who knows anything about the work of unemployment relief committees, knows that politicians who participate, rather than gain any political advantage, are more likely to lose their seats. No man, be he Nationalist or Labourite, who has participated in the work has escaped abuse from people he set out to assist. The trouble is too serious to joke about. Mr. Holmes made a song about relieving sickness and so on, but does he not know that the modern way is to prevent sickness occurring rather than wait to cure a person after he has become ill? If Mr. Holmes takes the departmental figures, he will note that instead of the infantile death-rate being lowered because of the policy that has been adopted in the past, it has risen. There has been no epidemic to account for it, and the doctors attribute that

result to the lack of nutrition available for expectant mothers and children. The remarks of some members show that they have no knowledge of the position. No existing charitable institution in the State could have dealt with unemployment distress. I was present at a meeting last night when delegates from all parts of the metropolitan area held the monthly meeting of the Metropolitan Relief Committee's Association. Delegates were indignant at the views expressed by a member of this House. Although unintentional, those remarks were a reflection upon a body of people who have been endeavouring to relieve distress during the last three years. The position is worse now than before, and it is more difficult than ever to raise funds. That can be understood when men have now to pay 9d. in taxation—

Hon. J. J. Holmes: And 2s. 6d. union fees.

Hon. E. H. GRAY: It is essential that the clause be agreed to in order to enable the Lotteries Commission to assist in the relief of unemployment.

The CHAIRMAN: Order! The hon. member should confine his remarks to the clause.

Hon. E. H. GRAY: I desire to emphasise the indignation of the delegates last night. In Fremantle, with the exception of the Parliamentary representatives, the majority of the executive and the members of the relief committee comprise prominent business people, who always take a prominent part in opposing Labour politicians.

The CHAIRMAN: Order! That is not a charitable purpose!

Hon. C. F. Baxter: It may be.

Hon. E. H. GRAY: Those people do not bother about politics when they are associated in the work of relieving distress. Is it too late for me to appeal to members to include the clause in the Bill?

Hon. Sir CHARLES NATHAN: I have some sympathy with the remarks of Mr. Gray. I cannot follow him, although I wish I could. I am afraid that Mr. Gray in particular has lost sight of the provisions of the original Act. Under Section 2, "Charitable purpose" includes any incorporated body that distributes relief to the sick, infirm, or indigent provided that the Minister is satisfied that the activities of such a body extend substantially throughout the State.

The Honorary Minister: The trouble is the inclusion of the word "incorporated."

Hon. Sir CHARLES NATHAN: It also includes any body, whose activities are substantially State-wide, distributing voluntary aid or medical or nursing advice to expectant mothers, nursing mothers, or children under 16 years of age. Then again, subject to limitations imposed by Section 19, a "charitable purpose" includes any object which in the opinion of the Minister may be classed as charitable. The objection may be taken that Section 19 limits the distribution of money to objects under the heading of "charitable purposes," to £250. It may be considered desirable to increase that amount, but, as the Act stands, the commission have power to provide at least a limited sum of money for the purposes Mr. Gray has in view. I agree that the Act should not be taken advantage of to provide relief for the unemployed generally. It is the duty of the Government to provide the necessary money to enable work and relief to be found for the unemployed. I will go with Mr. Gray as far as he likes in attempting to raise money for the purposes he has in mind.

Hon. C. F. BAXTER: Every member of the House is of a similar opinion.

Hon. Sir CHARLES NATHAN: That is so, but I do not think an attempt to solve the unemployment problem should be tacked on to the Bill.

The HONORARY MINISTER: I do not desire to flog the subject. It is not intended that the clause will solve the unemployment problem. The commission found it desirable last winter to spend upwards of £1,700 for the assistance of the unemployed. That action was challenged by the auditor as going beyond the scope of charitable purposes contemplated in the Act. Parliament should put the matter right. A limit of £250 is imposed in the sections quoted by Sir Charles Nathan.

Hon. Sir Charles Nathan: Make it £500.

The HONORARY MINISTER: I would not object to that, but it should be remembered that if we did that, we would increase the amount available for other objects as well.

Hon. J. J. HOLMES: Had it not been for the remarks of Mr. Gray, I would not have spoken. I do not think I am going too far when I refer to Mr. Gray's comments as "sob-stuff."

Hon. E. H. GRAY: It may have been "sob-stuff," but it was true.

Hon. J. J. HOLMES: Mr. Gray spoke about the malnutrition of expectant mothers and children. The Act provides that the commission may spend £250 out of each lottery in assisting expectant mothers and children, and as there are twelve lotteries allowed each year, that means that £3,000 could be devoted to that purpose. Yet Mr. Gray comes here and talks about expectant mothers and malnutrition. He supports an amendment that will take money away from the charities and give it to the unemployed.

Hon. G. FRASER: That is just what it will not do.

Hon. J. J. HOLMES: It will. Money is to be taken from the channels originally intended and is to be devoted to the relief of the unemployed. That is what the amendment means. The other amendment proposes that the Minister shall dictate in the distribution. The original Act provides up to £3,000 per annum for unemployment. Moreover, the Minister must know that every pound diverted from charitable institutions to the relief of unemployment leaves so much less for the expectant mothers and the malnutrition the hon. member spoke of.

Hon. E. H. GRAY: I was not talking sob stuff at all. The section of the Act in which the words "expectant mothers" occurs refers to anybody whose activities are substantially State-wide dispensing voluntary aid or medicine or nursing advice. That does not refer to the giving of relief, but refers to expert advice from nurses. What we have to consider is the distress arising from unemployment.

Hon. W. J. MANN: It is the duty of the Government to attend to that.

Hon. V. HAMERSLEY: I was astounded when Mr. Baxter quoted the statement by the Minister for Employment that the number of unemployed persons has been reduced from 17,000 to 2,500. That is an excellent reason why the funds required for charitable purposes should not be diverted to the relief of unemployment; especially when we remember that only a little while ago we passed the Financial Emergency Tax Bill to provide funds for the relief of the unemployed. In view of that, it seems ridiculous to ask for further funds out of the moneys returned from the lotteries, which are intended for the sick and needy. It

would be a great mistake to stamp those in receipt of assistance from the Government as being the objects of charity. It would create a most unfortunate position. I understand the Government have in hand a policy of providing work for the unemployed. As I say, we passed the Financial Emergency Tax Bill, under which everybody has to contribute to a large fund which should be sufficient to provide all the work required by the unemployed. It would be doing the unemployed a disservice to have their fund classed as a charitable fund. It is very pleasing to hear that the number of unemployed has been so greatly reduced. Moreover, I know of many farmers who are vainly looking for hands to take off their crops.

Hon. G. FRASER: Quite a number of members have referred to my second reading speech as sob stuff, and one member said it was misleading sob stuff.

Hon. E. H. Harris: Are you going to give us a gramophone record of it all again?

Hon. G. FRASER: No. It is a pity I am not permitted to do so, because a few more speeches on those lines might convince the hon. member that there is something in what members on this side are saying. I am satisfied that members who accuse us of giving misleading sob stuff do not understand the unemployment position, or, alternatively, their provinces contain no poverty at all. Members from my province know only too well the poverty that exists there, for every day in the week we see it for ourselves.

Hon. E. H. H. Hall: I thought the Government had arranged to get money to find work for everybody.

Hon. G. FRASER: But what are the unemployed and their dependants to do until the work is provided? It is impossible to absorb all the unemployed in a few weeks.

Hon. C. F. Baxter: But the lotteries fund was never intended for that purpose.

Hon. G. FRASER: It was intended for charity, and I know no more charitable action than the relief of persons in distress.

Hon. C. F. Baxter: Your Minister says the number of unemployed has been reduced from 17,000 to 2,500.

Hon. G. FRASER: And those 2,500 are still without work and requiring relief. Mr. Holmes only showed his want of knowledge

when he referred to something in the Act including expectant mothers. To a great extent the expectant mothers are assisted by the various relief committees, but many of those relief committees have gone out of existence for want of funds. Mr. Moore will vote against the clause because of his views on gambling, but he did not suggest anything to take the place of the clause, under which cases of distress can be relieved. Gambling is the only means by which money can be raised for charitable purposes. That has been proved in the other States.

The CHAIRMAN: What has that to do with the inclusion of unemployed relief in the definition of "charitable purposes"?

Hon. G. FRASER: One of the reasons I was advancing was that relief committees have gone out of existence because gambling is now controlled by the Lotteries Commission. Unless the commission are empowered to grant larger sums than £250 from each lottery, should they so desire, many people cannot obtain needed relief. I hope members will grant this extension. The commission would be under no compulsion to increase the amounts that may now be made available and unemployment relief committees would merely be placed on the same footing as other charitable institutions.

Hon. J. M. MACFARLANE: The remarks of the Honorary Minister and Mr. Gray seemed to indicate that opponents of the amendment were unsympathetic to the unemployed.

Hon. G. Fraser: Not at all.

Hon. J. M. MACFARLANE: Charitable institutions are with us permanently, but the number of unemployed has been considerably reduced. I desire that the proceeds of lotteries, which is fool's money, be retained for charitable purposes.

The CHAIRMAN: I hope the hon. member is of opinion that members of the Council do not subscribe to the consultations.

Hon. J. M. MACFARLANE: I am not suggesting that they do. It is the duty of the Government to deal with the unemployed difficultly direct and not to bracket it with charitable institutions.

Hon. J. J. HOLMES: I wish to correct Mr. Fraser and Mr. Gray. Twelve months ago Mr. Fraser, who is so anxious about the relief of unemployment, moved that the Bill be read a second time that day six months, which amendment if carried, would have killed the Bill. Now he tells us that there

were 17,000 unemployed and the Minister says the number has been reduced to 2,500. Yet Mr. Fraser wants a dip in the charity bag to provide relief for the unemployed. In reply to Mr. Gray, I wish to point out that 15 lotteries are authorised and £250 may be granted from each lottery.

Hon. G. Fraser: The commission are running only 12.

Hon. J. J. HOLMES: I desire that the money be retained for the charitable purposes stipulated in the Act, whereas Mr. Gray wishes to get it for the unemployed.

Hon. G. FRASER: Mr. Holmes knows why I moved the amendment last year.

Hon. J. J. Holmes: I know that a different party were in power last year.

Hon. G. FRASER: I objected because the Bill was introduced on the last day of the session and because its passing would prevent unemployed relief organisations from conducting sweeps.

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

Ayes	..	..	..	..	6
Noes	..	..	..	..	17
<hr/>					
Majority against	..	..	..	..	11
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## AYES.

Hon. J. M. Drew	Hon. W. H. Kitson
Hon. G. Fraser	Hon. T. Moore
Hon. E. H. Hall	Hon. E. H. Gray
(Teller.)	

## NOES.

Hon. C. F. Baxter	Hon. J. Nicholson
Hon. L. B. Bolton	Hon. H. V. Piesse
Hon. V. Hamersley	Hon. E. Rose
Hon. E. H. Harris	Hon. H. Seddon
Hon. J. M. Macfarlane	Hon. A. Thomson
Hon. W. J. Mann	Hon. C. H. Wittenoom
Hon. G. W. Miles	Hon. H. J. Yelland
Hon. R. G. Moore	Hon. J. J. Holmes
Hon. Sir C. Nathan	(Teller.)

Clause thus negatived.

Clause 3—Distribution of moneys for charitable purposes being made with the approval of the Minister:

Hon. E. H. HARRIS: I urge members to vote out this clause also by a similar majority. It provides that before any distribution is made the Minister shall give his approval, notwithstanding that his ideas may be contrary to the unanimous wishes of the commission. Such power should not be granted to any Minister.

The HONORARY MINISTER: I merely wish to state that there is no ulterior motive behind this proposal. I leave it to the good

judgment of members to say whether the Minister should be given that authority.

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

Ayes	..	..	..	..	5
Noes	..	..	..	..	18
<hr/>					

Majority against .. .. 13

## AYES.

Hon. J. M. Drew	Hon. W. H. Kitson
Hon. G. Fraser	Hon. T. Moore
Hon. E. H. Gray	(Teller.)

## NOES.

Hon. C. F. Baxter	Hon. R. G. Moore
Hon. L. B. Bolton	Hon. Sir C. Nathan
Hon. E. H. H. Hall	Hon. J. Nicholson
Hon. V. Hamersley	Hon. H. V. Piesse
Hon. E. H. Harris	Hon. E. Rose
Hon. J. J. Holmes	Hon. H. Seddon
Hon. J. M. Macfarlane	Hon. A. Thomson
Hon. W. J. Mann	Hon. H. J. Yelland
Hon. G. W. Miles	Hon. C. H. Wittenoom
	(Teller.)

Clause thus negatived.

Clause 4—Continuance of Act for a further period of three years: Amendment of Section 21 of the principal Act:

Hon. E. H. HARRIS: I move—

That in line 3 the word "six" be struck out, and "four" inserted in lieu.

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

Ayes	..	..	..	..	15
Noes	..	..	..	..	8
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Majority for .. .. 7

## AYES.

Hon. E. H. H. Hall	Hon. Sir C. Nathan
Hon. V. Hamersley	Hon. J. Nicholson
Hon. E. H. Harris	Hon. E. Rose
Hon. J. J. Holmes	Hon. H. Seddon
Hon. J. M. Macfarlane	Hon. A. Thomson
Hon. W. J. Mann	Hon. C. H. Wittenoom
Hon. G. W. Miles	Hon. H. J. Yelland
Hon. R. G. Moore	(Teller.)

## NOES.

Hon. C. F. Baxter	Hon. W. H. Kitson
Hon. L. B. Bolton	Hon. T. Moore
Hon. J. M. Drew	Hon. H. V. Piesse
Hon. E. H. Gray	Hon. G. Fraser
	(Teller.)

Amendment thus passed: the clause, as amended, agreed to.

Clause 5—agreed to.

New clause: Amendment of Section 15:

Hon. H. SEDDON: I move—

That the following be inserted to stand as Clause 4: "Section fifteen of the principal Act is hereby amended by the addition thereto of a paragraph, as follows:—"(f) A copy of every account furnished by the Commission

to the Minister under paragraph (d), together with a copy of the certificate of the auditor in regard thereto, shall be laid before each House of Parliament within thirty days after the receipt of such account and certificate by the Minister, if Parliament is in session, and, if not, then within thirty days after the commencement of the next session of Parliament."

The object is that the information laid before the Minister shall be made available to the public.

The HONORARY MINISTER: I cannot accept the amendment, for which I see no valid reason. It simply means unnecessary duplication of work. Full publicity is already given to the results of the various lotteries; and in another place the Minister administering the Act undertook to furnish Parliament at least once a year with full information as to distribution of funds, allocations made, and generally the operations of the commission.

Hon. J. J. Holmes: That is this Minister's promise. What will the next Minister say?

The HONORARY MINISTER: If an hon. member desires information, he need only ask a question here. The new clause would involve additional cost. Some information desired by members cannot possibly be laid on the Table. Are all the accounts of the commission to be duplicated for production here? The new clause goes too far.

Hon. H. Seddon: It only means an additional carbon copy.

New clause put and passed.

New Clause:

Hon. Sir CHARLES NATHAN: During the discussion on Clause 2 the Honorary Minister made a good point when he stated that the amount at present provided by the Government for unemployment relief is entirely for sustenance and work, and that there is necessarily a considerable amount of poverty and distress which is not alleviated by that means. The whole object of the original Act is to provide money for charitable purposes. The main consideration which brought about the rejection of the proposal to include unemployed relief within the scope of the principal Act was that the relief of the unemployed should be a purely State function. However, Section 19 of the principal Act limits the amount of an allocation for any charitable purpose to £250. I consider that

the Commission should have it in their unfettered discretion to make grants up to £500. Accordingly I move—

That the following new clause be added to the Bill:—"Section 19 of the principal Act is hereby amended by deleting the words 'two hundred and fifty' in the first line thereof, and substituting the words 'five hundred'."

Under the new clause the commission would be empowered to provide relief to the extent of £500 for any charitable purpose, but not for the relief of unemployed.

The HONORARY MINISTER: In view of what has been said, the Committee will naturally expect me to agree to the proposed new clause, and I do so willingly.

Hon. E. H. HARRIS: I will not allow the new clause to go unopposed. After what has been said and done so far, and in view of the successful operations of the Act, we would be well advised to leave it as it is. I will not agree to take away from the various charitable institutions money that, it is suggested, may be devoted to the unemployed.

Hon. J. J. HOLMES: I shall not support the new clause, in view of the fact that we have already agreed to special taxation to enable money to be raised for the relief of unemployment.

The Honorary Minister: You know that that tax was not for the purposes covered by the new clause.

Hon. J. J. HOLMES: We were told that the Government required money to enable them to provide work for the unemployed and to relieve their position. A special grant was received from the Commonwealth Government; a special loan was raised to relieve the unemployed. We passed a hospital tax that we thought would be used to assist the indigent sick but it drifted into another channel and ultimately the unemployed got the benefit. Now money that formerly went to charities and the indigent sick is to be filched and given to the unemployed who, we are told, are diminishing at the rate of thousands per month. Although the Government have been in power for six months only, the unemployed have dropped from 17,000 to 2,500. The unemployed are disappearing, and yet it is now suggested that £500 per lottery is to be set aside for their relief! It will not be done with my vote.

Hon. E. H. H. HALL: References to the relief of the unemployed do not put the posi-

tion correctly. Rather is the increased money desired for the relief of distress occasioned by unemployment. Although I frequently differ from Mr. Gray and Mr. Fraser, I think they are sincere in their statements regarding the distress prevalent in their province. It would be difficult for the Government to provide funds to meet the requirements they indicated. We have confidence in the commission, and the matter should be left in their hands. I support the new clause.

Hon. G. W. MILES: The Honorary Minister said that the auditors had taken exception to money spent by the commission in furnishing relief for the unemployed as being outside the scope of "charitable purposes" covered by the Bill. In consequence, the commission requested the Government to include a clause in the Bill to enable the commission to set aside funds for the purpose indicated. The House having disagreed to that clause, I take it that we have decided that funds shall not be provided by the commission for the relief of the unemployed.

Hon. E. H. Gray: You are getting harder and harder.

Hon. G. W. MILES: That is what I interpret the decision of the Committee to mean, and I want the Committee to stick to it. I take it that the new clause means that the commission will be able to provide up to £500 for any charitable purpose covered by the remarks of Sir Charles Nathan.

Hon. J. Nicholson: But that only applies subject to paragraph (i) of Section 2.

Hon. G. W. MILES: In view of the Committee's previous decision, I do not think the new clause is necessary.

The HONORARY MINISTER: I take strong exception to the remark made by one hon. member who said he would not agree to the Government fleching money from the indigent sick. There has never been any such intention.

Hon. J. J. Holmes: I did not use the word "Government" in that connection at all.

The HONORARY MINISTER: That is a strong denial. Is Mr. Holmes prepared to withdraw his remark?

Hon. J. J. Holmes: If you say I made use of the word "Government" in connection with the fleching of money from the indigent sick, I will withdraw it.

The HONORARY MINISTER. I think you will find that you did say so. I take strong exception to the statement that

money is to be fleched from the indigent sick. That has never been my intention nor that of any of my colleagues. If the hon. member had any knowledge of the operations of the Lotteries Commission, he would know that that kind of thing could not possibly happen.

Hon. J. J. Holmes: This amendment was designed to get over it.

The HONORARY MINISTER: But it was not designed to flech anything from the indigent sick. That statement was on a par with other remarks we have had. The hon. member is getting away with too many of them, and I take exception to it.

The CHAIRMAN: The proper time to take exception to any remarks is when they are made.

The HONORARY MINISTER: As to why this amendment is desired, and how it came here—I mean the one that was originally in the Bill and on account of the rejection of which Sir Charles Nathan moved his amendment—the auditor questioned whether the money allocated by the Lotteries Commission, amounting to more than £250 in any one sweep, could rightly be claimed to be for a charitable purpose. There was £1,200 allocated to the Metropolitan Council of Unemployed Relief Committees, whose work is confined almost solely to the provision of things other than food. Then there was £900 for the provision of blankets.

Hon. G. W. Miles: But the Government could find the necessary money from some other source.

The HONORARY MINISTER: The Government could not find it. Then there was £400 for the unemployed single girls' sewing circle, and £500 for the unemployed in the South-West. Although the Government have found employment for many thousands of men, and although it is true, as Mr. Holmes said, that money is being provided from various sources for the provision of work, the great majority of those who have been afforded work are not being employed the whole year round. A man may be working for a month, after which he has to turn back to sustenance for a period. In those circumstances would a man be in a position to find necessities other than food for his family? I can assure members there is more poverty in the community to-day than ever before in the history of the State. If members would get a little closer to this problem, they

would quickly change their attitude. The amendment moved by Sir Charles Nathan, I take it, means that the Commission may if they think fit, allocate any sum up to £500 for the relief of distress arising from unemployment.

Hon. Sir Charles Nathan: For the relief of the charities enumerated in the parent Act.

The HONORARY MINISTER: I am taking the broad view. If I had not believed there was something worth while in striving for these amendments we have put up, I would have ceased my efforts some time ago. However, I hope the Committee will agree to the amendment moved by Sir Charles Nathan.

Hon. J. M. MACFARLANE: I am satisfied that the mover of the amendment intends merely to extend the benefits that may be given to any of the charitable purposes enumerated in the Act.

The CHAIRMAN: No, only to one which in the opinion of the Minister can be classed as charitable.

Hon. J. M. MACFARLANE: Twelve consultations are to be held each year, and approximately 50 per cent. of the returns are distributed by the commission for charitable purposes. The money is far from being adequate for those institutions. The balance that the commission holds from time to time is a reserve to meet any slump in the contributions to a consultation and is quite a separate thing from the funds for distribution. I prefer not to alter the Act in any way, and so I cannot support the amendment.

Hon. G. W. MILES: Since the Committee has deleted the clause authorising the handing over of this money for the relief of distress arising from unemployment, I doubt whether the commission can continue to distribute that money. I wish to emphasise that the Honorary Minister and his supporters hold no brief for the unemployed. Other members have just as much sympathy for the distressed as has any member of the Labour Party. It is the duty of the Government to relieve the unemployed by other means, and not use money designed for charitable purposes. In view of the Committee's decision, will the commission have power to grant money for unemployment relief in future, seeing that their action has been questioned by the auditor?

Hon. G. Fraser: Yes, up to £250.

The CHAIRMAN: I do not know what the commission can or might do; all I am concerned about is the question before the Chair, whether the commission should be able to grant £500 instead of £250.

Hon. J. J. HOLMES: Subject to the limitation of £250, any object which in the opinion of the Minister may fairly be classed as charitable might participate in the proceeds of lotteries. That sum, in my opinion, is quite sufficient.

Hon. J. NICHOLSON: The Crown Law authorities should be consulted regarding the proposed new clause. Even if it were accepted, words should be added to show that amounts might be paid from time to time. Otherwise it might be held that one payment of £250 would be all that the commission could grant.

Hon. A. Thomson: The Act says "from any lottery."

The CHAIRMAN: The only question at issue is that of the amount.

Hon. J. NICHOLSON: If the money were intended solely for unemployment relief, I should say £250 was sufficient, but to meet cases of distress and indigence relieved by unincorporated bodies, it would be fair to increase the amount to £500.

The CHAIRMAN: The question is whether the amount of £250 should be increased to £500 for any object which the Minister considers might fairly be classed as charitable.

Hon. H. SEDDON: I do not approve of the proceeds of lotteries being applied to purposes other than those set out in the Act.

New clause put, and a division called for.

The CHAIRMAN: Before tellers are appointed, I give my vote with the ayes. My reasons for doing so are that, as the law stands, the commission are not otherwise limited as to the amount they may allot to any charitable purpose. As regards a charitable purpose so classified by the Minister, the commission are limited to granting £250. I consider that the margin should be extended to £500.

Division resulted as follows:—

Ayes	..	..	..	..	9
Noes	..	..	..	..	14

Majority against	..	..	5
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## AYES.

Hon. J. Cornell  
Hon. J. M. Drew  
Hon. G. Fraser  
Hon. E. H. Gray  
Hon. E. H. Hall

Hon. W. H. Kitson  
Hon. T. Moore  
Hon. Sir G. Nathan  
Hon. J. Nicholson  
(Teller.)

## NOES.

Hon. C. F. Baxter  
Hon. L. B. Bolton  
Hon. V. Hamersley  
Hon. E. H. Harris  
Hon. J. J. Holmes  
Hon. J. M. Macfarlane  
Hon. W. J. Mann

Hon. G. W. Miles  
Hon. R. G. Moore  
Hon. H. V. Piesse  
Hon. J. Seddon  
Hon. A. Thomson  
Hon. C. H. Wittenoom  
Hon. E. Rose  
(Teller.)

New clause thus negatived.

New clause:

Hon. J. J. HOLMES: I move—

That the following be inserted to stand as Clause 3: "Section 3, paragraph (c), of the principal Act is amended by deleting the words 'one year' in the second line and substituting the words 'until the 31st December, 1934'."

This Chamber passed an Act providing that one of its members should remain on the Lotteries Commission until 1934 without incurring any responsibility under the Constitution Act. We have limited the operation of the Act until December, 1934. There is no necessity for me to stress the good work done by the commission. Every member who has spoken on the Bill has complimented the commission on their excellent work, and we want that work to be continued.

The HONORARY MINISTER: I cannot accept the amendment. The matter is one for the Government, not this House, to decide. This House should not usurp the functions of the Government.

Hon. J. J. HOLMES: I take exception to the Honorary Minister's remark. Surely the House has the right to say that an Act shall continue up to a certain date. We are not usurping the functions of the Government by doing that.

Hon. R. G. MOORE: I oppose the amendment, because I am opposed to any member of Parliament being appointed on the commission.

Hon. E. H. H. HALL: I also oppose the amendment on the ground stated by Mr. R. G. Moore.

Hon. G. W. MILES: I support the amendment. I do not agree that the House is dictating to the Government. The amendment is an indictment to the Government that the House is well satisfied with the commission

as constituted, and it is a recommendation to the Government that they should continue the appointment until the Act expires in 1934. It would reflect credit on the Government if they followed the suggestion made by the House.

The CHAIRMAN: The point involved in this amendment goes considerably beyond Standing Order 191, which provides—

Any amendment may be made to any part of the Bill provided the same be relevant to the subject matter of the Bill, and be otherwise in conformity with the Standing Orders.

There is no doubt the subject matter of this Bill is machinery. Clause 2 alters the definition of "charitable purposes." Clause 3 provides that before any money is distributed by the commission, the approval of the Minister in writing must be obtained. Clause 4 limits the duration of the Bill, and Clause 5 is the usual citation clause. No one could construe the commission as machinery. The commission are the instrument appointed by Parliament to administer the Act. The statute says that the commission shall be a body corporate, and so forth, and shall hold office for one year. That is all done by the Minister. The new clause proposes to take the appointment out of the Minister's hands and to continue the commissioners for another year. If hon. members desire to pursue the point, they can do so by passing the new clause. If I were to rule it out and the Committee were of opinion that it should go in, they would rule me out and rule the clause in. I leave the matter entirely in the hands of the Committee.

Hon. J. J. HOLMES: You have quoted various clauses, Mr. Chairman, which have no bearing on the new clause. I claim that if the Chamber passes a Bill stating that the appointment shall be for one year, the Chamber can pass another Bill providing that the appointment shall terminate on a certain date. Standing Order 191 is perfectly clear. This is a Bill to amend the Lotteries (Control) Act, and the new clause conforms with the Title.

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

Ayes	..	..	..	..	11
Noes	..	..	..	..	11
					—
A tie	..	..	..	..	0
					—



## AYES.

Hon. C. F. Baxter	Hon. G. W. Miles
Hon. L. B. Bolton	Hon. Sir C. Nathan
Hon. E. H. Harris	Hon. E. Rose
Hon. J. J. Holmes	Hon. A. Thomson
Hon. J. M. Macfarlane	Hon. V. Hamersley
Hon. W. J. Mann	(Teller.)

## NOES.

Hon. J. M. Drew	Hon. J. Nicholson
Hon. G. Fraser	Hon. H. V. Piesse
Hon. E. H. Gray	Hon. H. Seddon
Hon. W. H. Kitson	Hon. C. H. Wittenoom
Hon. R. G. Moore	Hon. E. H. H. Hall
Hon. T. Moore	(Teller.)

The CHAIRMAN: The voting being equal, the question passes in the negative.

New clause thus negatived.

Title—agreed to.

Bill reported with amendments.

*House adjourned at 11.10 p.m.*

## Legislative Assembly.

*Wednesday, 6th December, 1933.*

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

### QUESTION—PORT FACILITIES, CARNARVON.

Mr. WISE asked the Minister for Mines: 1, Will he investigate the matter of the shortage of trucks at Carnarvon, which causes much worry and great inconvenience whenever one or two vessels are due in the port for loading and unloading? 2, Will he

endeavour to provide additional rolling stock at that port and to have a complete overhaul made of trucks now in use there? 3, Is he aware that the acetylene lights used on the jetty constitute a danger to workmen and public alike, especially when large quantities of fuel oil are unloaded under these naked lights? 4, Will electric light be installed on the jetty at this busy port at an early date?

The MINISTER FOR MINES replied: 1, It is realised that more trucks would assist peak periods at the Port of Carnarvon, but in view of the cost involved and the present financial position, consideration of additional rolling stock has been deferred. This matter will be taken up with the Public Works Department. 2, Essential work in the overhaul of trucks is now being undertaken. 3, Yes. 4, Approval for this work has already been given.

### QUESTION—LEPERS, TRANSPORTATION.

Mr. COVERLEY asked the Minister for Health: 1, How many leper patients are awaiting transportation to Darwin from Western Australia? 2, Will the vessel transporting lepers be in charge of a qualified seaman and comply with the Navigation Act? 3, Were tenders for leper transportation called publicly?

The MINISTER FOR HEALTH replied: 1, Twenty-seven, including 20 cases found in the Derby area within the last three months. 2, The vessel proposed to be used, together with its master, was nominated to the Public Health Department by the Chief Medical Officer, Commonwealth Health Service, Darwin. As the vessel's base is Darwin, it is naturally concluded that the requirements of the Navigation Act have been satisfied. 3, No. The experience of the Health Department has always been one of difficulty in securing any transport whatever at a reasonable cost.

### QUESTION—PLEURO-PNEUMONIA, TURNER THEORY.

Mr. COVERLEY asked the Minister for Agriculture: What progress has been made by the department with its investigations into the Turner theory as a cure for pleuro-pneumonia?