a Royal Commission is given authority to obtain evidence regarding specific matters set out in the commission.

Progress reported.

ADJOURNMENT.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [11.3]: I move—

That the House do now adjourn.

Mr. NEEDHAM: I desire to refer to a question raised by the Leader of the Opposition yesterday.

Mr. SPEAKER: Is the hon. member raising a question of privilege? The motion for the adjournment of the House is not debateable.

Mr. NEEDHAM: I thought that on a motion for adjournment I could seek some information.

Mr. SPEAKER: No.

Question put and passed.

House adjourned at 11.4 p.m.

Legislative Assembly.

Thursday, 20th October, 1938.

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

QUESTION—"UGLIELAND," FREMANTLE.

Purchase, Date and Price.

Mr. SLEEMAN asked the Minister for Lands: 1, In what year was the land known as "Uglieland, Fremantle" purchased? 2, What price was paid for the property?

The MINISTER FOR AGRICULTURE (for the Minister for Lands) replied: 1, The land known as "Uglieland," was a portion of the Phillimore Street block fronting Market, Short and Pakenham Streets, Fremantle, that was resumed on the 23rd December, 1903, for Railway purposes. 2, The total compensation paid, with costs, for the block, including several buildings thereon, was £51,734. The amount that should be apportioned to "Uglieland" from which the original buildings had been removed, is not readily available.

QUESTION—WORKERS' COMPENSATION ACT.

Appointment of Woman Medical Officer.

Hon. C. G. LATHAM asked the Minister for Employment: 1, Has any person been selected to fill the position of Medical Officer (Workers' Compensation Act), for which applications were recently invited? (2) If so, who was the successful applicant? 3,

For what term and at what salary was the appointment made? 4, Will the officer appointed be permitted to engage in private practice?

The MINISTER FOR EMPLOYMENT replied: 1, Yes. 2, Dr. M. A. Radcliffe-Taylor. 3, Appointment made under the Public Service Act with a classification of £940-£1,060 per annum. 4, No.

QUESTION—BUTTER IMPORTS.

Weekly Quantity, Etc., From Eastern States.

Mr. DOUST asked the Minister for Agriculture: 1, What is the approximate quantity of butter imported weekly from the Eastern States? 2, Who are the principal importers? 3, Owing to the importation of this butter, what is the cost to the dairy farmer weekly, in increased levies?

The MINISTER FOR AGRICULTURE replied: 1, July to December, 1937, 7,844 boxes: weekly average 300 boxes. January to June, 1938, 40,091 boxes: weekly average 1,550 boxes. Total, 48,335. 2, Foggitt, Jones, Pty., Ltd., Sara & Cook, Brown & Dureau, Perth Ice Co., Collyer, D. F., Fremantle, McGlew & Co., Manning & Co., Watson & Co., W. & M. Clarke, Macfarlane & Co., Pascomi & Co., Boans Ltd. 3, The loss to the industry from July to December is £200 per week. No loss occurred for the second six months owing to there not being any export.

QUESTION—NATIVE ADMINISTRATION ACT.

As to Regulations.

Mr. NEEDHAM (without notice) asked the Premier: Arising out of the answer given by the Premier to the Leader of the Opposition in regard to the statement by the Commissioner of Native Affairs that regulations under the Native Administration Act had not been withdrawn, when the Premier stated that the regulations were being reviewed and revised, will the Premier inform the House, 1, Whether the regulations are being enforced? 2, If so, will he issue instructions for their suspension until such time as the revised regulations are laid on the Table of both Houses of Parliament?

The PREMIER replied: I gather that the Leader of the Opposition and the member for Perth refer to those portions of the regulations that deal with permits issued by the department to religious institutions. The regulations have been promulgated and gazetted, and are therefore law. As regards the regulations to which I think both hon. members take exception, these are not being enforced at present. As I informed the Leader of the Opposition, the regulations are being reviewed and revised, and I think an agreement has been come to which is satisfactory to everyone. The regulations, as promulgated, are not being enforced at present.

QUESTION—WATER SUPPLY, GREAT SOUTHERN.

As to Hydraulic Survey.

Mr. SEWARD (without notice) asked the Minister for Works: 1, Is the Minister in a position to state what measure of success was attained by the recent hydraulic survey of the Great Southern districts? 2, Can the Minister promise that the report will be made available to Parliament this session?

The MINISTER FOR WORKS replied: 1, Not yet. 2, I hope to be in a position to make the report available to Parliament this session.

BILL—SUPPLY (No. 2), £1,200,000.

Standing Orders Suspension.

On motion by the Premier, resolved:

That so much of the Standing Orders be suspended as is necessary to enable resolutions from the Committees of Supply and Ways and Means to be reported and adopted on the same day on which they shall have passed those Committees, and also the passing of a Supply Bill through all its stages in one day.

Message.

Message from the Lieut.-Governor received and read recommending appropriation for the purposes of the Bill.

In Committee of Supply.

The House resolved into Committee of Supply, Mr. Sleeman in the Chair.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [4.40]: I move—

That there be granted to His Majesty on account of the services of the year ending the 30th June, 1939, a sum not exceeding £1,200,000.

HON. C. G. LATHAM (York) [4.41]: I do not intend to offer any objection to the Supply Bill, but the motion gives me an

opportunity to express my disapproval of the appointment, under the Workers' Compensation Act, of a woman medical officer to the State Insurance Department. That a woman should be appointed in charge of a department that deals almost exclusively with males is most extraordinary. I know nothing of the qualifications of the doctor who has been appointed. Probably her qualifications are fairly high, but some inquiry ought to be made into this matter. Surely some men applied for the position? I understand that Dr. Radcliffe-Taylor is an orthopaedic surgeon. If anyone is required for this position surely it is a general practitioner.

The Minister for Mines: She is a general practitioner, too.

Hon. C. G. LATHAM: I do not know about that.

The Minister for Mines: I am telling you.

Hon. C. G. LATHAM: She has been here for some time. The Minister may have some knowledge about her but not a great deal. I ask him whether, if he were a young man suffering from some of the complaints that are dealt with under the Workers' Compensation Act, he would prefer to go to a man rather than to a woman doctor.

The Minister for Mines: I have been in hospital dozens of times and I have always been nursed by a woman.

Hon. C. G. LATHAM: Nursed by a woman, yes; but not treated by a woman. It is not right that a woman should be appointed to a responsible position of this kind when men are available. I have been informed that three men who rendered medical service at the front were applicants.

The Minister for Mines: I would not talk too much about that if I were you.

Hon. C. G. LATHAM: I will say what I want to say.

The Minister for Mines: It will get into "Hansard."

Hon. C. G. LATHAM: All things being equal, one of those men should have been given the position.

The Minister for Mines: That is all right.

Hon. C. G. LATHAM: That is the policy of the Government, and that was the policy of my party when it was in office. On one occasion when an appointment was made of which the Minister disapproved, he did not lose the opportunity to ventilate the matter in this House. I protest against this appointment, which is an unwise and unsatisfactory one. I cannot understand why a woman was selected. There is no reason why a woman should not be in charge of a women's hospital or a children's hospital, but in circumstances in which the patients are almost exclusively men, a woman doctor ought not to be appointed. Men will not have confidence in her. She will be a referee in these matters.

Mr. Fox: She will not be a referee in any sense.

Hon. C. G. LATHAM: She will not?

Mr. Fox. No.

Hon. C. G. LATHAM: When Dr. McKenzie occupied the position he was a referee; and Dr. Lovegrove too.

Mr. Marshall: That is not so.

The CHAIRMAN: Order!

Hon. C. G. LATHAM: I say definitely that I know of men who have had to be interviewed by Dr. Lovegrove and Dr. McKenzie.

Mr. Marshall: Those doctors did not play the part of referee.

Hon. C. G. LATHAM: Then for what reason did the men go to them?

Mr. Fox: You do not understand the position.

Hon. C. G. LATHAM: The State Department was dissatisfied with the outside doctors. There must be a referee, though not necessarily to determine the amount of compensation.

Mr. Fox: A referee never determines the amount of compensation.

Hon. C. G. LATHAM: They would not necessarily determine the compensation, but patients were sent to those doctors, and I can provide proof of it.

Mr. Marshall: We do not deny that, but the doctors did not act as referees.

Hon. C. G. LATHAM: Well, I call them referees. In the opinion of the hon. member they may not have been. A position of this kind should not have been filled by a specialist. What is wanted is a general practitioner who would select specialists to whom to send patients.

The Premier interjected.

Hon. C. G. LATHAM: The Premier would not suggest that a general practitioner would deal with a serious eye trouble, for instance. I have never heard of anyone going to this doctor for eye treatment or ear treatment. I know that she has been treating a number of patients in this State

for bone trouble. She is an orthopaedic surgeon.

Mr. Fox: She will not be called upon to treat patients at all.

Hon. C. G. LATHAM: Then what will she be doing? She is not a referee according to the hon. member, and she will not treat patients. Is she to be an ornament?

The Minister for Mines: She is an ornament to her profession.

Hon. C. G. LATHAM: Are we to pay her £1,000 a year for that? I believe she will have some work to do.

Thr Minister for Mines: I said she was an ornament to her profession.

Hon. C. G. LATHAM: The Minister will he frivolous.

The Minister for Mines: There is nothing frivolous about that. You asked if she was an ornament and I said that she was an ornament to her profession.

Hon. C. G. LATHAM: I was replying to interjections. The interjections were to the effect that she was not a referee nor did she treat cases. When other doctors were in that position they wrote out prescriptions and put patients under treatment. I could provide proof of that if I moved a substantive motion. I protest against the appointment because it is unwise. The people who will have to see the doctor are not likely to have confidence in her. I do not object to women being appointed to responsible positions as a general rule, but it is not right that there should be appointed a woman doctor who will have to deal exclusively with men. There is probably not a member in this House who, if he had the choice of being treated by a male or a female doctor, would not choose the male doctor.

The Minister for Mines: I go to the best doctor whether that doctor happens to be a man or woman.

Hon. C. G. LATHAM: I suggest that the probability is that highly qualified men applied for this position. Yet it has been handed to a woman who is an expert orthopaedic surgeon. This is the only opportunity I have, apart from moving a substantive motion, to protest against the appointment, which is a most extraordinary one. I can imagine that if this side of the House had made such an appointment it would have been in trouble for a very long time. The Minister himself would have raised the question as he did when we appointed a Public Service Commissioner.

The Minister for Mines: I merely asked that the papers be laid on the Table of the House, and you refused.

Hon. C. G. LATHAM: The Minister realises why we refused. He knows that it is not always possible to lay on the Table of the House papers dealing with people who seek these positions and are at the time in private employment. I want also to deal with the reply given just now by the Premier to a question by the member for Perth (Mr. Needham) concerning the regulations made under the Native Adminstration Act. I was surprised at the Premier's answer. He said that the regulations have been promulgated and are accordingly law; but the Act very definitely sets out that the regulations must be tabled within 14 days of the meeting of Parliament. That has not been done. The Commissioner and the Government have not complied with the law, and in that event how can the regulations have the force of law? Therefore I consider the Premier is wrong in saying that these regulations can be enforced. The regulations should have been laid on the Table of the House. The real position is that there are no regulations under the Native Administration Act. There were regulations under the old law, but various sections were repealed and amended, and quite a number of the old regulations would not be applicable under the new law. It is wrong for us to make laws and not observe them, but that is what the department is doing. Then we have the Commissioner of Native Affairs publishing in the Press a statement that I regard as an intimidation to get those regulations obeyed, though he knows in his own mind that he has not complied with the law in that the regulations ought to have been tabled in Parliament. The sooner they are laid on the Table, the better it will be for the public and for the department. I impress upon the Government the necessity for carrying out the law. This is a very serious matter. We have provided heavy fines and drastic penalties under the Act. In fact, I do not know of any law of its kind that imposes such heavy penalties. Yet we have had an extensive list of regulations gazetted, but for some reason known to the Government, they have not been tabled. I take this opportunity to protest against this intimidation of the public by the Commissioner of Native Affairs in stating that the regulations have the force of law. I am not a lawyer, but I feel sure that the regulations cannot have the force

of law until they have been tabled; they amount to no more than a sheet of paper containing certain instructions. We must have regulations under the Native Administration Act, and I hope we shall be given an early opportunity to review them. I shall protest if they are tabled during the last few days of the session.

I wish to urge upon the Government the need for bringing down its legislation early. During the concluding week or fortnight of last session, the Government presented a supply of Bills that the House could not possibly digest. Ministers have a week or two in which to become acquainted with the contents of Bills, but when the measures are introduced in such numbers during the closing days of the session, it is impossible for me to maintain touch with all of them. Last year we had Bills introduced at 3 o'clock in the morning and passed within an hour, and members did not have a chance to read them. That is not fair to members on either side of the House. The Government should bring down its legislation early; otherwise we cannot be expected to give it proper consideration. Evidently there are some important measures to be introduced this session. The only one to which I shall refer at this stage is the measure drafted under the arrangement between the State Governments and the Commonwealth Government. We have information through the Press that the Commonwealth Government refuses to introduce such legislation until the States have passed their measures.

The Premier: I do not think that Bill has been introduced in any State.

Hon. C. G. LATHAM: Yes, it has been introduced in South Australia, and was to be introduced in New South Wales to-day. I do not think it has yet been introduced in any of the other three States—Victoria, Queensland or Tasmania. I have a copy of the Bill prepared by the South Australian draftsman, though I do not know whether it is the final draft agreed to by the various States. I impress upon the Government the need for introducing that Bill early. Wheat will be arriving at the sidings very shortly and unless the Commonwealth Parliament passes its Bill, we shall not be able to collect the money that is so essential for distribution in this State. Western Australia has more to gain from that legislation than has any other State. I do not wish to advertise the fact, but there will be a considerable contribution by the other States to the wheatgrowers of this State. I ask the Government to realise the urgency of the matter.

I have no desire to harass the Government or to delay the passing of the Supply Bill, but this is the only opportunity open to me to discuss these matters. I have entered a protest against an appointment that I consider was very unwise; I have entered a protest against the non-tabling of the regulations under the Native Administration Act, and I have urged the Government to bring down its Bills early. Whatever measures we consider will prove helpful to the State, we shall assist the Government to pass.

Mr. Cross: That is more than the Legislative Council will do.

Hon. C. G. LATHAM: I desire an opportunity to give full consideration to the Bills to be introduced, and I know the Government desires that they should receive full consideration.

The Premier: That is so.

Hon. C. G. LATHAM: I am not a thought-reader, but I am aware of some of the measures proposed to be introduced, and some study will be necessary to understand them. Ministers, of course, have their advisers to assist them, but we on this side and other members cannot obtain similar help. We have a responsibility to the people just as have Ministers, and unless the Bills are introduced early so that we shall have reasonable time to consider them, our legislation must prove to be ill-conceived, ill-digested and not in the interests of the public.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [4.57]: I do not wish to discuss the first point raised by the Leader of the Opposition, except to say that we obtained information from every possible source—and we tried many sources—regarding the qualifications of Dr. Radcliffe-Taylor, and our inquiries show that she is eminently qualified and, in fact, is outstanding. People in a position to give us advice say that the State Government Insurance Office is extremely fortunate in obtaining a doctor with such high qualifications.

Mr. Doney: Are those qualifications such that none of the male applicants possess them?

The PREMIER: Those applicants do not possess the qualifications to the same extent. We endeavoured to get the highest expert medical opinion available and consulted the British Medical Association, from which body we received an expression of opinion. So far as we could ascertain from any source, the qualifications of this practitioner are such that the State is indeed fortunate to obtain her services under the classification given.

I find myself in agreement with the Leader of the Opposition to a certain extent regarding the regulations under the Native Administration Act. Even if the legal position is as stated, the Government does not desire to have regulations in force that have not been tabled in Parliament. Those regulations will be tabled in the very near future. As I informed the member for Perth, there have been some negotiations and the position is admittedly difficult. Those negotiations cannot be carried through within a day or two; certainly they could not be completed within 14 days after the opening of Parliament. Although the legal position may be that the regulations have the force of law, the Government has no desire unduly to postpone laying them on the Table of the House. Members will then have an opportunity, just as they have when dealing with ordinary Bills, to discuss them and, if they so desire, disagree with them. The presentation of the regulations to the House will certainly not be delayed until the last day of the session.

Mr. Thorn: Is it not the law that regulations must be laid on the Table of the House within 14 days of the assembling of Parliament?

The PREMIER: Yes. I sought legal advice whether, in the circumstances, the regulations would have the force of law, and was answered in the affirmative. Despite that, however, the Government does not desire that they should be regarded as having the force of law until the House has had an opportunity to discuss them. We have no wish to take advantage of the legal position. As soon as the regulations have been promulgated they will be made available to members, and I hope to have them laid on the Table of the House early next week. With most of the regulations I think there will be general agreement. Apparently, however, grave concern has arisen about those dealing with permits to certain people, and there is a desire to have them debated in the House. These particular regulations, although I am advised they have the force of law, will not be enforced until the House has had an opportunity to discuss them. I hope that will be on Wednesday of next week.

Hon. P. D. Ferguson: That is not what the Commissioner for Native Affairs said.

The PREMIER: The regulations have not been withdrawn, but, seeing that there is apparently a misconception as to how they would apply, and a possibility of some administrative action being taken that would not meet with the wishes of members, I hope we shall be able to have the whole situation reviewed.

The Leader of the Opposition referred to the wheat Bill. This was discussed at a meeting of the Premiers, who requested the South Australian draftsman to suggest a Bill that might be submitted for agreement by the States. When I was at Canberra three weeks ago the matter was discussed. No general agreement was arrived at, except as to the principle that the Commonwealth Government stated would have to be embodied in the Bill before the Federal legislation could be passed. From what I can see in the correspondence from New South Wales, the Premier of that State has indicated that the Bill presented by his Government will not be in accord with the South Australian measure. All the Bills that are introduced into the various State Parliaments will contain the same basic principle, though they may vary in other respects; but, so long as they do contain that principle, the Commonwealth Government is prepared to introduce the necessary legislation. This matter is receiving the attention of the Minister for Lands, who, as Deputy Premier, is attending a conference in Canberra tomorrow. The question of wheat marketing will be brought up then, and I think a general agreement will be arrived at. Even now a Bill may be in the course of passing through the South Australian Parliament. The measure is an important one, and should be introduced and passed as early as possible. When the Minister for Lands returns, within the next three sitting days I hope, the Bill will be dealt with by this Chamber at once. Before he left I arranged with him that if there was any alteration in the measure he should telegraph me so that I could be acquainted with the title of the Bill, and have it put through the formal stages. It can be read a second time immediately the Minister returns. We have no desire to

hang up the legislation in any way. With the Leader of the Opposition I feel that it will be of tremendous benefit to the people of the State and for that reason it is our duty to pass it at the earliest opportunity. I hope these remarks will serve to inform the Leader of the Opposition that no time will be lost in dealing with the measure in question.

HON. C. G. LATHAM (York) [5.5]: It seems extraordinary, if Dr. Radcliffe-Taylor is as highly qualified a woman as has been indicated by the Premier, that she should accept a position at £1,060 a year.

The Premier: That is what we were told.

Hon. C. G. LATHAM: I am quite sure that many medical practitioners whose rooms are in the Terrace earn considerably more than that.

The Premier: Without giving away any confidences I can say that that applies to the successful applicant.

Hon. C. G. LATHAM: I know that charges made for certain operations are often very high, but cannot say whether such charges are in excess of the value received. It is extraordinary that a doctor possessing such high qualifications should offer her services to the State Government Insurance Office at a salary of £1,060 a year

MR. RAPHAEL (Victoria Park) [5.7]: I wish to protest against the appointment of a woman doctor as medical officer attached to the State Insurance Office. The Government has committed a great blunder in this respect. Immediately I learned that a lady had been appointed to the position I asked the Minister concerned if it were a fact. Although at the time I did not get an answer in the affirmative, I was told that the whole thing had practically been arranged, and the appointment agreed to. In the opinion of the majority of the working class people of this State——

Mr. Thorn: And other classes too.

Mr. RAPHAEL: ——an error has been committed. I suppose the hon. member means that many doctors have also objected to the appointment. The Minister appointed this lady doctor without due consideration of the facts, or the interests of those persons who would be forced to submit to examination at her hands. I have consistently maintained that in the medical profession as in other professions women are just as much entitled to representation as men are. In the case of the medical profession, however, I limit that view to instances where persons have the right to decide whether they will consult a lady doctor or a male doctor. In no way do I decry the appointment of women to any job with the exception of this particular job, for which I consider the Government should have selected a man. Many appointments in the Crown Law Department and in connection with other governmental functions might be given to women, though so far that policy has not been adopted. In my opinion, and that of my electors, however, this great leap forward to the appointment of a woman doctor to examine men is a mistake. Probably ninety-nine per cent. of the persons to be examined by this lady doctor will be men. It is argued that a sick man does not care who examines him, and that if he becomes an inmate of a hospital attention must be given him by nurses, who bath him and do other things for him. When a man is seriously ill, as hospital inmates usually are, he simply does not care, but accepts the ministrations of a nurse because he is too weak to object. The first time I was unlucky enough to be compelled to enter a hospital, I protested strongly against a nurse mucking around with me. Still, I could not escape it. Immediately I became well enough to attend to myself, I was only too happy to get out of bed and do it.

Men will not be game to go to this lady doctor for treatment. I care not what argument the Government adduces, the Act clearly lays down that a man shall have the right to be attended by his own doctor. That feature of the Act has on many occasions been disregarded by various firms. Goode Durrant's factory in West Perth, for instance, displays a notice that any employee injured must go to the doctor selected by the firm. Another large establishment, the Swan Brewery, also forces its employees to be attended by doctors whom it selects. Again, the Swan Portland Cement Co. attempted to put the same stunt into operation.

I hope the House will, later, get the applications for the position tabled. Members are entitled to know who applied, and to decide whether the Government did the right thing in choosing a lady for the position. She may have the highest qualifications in the world. I cast no reflections on her abilities, which may be very great indeed. I understand

that she has for some years practised here as a consultant, pure and simple, in the field of bone surgery. If that is correct, the Minister has evidently decided that the lady is in the nature of a specialist. From inquiries I have made I gather that the British Medical Association made no recommendation with regard to the lady's appointment, though it upheld her qualifications as suitable for the position. The Minister in his immature judgment—the House must realise that he is one of the fledglings of the Ministry—possibly from a sentimental point of view and, I repeat, in the immaturity of his judgment——

The CHAIRMAN: Order! The hon. member cannot reflect on the Minister.

Mr. RAPHAEL: I am not reflecting on the hon. gentleman in any way, but am trying to put the case as nicely as possible; in fact, I thought I was doing a good job from that aspect. I cast no reflection whatever in expressing my opinion that the Minister does not possess sufficient experience in the domain of medicine and especially in the work required in this position. Dr. Radcliffe-Taylor is an orthopaedic surgeon, and as such has practised here successfully. We have been told of the large amounts she has earned in that capacity. Unless it is that the doctor has realised suffering humanity's need of her kind ministrations, I fail to understand her giving up a lucrative private practice for the meagre salary paid by the Government. I am not aware that Cabinet or the Executive Council has passed an opinion on the appointment, but I enter this final protest on behalf of the people I represent. As a last resort I appeal to Cabinet or the Executive Council to veto the lady's appointment. The patients to be examined by Dr. Radcliffe-Taylor will be men only. It is all very well to say men are unwilling to go to a woman for examination merely because of sentimentality or stupidity. There is more than the opinion of the men to be considered. From conversations I have had with many doctors—about 15 in all—I gather that they object to being dictated to by a woman.

Hon. C. G. Latham: If they object, they are not married.

The Premier: Or only married a short time.

Mr. RAPHAEL: Some of them are not married. In professional fields some jealousy exists. Men do not like being told by a woman whether they are right or wrong.

Mrs. Cardell-Oliver: You mean, being treated by a woman.

The Minister for Mines: One does not have to go to lady doctors to be told whether one is right or wrong.

Mr. RAPHAEL: No. One can go to many Cabinet Ministers.

The Minister for Mines: And also to the member for Victoria Park.

Mr. RAPHAEL: I am not endeavouring to dictate: I am protesting on behalf of the working classes who object to this appointment. The Minister may not regard the issue from the standpoint that I view it; he may not realise his responsibilities to his electors as I do. The Minister may have made the appointment in the belief that it was in the best interests of the working classes, and that Dr. Radcliffe-Taylor would be able to provide better treatment for that section of the community. He may believe that the doctor will be able to indicate to workers that the treatment they were receiving from their own doctors was altogether wrong.

Mr. Thorn: Did not the Labour Congress pass a resolution of protest on this matter?

Mr. RAPHAEL: No notice has been taken of that resolution. If a man is injured in industry he is not required before the lapse of 14 days to apply to the State Insurance Office for the purpose of securing advice from the departmental medical officer. After treatment extending over 14 days, the injured worker must appear before the doctor employed by the State Insurance Office for examination purposes.

Hon. C. G. Latham: I think so too.

Mr. RAPHAEL: At that stage the departmental medical officer will have the right to decide whether the worker should undergo an operation, or whether, in her opinion, the man should return to work; she will be able to report whether the outside medical men have treated the worker correctly, or whether the man is a malingerer. I believe the major reason advanced for the appointment is that the State Insurance Office will have the advantage of the services of a specialist for this particular work and will be able to make contact with the injured worker more quickly than formerly. Dr. Radcliffe-Taylor will be in a position to decide whether the outside medical practitioner has been prescribing the proper treatment for the worker. In my opinion, the intention of Parliament, as indicated in the principal Act, is in the

melting-pot. If contact is to be made more quickly by Dr. Radcliffe-Taylor than is prescribed under the existing law, private insurance companies will probably insist upon injured workers being first examined by their own nominated doctor to ascertain the correct treatment to be availed of. What protest could we offer should the private insurance companies adopt that attitude before they agree to operations that may be necessary? I do not direct my criticism at the medical profession generally, but I certainly do with regard to some doctors when I say that some persist in delaying treatment of injured workers except in the most glaring instances that admit of no evasion of responsibility. I had an instance the other day in which a man distinctly suffered from hernia. Even a layman could determine that. He was told to buy a truss and was assured that he would be all right. After many days the company was forced into accepting its responsibilities and the injured worker is now in hospital recovering from an operation that was found necessary. Ten days elapsed before the insurance company would agree to the operation being performed, and before it accepted the advice of three medical men against its own doctor. If it is the Government's intention that Dr. Radcliffe-Taylor shall make contact with the injured workers more promptly than did the late Dr. Lovegrove, that will provide the insurance companies with opportunities, the effect of which will be to nullify the benefits of the Act from the standpoint of its beneficial effect upon the workers. In making this protest I in no way, at any rate at the present juncture, cast any reflection upon the capabilities and qualifications of Dr. Radcliffe-Taylor, nor do I voice my protest because Dr. Radcliffe-Taylor is a woman, but rather for the reason that men who will be examined by her are to be forced into the position of submitting themselves for examination by her. I understand that, after consultation with the Minister, those interested in this matter have been given an assurance that should the injuries sustained by a worker be of a certain nature, the man will be able to submit himself for examination to another doctor. I believe the Minister has agreed to that, and if so, that in itself demonstrates the weakness of the appointment of Dr. Radcliffe-Taylor. If the Minister realises that there are certain cases that could be better dealt with by a male doctor, why should the Government be put to the extra expense of securing the services of another doctor for those particular cases?

Hon. P. D. Ferguson: It might cost another £1,000 a year.

Mr. RAPHAEL: We do not know what it will cost. If I have the handling of such cases, I shall certainly strive to secure the services of another doctor. My protest is emphatic from the point of view of my constituents, who have asked me to make it emphatic.

MR. McDONALD (West Perth) [5.28]: The Premier has spoken some soothing words to the Committee regarding the recent regulations under the Native Administration Act, but I hope members will not allow this matter to pass so easily, because it affects everyone in Parliament. I have not looked carefully through the Native Administration Act and the Interpretation Act to determine whether, in my opinion, the regulations are or are not in force, but there is not the slightest doubt that in those two Acts there are declarations in most positive terms that regulations must be tabled within 14 days of the meeting of Parliament. The reason for that is to enable Parliament to exercise a very desirable check over the regulation-making power given to Ministers or inferior authorities. If regulations are not suitable, the obvious course is to exercise the power vested in Parliament under the Interpretation Act, and revoke them, enabling new regulations to be made. It is idle to say that the regulations are not being enforced, because they should not be in operation if not tabled within 14 days from the time Parliament first met. The regulations should not be permitted to remain for one day after the expiration of the 14 days because they are existing in defiance of Parliament and in defiance of the law. They should not be permitted to remain because if the regulations that are in existence are valid, it is the duty of the administrative officers to enforce them. The officers have no power to say "We have regulations that I am sworn to enforce" and then say "it is not proposed to enforce them." Either attitude is untenable and if that position is continued, then, to a large extent, as has been said by other members, Parliament might close up and hand over its duties to the Under Secretaries or Ministers, because all that they need do then will be to frame regula-

tions that may have far-reaching effects, keep them off the Table of the House, and run the affairs of the country in their own way. If the regulations are not enforced after they have remained on the Table of the House for 14 days, they should be revoked by executive power, because there should not be regulations in existence that are not being enforced. That would be a complete negation of the very idea for which regulations are framed, since, once they are made, it is the duty of the Government of the day to enforce them.

The Premier: Do you believe they are enforceable?

Mr. McDONALD: I was astonished to find that the regulations did exist. I always understood that if regulations were not placed on the Table of the House within 14 days, they automatically ceased to have effect.

The Premier: That is the general impression.

Mr. McDONALD: If that is so, then the moment the 14 days are up, the regulations should be revoked under Section 38 of the Interpretation Act.

The Premier: I would not like to take up a case against any person under the regulations.

Mr. McDONALD: The public should know what the position is and it is ridiculous for any Under Secretary to inform the public through a newspaper, or by other means, that the regulations have not been withdrawn. The whole question is one of principle and want of obligation towards the House. Parliament, therefore, is justified in expressing its strong resentment. I am sure that the Premier has a proper sense of constitutional usage, and will not allow such a thing to happen again. Indeed, it should not have been allowed to happen this time, and certainly not without the strongest protest.

Question put and passed.

Resolution reported and the report adopted.

In Committee of Ways and Means.

The House resolved into Committee of Ways and Means, Mr. Sleeman in the Chair.

The PREMIER: I move—

That towards making good the supply granted to His Majesty for the services of the year ending the 30th June, 1939, a sum not exceeding £1,200,000 be granted out of Consolidated Revenue.

Question put and passed.

Resolution reported and the report adopted.

Bill Introduced.

In accordance with the foregoing resolutions, Bill introduced and read a first time.

Second Reading.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [5.35] in moving the second reading said: I should like to give members a little information. The No. 1 Supply Act granted—

	£
From Consolidated Revenue Fund	1,700,000
From General Loan Fund ..	500,000
For Treasurer's Advance ..	300,000
Total	£2,500,000

The expenditure for the first three months of the current financial year out of Supply granted was—

	£
Consolidated Revenue Fund ..	1,734,193
General Loan Fund	223,801
Total	£1,957,994

The object of the Bill before members is to obtain Supply to meet expenditure from Consolidated Revenue Fund until the Estimates are passed. The amendment required from Consolidated Revenue is £1,200,000. There is still a balance on the No. 1 Supply Act that is estimated to be sufficient to cover expenditure for the next two months from General Loan Fund.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and transmitted to the Council.

BILLS (3)—THIRD READING.

1, Workers' Compensation Act Amendment.

2, Mines Regulation Act Amendment.

3, Road Districts Act Amendment (No. 1).

Transmitted to the Council.

BILL—MARKETING OF ONIONS.

Recommittal.

On motion by Mr. Fox, Bill recommitted for the further consideration of Clause 3.

In Committee.

Mr. Sleeman in the Chair: Mr. Fox in charge of the Bill.

Clause 3—Appointment and constitution of the board:

On motions by Mr. Fox, clause further amended by striking out of line 3 of paragraph (c) of subclause (7) the word "boards" and inserting in lieu thereof the words "the board"; by striking out of line 1 of paragraph (c) the word "boards" and inserting in lieu thereof the words "the board"; and by striking out of line 5 of paragraph (c) the word "any" and inserting in lieu thereof the word "the."

Clause, as amended, agreed to.

Bill again reported with further amendments.

BILL—JURY ACT AMENDMENT.

Report of Committee adopted.

BILL—INCOME TAX ASSESSMENT ACT AMENDMENT.

Message.

Message from the Lieut.-Governor received and read recommending appropriation for the purposes of the Bill.

Second Reading.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [5.50] in moving the second reading said: As already announced in the Lieut.-Governor's Speech, the Government intends to abolish the financial emergency tax, and to collect under the provisions of the Income Tax Act all the taxation revenue required. I hasten to add, however, that that is not to be done immediately. The financial emergency tax, as its name implies, was introduced to meet a serious emergency. Collections commenced in December, 1932, and since then force of circumstances has compelled Governments to continue this method of taxation. Considerable improvements have been made in the incidence of the tax from time to time. When the tax was first imposed the rate was 4½d. in the pound, commencing at 30s. a week for single persons and £2 a week for married persons. In 1933 the then Government altered the exemption for married people to £3 10s. in order to exempt the amount of the basic wage, and substituted a graduated scale of taxation for the flat rate. The graduations were from a minimum of 4d. to a maximum of 9d. In subsequent years the principle that the basic wage should not be subject to the tax has always been observed, and each year a figure slightly in excess of the ruling rate has been fixed as the exemption, although efforts to fix as the exemption the basic wage, as such, irrespective of the amount, have always been defeated. In 1936, an extension of the principle of graduation was introduced, the rates rising from 4d. to a maximum of 1s. by 1d. increases for every 30s. of income. While in this form the tax represents a considerable improvement on that originally introduced, it is still highly undesirable and has been justified solely on the score of absolute necessity. Condemned by all taxation authorities, it is contrary to the accepted principles of taxation. It embodies the principle of capacity to pay to a minor extent only, and ignores altogether deductions for family responsibilities, and other objects recognised in proper and orthodox income tax methods. Last year our Income Tax Assessment Act was thoroughly overhauled, and we now have an excellent modern Act. Members will recall that we spent weeks discussing that legislation, as a result of which we have an Act that is uniform with legislation in all the States.

Hon. P. D. Ferguson: The Act is too modern, when we come to pay our taxes.

The PREMIER: The Act did not affect the payment of tax, but the methods by which the tax was assessed and collected. We believe that the time has now come for relinquishing the financial emergency tax and transferring collections required to the income tax. This does not mean that the Government is in a position to forego the revenue derived under the emergency tax. The financial position is still acute, and revenue is essential. We consider, however, that the necessary amount can be raised without undue hardship on anybody, and at the same time people can be given the benefit of a tax levied on scientific lines. Our proposals provide for the retention of all the advantages to the taxpayer embodied in the system of collection of tax at the source. We would have liked to bring the new system

into operation immediately. Unfortunately, however, administrative difficulties make that impossible.

The new method of collection will necessitate some increase in the staff and the accommodation at the Taxation Department. To take steps to provide these until the Bill is passed is impossible, and after that the preparation of the necessary machinery and the training of the staff will occupy some time. All possible tentative arrangements are being made, but I am advised that the earliest possible date on which the proposals can be put into operation will be the 1st July next year. The Taxation Department is a Commonwealth department which collects taxes for us for a fee, and that department is apprehensive about being able to make all the necessary arrangements, even by the 1st July. The necessity therefore arises to continue existing taxation until the 30th June next year. Collections at the source will be made in the next financial year as provided in the Bill. What rates are to be paid will be a question for Parliament to determine next session in the usual way.

One of the great advantages of the proposed system is that it will be readily adjustable to changing circumstances. When a certain system of rates produces a certain amount of tax, the Treasurer will find it comparatively easy to determine the amount required by the tax, and to raise or lower the rates by a percentage accordingly. The Treasurer will know how much money he can raise in accordance with what is to be expected from the national income and the capacity of the people to pay. With a uniform method of assessment in force he will be able, having determined how much is required to make up his budget on the revenue side, to levy the necessary tax. If the requirements are greater than in the previous year he will be able to increase the tax by five or ten per cent. as the case may be; or, if they are lower, correspondingly to reduce it.

As I have said, Parliament last year passed the Income Tax Assessment Act, by which the income tax law in this State was brought into line with laws that had previously been passed by the Commonwealth and the other States. Already the wisdom of this course has been made apparent to almost everybody, and many appreciative references to the new Act have been received from various quarters. Appreciation has been expressed by Chambers of Commerce, the Taxpayers' Association, and mercantile and commercial firms of all descriptions. The fact that we have this uniform assessment Act is appreciated by almost all sections of the community. We know exactly where we are. We know what we have to pay, and how we have to pay it. Wherever there has been any doubt in regard to any aspect, whenever any debatable point has arisen, the matter has been taken to the courts, or to the Commissioner of Taxation, and rulings have been obtained, so that everyone now knows where he stands. That has provided a great deal of satisfaction and convenience to mercantile and commercial people throughout the State.

The Bill having been passed and received with such general approbation, we do not desire to amend any portion of the Act. All we desire to do is to interpolate in the assessment Act a section dealing with the collection of taxes at the source. The purpose of this Bill is to insert in Part VI. of the principal Act, which deals with collection and recovery of tax, a new division with the title "Payment and collection of income tax by instalments." In drafting this provision, we have found it necessary, just as it was last year, to subscribe to the principle of uniformity in the phraseology and set-up of the sections. A scheme for the collection of income tax such as I will shortly describe is operating in Victoria and South Australia, and in framing this Bill those laws have been closely followed, except where some alteration has been considered vitally necessary. I ask members, when considering this measure, to act as they did when considering the Bill of last year, namely, to adhere to the wording of the clauses so that the measure will be almost uniform in its principles and in its phraseology. With the passing of the measure last year, Western Australia was the last State to come into line in the matter of uniform taxation legislation, but as regards the principles embodied in this Bill, there are only two States that have passed similar legislation, namely, South Australia and Victoria. Thus we are the third State to attempt it. I am of opinion that all the States of Australia will shortly come into line because of the increased and heavy incidence of taxation. Collection at the source will be found to be so convenient to the taxpayer that a demand will be made for collection in that way. It is extremely incon-

venient to collect income taxation at the one time, and the system of paying by instalments will, I believe, become uniform in all the States and there will be a demand for the Commonwealth to pass a similar measure covering its collection of income tax.

Mr. Patrick: The system is very convenient for the Government.

The PREMIER: It is convenient for the Government and saves money. When the income tax was the only source of revenue from a taxation standpoint, the Government did not receive its revenue until the last two or three months of the year, and had to finance for the balance of the year by means of overdrafts, which, of course, cost money. Under this system the revenue will be flowing into the department almost throughout the year, and so the task of the Government in financing the State will be rendered easier, while the individual will have the convenience of paying by weekly, fortnightly or monthly instalments.

The Income Tax Assessment Act, which this Bill is designed to amend, makes no provision for the payment of income tax by instalments. The tax assessed is due and payable 30 days after the service by post of the notice of assessment. There is, however, a provision that the Commissioner of Taxation may, on application by a taxpayer, in cases of hardship, allow payment to be made by instalments over a certain period. In recent years many taxpayers have experienced great difficulty in paying their assessments on the due date. They have had to go to the Commissioner of Taxation, make representations, and prove their financial position. Some taxpayers have found it extremely inconvenient, if not impossible, to pay the amount in one sum and extensions of time have been granted, or an arrangement has been made for payment in periodical instalments. A large proportion of the time of the Commissioner and his senior officers has been occupied in dealing with the applications, and some action should be taken to relieve both the taxpayer and the department of this pressure, so far as that is practicable.

The general idea of the scheme proposed by this Bill is that, without waiting for the issue of a notice of assessment, a taxpayer whose income consists of wages or salary should start, immediately upon the commencement of each financial year or perhaps a month later—I shall give the reason for that—to pay instalments on account of his income tax assessment, which he will later receive. These instalments will be paid under a provision requiring the employer to deduct from each payment of salary or wages a fixed amount per pound, and to purchase, with the amount deducted, stamps of corresponding value. These stamps will be handed over to the employee with the balance of his salary or wages, and must be affixed by the employee in a book he will be required to keep for that purpose and cancelled by him in the presence of the employer or paying officer. In Victoria these books, which are quite simple in form, are on sale at almost every stationer's shop for the small sum of 1d.

Mr. Patrick: That applies in Adelaide also.

The PREMIER: That is so. Each taxpayer will be required to have a book in which the stamps may be affixed. No stationer, bookseller or general storekeeper will be permitted to sell such books unless they are printed in accordance with the instructions of the Commissioner. A taxpayer may provide his own book and save the penny, but if anybody desires the right of disposing of such books to the public, he must conform to the Commissioner's instructions. As I have mentioned, such books are on sale throughout Victoria and South Australia, and the charge of 1d. will not impose hardship upon anybody. A man has his book: he receives his wages in cash, and the balance in stamps. He has to put these stamps into the book and cancel them, and is responsible for such stamps being kept in the book. When he is assessed for taxation, he takes his book to the Taxation Office. Should he at any time consider that he has already paid sufficient to meet the taxation for the year, according to the stamps he has had affixed in his book, he may demand of the Commissioner of Taxation or his officers an assessment. He will then receive an assessment showing the amount of tax due for the year. If he has in his books stamps to the value of the tax for which he has been assessed, he will hand in his book to the Taxation Office, be given credit for the stamps, and a receipt for the payment of his tax. He will also receive an exemption certificate that he can present to his em-

ployer. When he has done that, no further deductions will be made from his salary or wages for the remainder of the financial year.

Hon. P. D. Ferguson: Does every employee have to go to the Taxation Department with his book?

The PREMIER: No. People will be assessed as they are now assessed. On those assessments the taxpayer will have to remit a certain amount to the Taxation Department. Assume that a taxpayer receives an assessment for £5. He may look at his book and say, "I have already paid £5 in stamps. I will send in the book with my assessment, and secure a receipt and an exemption certificate that I will take to my employer as proof that I have paid all the taxation due for the balance of the financial year." When the taxpayer has done that, no further deductions will be made from his salary or wages for the remainder of the term.

Hon. C. G. Latham: Do you not think that will lead to increased taxation payments?

The PREMIER: The assessments will be the same as the income tax assessments with which we are familiar to-day, and will be based on the income for the previous year. Everyone will have to make a return just as he has to do now, and when the assessments are received taxpayers will know exactly what they have to pay. Suppose a man has to pay only £2 a year. He is assessed at that rate, but may find from his book that he has purchased £3 worth of stamps. He will then send the book to the Taxation Office and a refund of the overpayment will immediately be made.

Hon. C. G. Latham: An immediate refund? That is an innovation.

Mr. Patrick: I suppose he will not be given credit for the following year?

The PREMIER: The refund will be made immediately.

Mr. Marshall: Are you going to put into the Bill a definition of "immediate"?

The PREMIER: I would accept an amendment along those lines. This system has been in existence in Victoria for several years, and numbers of people have taken advantage of it. They find at some stage that they have bought sufficient stamps to enable them to meet their assessments. Notwithstanding this, they go on paying their instalments without getting any exemption certificate. Some of them, a day or two before the Melbourne Cup, visit the Taxation Office and prove to the officers that they have bought stamps to a value in excess of the amount of taxation due. Thereupon they receive a refund, some of which, I am afraid, goes in speculation on the Melbourne Cup.

Hon. P. D. Ferguson: Who is responsible for keeping the stamp book?

The PREMIER: The taxpayer has to keep his own book, and can buy one for a penny. A certain portion of his wages is paid in cash, and with the balance he pays 6d. or 9d., or some other amount, in stamps. These stamps he keeps in the book.

Hon. P. D. Ferguson: What would be the employee's position if the employer failed to provide a book?

The PREMIER: A man may be receiving £4 a week. The employer pays him £3 17s. in cash and 3s. in stamps, which have to be cancelled. If the employee loses the stamps, he still has to pay the tax.

Hon. C. G. Latham: The employee is responsible for the payment of the tax?

The PREMIER: Yes.

Hon. C. G. Latham: He has to buy the stamps representing the tax?

The PREMIER: Yes.

Mr. Raphael: Can we take these stamps in lieu of the postage stamps to which we are entitled.

The PREMIER: The hon. member would still have to pay his tax. In the case of taxpayers, whose income consists of salary and wages, the date when the tax is payable will be shown on the assessment as the 14th June, whatever may be the date of the actual issue of the notice of assessment. This will permit the employee, who receives an assessment notice in February, to continue the accumulation of stamps up to the 14th June, when the full amount of the assessment must be paid either in stamps or in cash. I am told that a number of people in Victoria continue to make these payments, although they know they have already bought stamps of sufficient value to liquidate their liability to the Taxation Department. They continue to allow the employer to make the deductions, and, when they think they have a big enough credit, they draw the money in cash. In other words, they have made use of the legislation to enable them to save a few pounds.

Sitting suspended from 6.15 to 7.30 p.m.

The PREMIER: Before the tea adjournment I was explaining the method whereby the tax will be collected in either weekly or fortnightly payments, according to the method by which salaried men or wage-earners are paid. I said that if a man's deductions were sufficient to pay his tax in, say, one month or two months or three months, he could then obtain an exemption certificate by producing his book of stamps to the Taxation Commissioner. If, however, the deductions made were not sufficient to pay the assessment on the man's income for the next preceding year, he could continue to pay by instalments until the 14th June, when the balance owing, if he did not have sufficient stamps to liquidate his liability to the Taxation Commissioner, would have to be paid in cash. If the value of the stamps exceeds the amount of the tax, such excess will be refunded to the taxpayer.

It must be understood that returns on the existing practice regarding income tax will be continued under the scheme, and that every employee will have to furnish to the department a return of his income of the preceding year. Assessments will be made by the department upon those returns throughout the year as at present. In the case of taxpayers whose income consists of salaries or wages, however, the due date of payment of tax will be shown on the notice of assessment as the 14th June, whatever may be the date of actual issue of the notice of assessment. This will permit an employee, if he so desires, who receives his assessment notice in, say, February, to continue with his accumulation of stamps until the 14th June, when the full amount of tax assessed may be paid in stamps and/or cash. The amounts expended on the purchase of stamps will, however, be flowing in throughout the year, the presentation of stamps being only a final accounting by the taxpayer to the department and not representing, in itself, a further payment. The actual tax liability of the employee for any financial year will have relation to his income of the preceding year, in accordance with universal income tax practice, and will not be based upon the salary or wage from which the deduction is made from time to time.

I wish to emphasise that point, because now that people have had six or seven years' experience of financial emergency taxation, which is levied on salary or wage received, they may think this new system will be a continuation of that practice. But it is not. The assessment will be based on the income for the preceding year, and any deductions made from wage or salary will be made by way of stamps or credits given in the Taxation Department towards the assessment. So any deductions made under this measure from wages or salaries of employees will be taken only as an instalment towards the assessment of a tax which will be levied on the previous year's income. I hope that the point will be clear, because I am afraid there will be misapprehension about it, people thinking that it is the same system as financial emergency taxation. I repeat, it is not.

Hon. P. D. Ferguson: Will any difficulty arise in cases where the taxpayer changes his employer?

The PREMIER: As I explained earlier, the man takes his book with him wherever he goes, and the sums credited in that book will be accepted as cash for the liquidation of the tax assessed. A man may work for a dozen employers, and that will not affect the position. I suppose the members for Fremantle (Mr. Sleeman) and South Fremantle (Mr. Fox) may wonder how this assessment will work out in connection with wharf labourers, who sometimes work for three or four employers in a month. If a man earns £1 from three employers in a day, he will be given £1 less 9d. Eventually he produces his book showing £4 or £5 in stamps, and thus liquidates his tax assessment.

The amount of the deduction which has been set down in the Bill is at a flat rate of 6d. in the pound of the salary or wage up to £8 per week, and 9d. in the pound of the salary or wage above that amount. It is not to be taken that this represents the actual liability of the taxpayer. This is a deduction from his gross income, while the tax will be assessed upon his net income of the preceding year after making all the deductions therefrom provided by the law. Upon assessment he may be found to be liable to no tax, by reason of deductions. If that is his position, he goes to the Taxation Commissioner and hands in a statutory declaration setting out his responsibilities. He again states those responsibilities on a form, and if as a result he has not any tax to pay he gets an exemption certificate straight away and takes it to his employer.

The amount of the deduction provided in the South Australian Act is a flat rate of 1s. in the pound. The incidence of taxation is heavier there than is the case in Western

Australia, but the same system operates, that when sufficient shillings have been taken out of the pounds a man earns, he gets an exemption certificate and is finished as regards paying instalments of tax for that financial year. The Victorian Act is somewhat different. Victoria has a graduated scale of payment starting, I believe, at 4d. in the pound rising to 8d., and above £8 a week rising to 1s. It is highly inconvenient to employers to have a graduated scale, and such a scale really does not make much difference, except that some people pay their taxation much sooner than they otherwise would. Under the South Australian system the exemption certificate is obtained much earlier. Under the Victorian system it takes a much longer time to secure exemption. We consider that the South Australian system is very simple, but on the other hand we do not desire to make deductions from people in a few months covering taxation liability for a whole year. People earning less than £8 per week will pay 6d. in the pound for the time being, which is preferable to the South Australian system of 1s. in the pound being taken and the tax liability liquidated in perhaps two or three months, if the amount to be paid is not large.

The Commissioner of Taxation has been much concerned about the Bill and its application, and the difficulties connected with it. When we started to accumulate information for the preparation of the measure, I discussed the subject fully with the Commissioner here; and as he was proceeding East for a conference of Taxation Commissioners, I asked him to make inquiries personally both in Melbourne and in Adelaide. He did go into the whole matter personally while he was in South Australia and in Victoria. He reports that this system works very well and very smoothly, and that the public is very satisfied with it now, although dissatisfied in the first instance. After the experience gained of the working of the new system, nobody in South Australia or Victoria wishes to revert to the old system. When the deductions are made, many taxpayers will find themselves on the 14th June, which is the latest day, under the provisions of the Bill, for the payment of the income tax, with a fairly large amount of cash with which to liquidate the remainder of their liabilities. The more the taxpayer accumulates in stamps, the sooner will his liability for tax be satisfied, and the less will he have to pay in cash on assessment. We do not desire to make the deductions too low, nor, on the other hand, do we wish them to be too high. It is considered that deductions of 6d. and 9d. for people in receipt of under and over £8 a week, respectively, will be sufficient to enable the tax liability to be met within a period of perhaps eight or nine months, making allowance for their domestic liabilities as well. I think that should be regarded as fair and reasonable for all concerned.

Hon. C. G. Latham: What are the deductions in Victoria?

The PREMIER: They start at 3d. in the pound and increase to 1s. in the pound. I have all that information and will provide members with the details in Committee. The system there is graduated with six different rates, and naturally employers who have to operate with six different rates affecting their employees find the system inconvenient. All sorts of inquiries are necessary, and, in fact, the inconvenience of the system is such that most people desire a flat rate. We have selected a wage, or salary, of £8 a week as the dividing point, and those who receive less than £8 a week will pay 6d. in the pound, and from the salaries of those in receipt of over £8 a week 9d. in the pound will be deducted. Those deductions will be returned to the employees in the form of stamps to the value of the amounts so deducted. Immediately upon the commencement of a financial year, it will be apparent to some taxpayers that they will not be liable for any tax at all, on the basis of their previous year's income. A married man with two children will not be required to pay any tax until he is in receipt of about £300 a year. If that person is in receipt of £5 a week, he will know that he will not have to pay any tax, and he can go to the Commissioner of Taxation, give that officer particulars of the income he receives, and obtain an exemption certificate.

Hon. C. G. Latham: If he gets an exemption certificate, will it be revised from time to time?

The PREMIER: The certificate will apply only until the end of the financial year.

Hon. C. G. Latham: A record of his name and address will be kept?

The PREMIER: Yes, and the man will have to fill in what is known as Form H.

Hon. C. G. Latham: Many who ought to pay taxation do not send in returns.

The PREMIER: Yes, and the system of taxation proposed will bring in a lot of those people.

Hon. P. D. Ferguson: That is the chief value of the system.

The PREMIER: Many of those who formerly dodged taxation will also be brought in because, of necessity, they will have to accept stamps as part of their wages at the time of payment. If such people have not submitted their returns, naturally the Commissioner of Taxation will not know how much tax they should be required to pay. Consequently, those people would have to pay the tax for the whole year, seeing that they could not produce their exemption certificates. If a taxpayer knows that his taxation will amount to £2 or thereabouts, he will know that within a few months he will have collected sufficient stamps to meet that liability, and he can go to the Commissioner of Taxation in order to secure his exemption certificate. The Commissioner will naturally say, "Where is your assessment?" If the man has not put in his Form H, he will then be obliged to do so, and will probably be fined for his neglect. While the financial emergency taxation has drawn into the field of taxation a fairly large number of tax-dodgers, under the system now proposed everyone who earns wages or salaries will have to meet his taxation liabilities.

Hon. P. D. Ferguson: That is, if the employer does his duty.

The PREMIER: Yes. Severe penalties are provided, and the employer who does not do his duty will be liable to suffer accordingly. Should the individual not go to the Commissioner of Taxation with his stamp book, and get his assessment, it may well be that he will have to pay three or four times as much tax as he should have paid. The people who generally contribute comparatively small amounts in taxation are those who, in former years, have mostly dodged the payments, and under the present system they will continue to pay 6d. in the pound all through the year.

Hon. C. G. Latham: The taxpayer will receive his exemption certificate on his Form H for the previous year.

The PREMIER: Yes, if he can show the Commissioner of Taxation that he is not liable to payment of taxation, or has sufficient stamps with which to meet any taxation assessment.

Hon. C. G. Latham: And if he has not filled in the form and has not complied with other requirements, he will have to pay for the full year.

The PREMIER: Yes, and those payments will have to go on throughout the year, because he will not be in possession of the exemption certificate from the Commissioner. Until the individual has satisfied the Commissioner that he has paid, he cannot receive that consideration. This system will bring in quite a lot of those who formerly dodged taxation. Persons will be encouraged to lodge their returns immediately after the 30th June, and special arrangements will be made by the department to issue at the earliest moment to those entitled to them, certificates of exemption which, upon presentation to their employers, will prohibit the latter from making any deductions at all from the salaries and wages during the financial year then current. Similarly it will be open to any employee at any time during the financial year, if he thinks that he has accumulated enough stamps to meet his tax liability upon the basis of his income for the previous year, to attend at the department or write forwarding his stamp book and ask for his assessment. His assessment will then be made, and if the stamps he presents exceed the amount of the tax, he will receive a refund. Upon satisfaction of his assessment, he will be given a certificate of exemption, which will have the effect I have already mentioned.

The Bill also makes provision for what are called "group schemes." Where any particular employer and his employees are desirous of avoiding the necessity for the purchase and retention of stamps, they may arrange with the Commissioner of Taxation that the required deductions shall be made each pay day and forthwith paid over to the department in cash. Records will have been kept of the amount deducted in respect of each employee and when in due course he receives his assessment, he will be given credit for the deductions that have been made from his salary or wages.

I have outlined the main principles of the scheme as it will apply to employees, and the details may perhaps be better dealt with in the Committee stage. The Bill represents mainly machinery provisions to give effect to the scheme and necessary penal provisions are included to prevent, or punish, any improper manipulation. Any scheme involving

stamps is always open to manipulation and cheating. Consequently penalties are necessary, and those embodied in the Bill are fairly severe. Should a person secure stamps from anyone else and attempt to pass them off as his own, in the event of the Commissioner of Taxation not being satisfied, he will be able to trace the dealings in those stamps. In those circumstances, it is often found that once questions are asked the taxpayer is seldom seen again, and is frightened off.

It is not possible or desirable to apply the scheme of compulsory deductions to persons other than employees, for there is no one upon whom the responsibility of making the deduction can properly be placed. As regards persons carrying on businesses, for instance, their incomes do not flow in by steady periodical instalments. Members will agree that it would not be practicable to require a person buying goods from a merchant to deduct an amount from the price and pay over that amount in stamps, particularly as the transaction would probably be effected on a credit basis. As regards persons other than employees, therefore, the matter must be left in their own hands. The Bill follows the Victorian system by which persons may from time to time, as they think fit, acquire stamps from authorised vendors to meet their income tax when assessed. If the proprietor of a small business has to pay £10 or £15 income tax and feels that he would like to pay the amount by instalments, he can purchase stamps at the post office or elsewhere to the value of £1 per month. In that way he will avoid having to meet what for him would be a heavy liability at short notice. People who plan their finances carefully will be able to avail themselves of this facility, which really means paying their income tax by instalments. The South Australian system of payment of the tax by instalments before the assessment is issued has not been adopted. A provision to the same effect was made in our taxation law some years ago; I forget when.

Hon. C. G. Latham: It was when our party was in power, about 1931 or 1932.

The PREMIER: Yes. People were apprehensive that they would not have enough money to pay their tax in one sum when it fell due. Provision was therefore made by which they could pay their income tax by instalments. It was thought at the time that thousands of people would take advantage of the provision; but the Commissioner of Taxation reports that no one took advantage of it.

Hon. C. G. Latham: That is so.

The PREMIER: The time-payment system is now so well established that one would be inclined to think people would have adopted it to meet their taxation liability. Instead, they preferred to wait until they received their assessment notices and then they applied for permission to pay the tax by instalments. They took advantage of the other section that I explained previously; they interviewed the Commissioner of Taxation and said, "We have a large sum to pay for taxation and shall be glad if you will allow us to pay it by instalments." Provided they could prove they could not meet the liability in one sum, consideration was extended to them. Not many taxpayers, however, receive that consideration from the Commissioner of Taxation. Under the system proposed by the Bill, taxpayers can purchase stamps at any time and these stamps will be treated as currency and accepted in payment of their taxation liability. In the light of our actual experience, to make provision in this Bill for payment of the tax by instalments would be futile.

It is necessary to continue the financial emergency tax to meet our revenue requirements. That tax will therefore be continued until this Bill becomes law. The financial emergency tax is received by the Treasury throughout the year, while the tax payable upon assessment by the department is mainly paid during the second half of the financial year. The financial emergency tax now received by the Treasury during the first six months of the financial year cannot be foregone until there is a substitution of amounts received during that period under the proposed scheme. The finances of the State would be dislocated if the monthly revenue now received from the financial emergency tax was suddenly discontinued without some compensatory benefit. Moreover, taxpayers who now pay their financial emergency tax by deduction throughout the year would be placed in an unenviable position if required to pay in one lump sum, within 30 days, an amount equal to the financial emergency tax and income tax now payable by them.

In Victoria, there was tremendous dissatisfaction when this system was introduced, because hundreds of taxpayers would invade the taxation office on the same day and

clamour for assessments. There was almost a riot during the first few weeks after the system was introduced. Gradually, however, people became accustomed to it and attended at the Taxation Department at different times. Increased accommodation and additional staff were provided, and now the system is working smoothly, and to the satisfaction of the department and the taxpayers. The cost of the collection of taxes will be slightly increased. I am not disguising that fact, but the readjustment of the basis of liability for payment of taxes will be well worth the extra cost. As I have already said, the necessary rearrangement will take some time to carry out. It is impracticable to make a change-over to the system at any time other than the commencement of a financial year. We hope, therefore, that the date of proclamation will be the 1st July, 1939; if that is to be so, it is essential that the Bill should be passed during this session of Parliament, otherwise the introduction of the scheme will have to be deferred for another financial year. Nobody desires such a delay.

The change contemplated by the Bill is important, but not revolutionary. We shall have as a guide the experience of two other States. I have previously said that much confusion and dislocation, dissatisfaction and discontent were apparent amongst the taxpayers of those States, who expected to go along to the Taxation Department en masse, obtain their assessments and fix up their exemption certificates. We know the difficulties that were experienced in South Australia and Victoria. We also know the staff and accommodation required by the Taxation Departments of those States in order to cope with the system; and, as a result of the information we have obtained from those departments, we hope to inaugurate the system in Western Australia without the confusion and dislocation experienced elsewhere.

Summing up the position, the passing of the Bill will allow of the change-over from the two taxes, the financial emergency tax and the income tax, to one tax based on what has always been considered a just system of imposing taxation. The policy of the Government is to combine the two taxes and this will be done during the first session of the next Parliament. Even in the remote possibility of a Government composed of members of the present Opposition, I am sure these principles will be recognised by them as being so just in their incidence that they will realise the necessity for the Bill, and for combining the two taxes and doing away with the financial emergency tax. The latter tax was introduced hurriedly in a time of great stress. I desire to emphasise that no rates of tax are imposed by the Bill, which only provides the machinery for the collection of the tax at the source. With the information and experience to be gained this year, the Treasurer in the next Parliament will have the task of fixing the rates of the tax; and, while our present assessment Act is in force, some adjustment of rates must be made and due consideration given to the domestic responsibilities of taxpayers. This, I am sure, can be done without any severe hardship to anyone. The passing of the Bill will constitute another of the progressive steps that we have made during the last four or five years towards returning to an orthodox and just system of taxation. When the Bill becomes law, the Treasurer of the day during the next session of Parliament—he will have to fix the rates of taxation—will know what amount of money he will get. Moreover, the taxation being based on what I term a just, orthodox and scientific method of assessment, and one which is favoured by all people who have to give any attention to taxation matters, will afford considerably more satisfaction to taxpayers than hitherto. I move—

That the Bill be now read a second time.

On motion by Hon. C. G. Latham, debate adjourned.

BILL—BUREAU OF INDUSTRY AND ECONOMIC RESEARCH.

In Committee.

Resumed from the previous day. Mr. Sleeman in the Chair; the Minister for Employment in charge of the Bill.

Clause 27—Powers and functions of bureau:

The CHAIRMAN: Progress was reported after an amendment had been moved by the Minister for Employment to add the following subclause—

(3) For the purpose of facilitating the proper and effective exercise and performance

of its powers and functions by the bureau or any sub-committee of the bureau appointed under section twenty-eight of this Act, the bureau and any sub-commitee of the bureau, as the case may be, may summon persons to give evidence and produce documents, and may require that evidence be given on oath or affirmation, and for the purposes of this subsection the bureau and every sub-committee of the bureau aforesaid shall have and may exercise all the powers of a Royal Commission under the provisions of the Royal Commissioners' Powers Act, 1902.

The MINISTER FOR EMPLOYMENT: I have given consideration to the suggestion made last night by the Leader of the Opposition and am prepared to have inserted after the word "may," in line 12 of the proposed new subclause, the words "with the approval of the Minister." The subclause would then give the bureau all the powers of a Royal Commission but would enable it to exercise those powers only with the approval of the Minister. If that will meet the wishes of the Leader of the Opposition, I will ask leave to withdraw the amendment with a view to my submitting it in a different form.

Amendment, by leave, withdrawn.

The MINISTER FOR EMPLOYMENT: I move an amendment—

That the following subclause be added:—"(3) For the purpose of facilitating the proper and effective exercise and performance of its powers and functions by the bureau or any sub-committee of the bureau appointed under section twenty-eight of this Act, the bureau and any sub-committee of the bureau, as the case may be, may summon persons to give evidence and produce documents, and may require that evidence be given on oath or affirmation, and for the purposes of this subsection the bureau and every sub-committee of the bureau aforesaid shall have and may, with the approval of the Minister, exercise all the powers of a Royal Commission under the provisions of the Royal Commissioners' Powers Act, 1902."

Hon. C. G. LATHAM: The addition of the words "with the approval of the Minister" certainly provides more protection. I am content to leave the matter in the hands of the Minister, who will, of course, satisfy himself that the bureau is justified in being given the powers of a Royal Commission.

Mr. McDONALD: I do not like the amendment. To give the bureau the right to call upon people to disclose information regarding their private or business affairs is to give it a very great and far-reaching power. I do not know that such power is given as a general rule to anybody else except the Commissioner of Taxation and his inquiries are confined to the question of how much a person has earned for the purpose of taxation. He does not investigate the affairs of taxpayers except with that end in view. To give the bureau this inquisitorial power to inquire into every phase of business and commercial life is to extend to it very great authority. Generally, a Royal Commission is authorised to inquire into certain defined matters and nearly always because the House has decided that the subject to be investigated is one into which inquiry should be made; but Royal Commissions are given certain specific limits within which their inquiries must be confined. A much wider and disturbing power is suggested for the bureau. There may be matters that industrial enterprises can very properly claim are private and peculiar to themselves and not for disclosure to a bureau which is to consist, apart from the Minister and director, of not fewer than nine persons in addition to any other people who may be added. Persons may be appointed from competing activities: the bureau might consist of 20 or more people, and they are to have these absolute powers to ascertain any detail connected with the affairs of any industrial or commercial activity in the State within the broad compass of the powers given in the Bill. I hope this power will not be granted. The bureau should be able to operate without having such extreme power. If the bureau is worth anything at all, it will meet with the goodwill of all people who may be able to give information for the benefit of the State. To empower the bureau to enforce the giving of details connected with manufactures, possibly secrets of manufacture that the person is legitimately entitled to safeguard for his own use, is a very serious step. One of the disturbing features in certain countries is the inquisitorial powers of governmental organisations. Some nations have gone to extremes in taking those powers of investigation, which tend to diminish rather than inspire confidence. Such power would discourage enterprise in a country like Western Australia, which is so much in need of enterprise and capital. The subclause would weaken the Bill. The bureau could accomplish what is desired without this power. If at any time its activities were hampered through lack of this power, the Minister could approach Parliament and give reasons why the power should be granted.

The MINISTER FOR EMPLOYMENT: I think the member for West Perth has overlooked the object of the Bill, and has not fully appreciated the duties and objects of the bureau. There will be no desire to damage any industry or obtain information for use to the detriment of any existing or potential industry. The duty of the bureau will be to conduct inquiries, and obtain information and use it for the benefit, not injury, of industry. The bureau would not be as effective without this power as with it. Probably the power would seldom be used, but it should be available when its use is considered advantageous. We have provided a safeguard to the extent that the bureau or its committees will not have the right to exercise the power without first obtaining the Minister's approval. In the circumstances the power is essential and I hope the subclause will meet with approval.

Hon. N. KEENAN: We can say of any power given under any statute that, if not abused, it will lead to no bad results. The objection taken by the member for West Perth is that this power would be open to abuse. Apart from the bureau, a sub-committee is to have the power. Clause 28 provides that a sub-committee may consist not only of members of the bureau but also of other persons, and they are to have these extraordinary inquisitorial powers, almost police powers. Parties appearing before such a body would have to answer questions without the right to object. Under the Royal Commissioners' Powers Act authority is given to compel witnesses to answer questions. A party is not allowed to show cause why answers should not be given. Questions are asked and must be answered, and the only excuse is that the answer might involve the person answering in legal proceedings. That is a great power. Why is it necessary for a bureau of this kind to have that extraordinary inquisitorial power? The Minister merely tells us that it might assist to get information, but what right has he to assume that information will be denied? The information will presumably be required to assist people engaged in industry, and why should they refuse to give information which, if given, would be of assistance? I cannot see any reason for supposing that people would attempt to evade making statements that would clarify the position and enable the bureau to assist them as they wish to be assisted. I urge the Minister to reconsider the proposal, which is putting an entirely new construction on the measure, and, in the circumstances, is wholly unwarranted.

Hon. C. G. LATHAM: I agreed to the proposal because I realised that the Government has power to appoint a Royal Commission on any question and to appoint to the Commission whom it likes. This power would be exercised not in a general way but only to inquire into a specific matter. I do not know whether the Minister could ask for the appointment of a Royal Commission without having the backing of the Government. Of course, if the persons of whom information was required were in competition and the bureau wanted to ascertain their formulae, that would be a dangerous matter.

The Premier: I do not think that is likely to happen.

Hon. C. G. LATHAM: The Minister would have the power, even it were not embodied in the Bill.

The MINISTER FOR EMPLOYMENT: The argument that this subclause should not be embodied in the Bill because the bureau or one of its sub-committees might abuse the power would, if sound, be a good one for the rejection of almost every clause in the measure. It is true that every person called before the bureau to give evidence, provided he has the best interests of Western Australia and its industries at heart, would give such evidence voluntarily and would not withhold anything of a nature beneficial to the industries of the State. Other persons, however, of types that could be mentioned, might be called before the bureau from time to time, persons whose interests did not lie in the direction of our own industries but whose own welfare would be best assisted by their non-progress. The bureau, in pursuing its investigations, might find that it required these powers in order to ascertain the truth. One of its officers would then make application to the Minister, who in turn would discuss the question with Cabinet, and, if agreement was arrived at, these powers would be made available to the bureau. It seems to me that the new clause is desirable, and entirely safeguards the situation.

Mr. McDONALD: Is this new clause in the Queensland or New Zealand legislation?

The Minister for Employment: Not so far as I know.

Mr. McDONALD: The powers contained in it are very wide. Public confidence in the Bill would be enhanced if this subclause were omitted. Parliament itself has not power to investigate the private or business affairs of members of the public. A select committee can be appointed by the will of a majority of the House, and that committee may obtain evidence from people within the limited sphere of the inquiry referred to it. The Minister proposes to give the bureau general powers to demand information, and that seems to me to exceed the powers of Parliament. No other tribunal in the State would be possessed of such extensive powers, leaving aside those of the Commissioner of Taxation.

Mr. Marshall: The Arbitration Court has certain powers.

Mr. McDONALD: The powers of the bureau will extend to all the ramifications of industry. They may be exercised not only against business people generally, but against organisations of employers and employees, and information demanded that could not be fairly disclosed to the large body of persons of whom the bureau will consist. By omitting the sub-clause the Minister will preserve the confidence of the public in the Bill.

Mr. MARSHALL: I agree with the remarks of members opposite, and would be prepared to support them with my vote if I thought the sub-clause was not essential to the success of the bureau. The principal objective of this organisation will be to establish secondary industries. Most of us know what is going on almost daily in Western Australia. Men have subscribed capital and started industries here, only to find themselves confronted by proposals from factories in the Eastern States. Manufacturers in other parts of Australia will do all they can to retain their hold upon the Western Australian market by means of goods manufactured in the Eastern States and exported to this State. Members will know of local investors who have been coerced into taking a certain line of action to the detriment of their own interests, but they have had to do this to save their investments. If the bureau requires information from any local investor who is being coerced by Eastern States exporters, he will not venture to make true statements. He will probably give evidence, but will be influenced by the fear of further aggression or coercion from the Eastern States if he tells the truth. Only by this sub-clause will the bureau be able to elicit information that can be vouched for upon any particular situation. True, it is of a drastic nature, but if the bureau is to function in the best interests of the State the sub-clause will have to be embodied in the Bill. The Minister will at all times have the right to permit the bureau, or its sub committees, to make these inquisitorial examinations. I admit members of the Opposition rightly term the provision drastic, but if the bureau is to be of real service we must pass the clause as amended. There is no compunction as to granting inquisitorial powers to the Industrial Arbitration Court. Working people are compelled to parade their poverty in that court, and no exception is taken to that. The worker's daily home life is exhibited publicly. As regards business men of a higher social standard, however, we hesitate.

Mr. TONKIN: I support the subclause. Its powers are necessary to enable the bureau to make the inquiries it will from time to time desires to make. Obstruction will probably come from ignorant people. With the proposed powers the bureau will be able to obtain the information it seeks, and without injury to anyone. The member for West Perth asked whether similar powers are contained in the Queensland Act. Section 15 Subsection (2), of that Act reads—

> For the purposes of this Act, the bureau a committee, or board, or the director or delegated or authorised officer, or any person to whom the bureau has delegated the conduct of any inquiry or investigation, shall be deemed to be a commission within the meaning of the Official Inquiries Evidence Acts 1910 to 1929, and all the powers, authorities and protection afforded by that Act shall apply and extend to the bureau, the committee, or board, or the director or delegated or authorised officer, or to any person to whom the bureau has delegated the conduct of any inquiry or investigation as aforesaid.

That power is used in Queensland, and nothing seems to have been heard of its misuse. Therefore I see no harm in supporting the Minister.

Amendment put and passed.

Clause, as amended, agreed to.

Clause 28—Power to appoint sub-committees:

The MINISTER FOR EMPLOYMENT: In an earlier clause I moved an amendment affecting the numbering of clauses. This was rendered necessary by an alteration made in the Bill just prior to its being sent to the Printer. I move an amendment—

That in line 5 of Subclause (1), the words "twenty-eight" be struck out, and the words "twenty-seven" inserted in lieu.

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

Clause 29—agreed to.

Clause 30—Fees and agreements for special investigations:

On motions by the Minister for Employment, clause amended by striking out the words "twenty-nine" in line 6 and inserting the words "twenty-eight" in lieu; and by striking out the word "thirty" in line 7 and inserting the words "twenty-nine" in lieu.

Clauses 31, 32, 33—agreed to.

Clause 34—Reports to be presented to Parliament:

On motions by the Minister for Employment, clause amended by striking out the words "thirty-three" in line 2 and inserting the words "thirty-two" in lieu; and by striking out the words "thirty-four" in line 3 and inserting "thirty-three" in lieu.

Clause, as amended, agreed to.

Clause 35—Power to publish information:

The MINISTER FOR EMPLOYMENT: I move an amendment—

That in line 6 the word "one" be struck out.

The clause contains a reference to Section 31, whereas it should be to Section 30. The striking out of the word "one" will rectify that error.

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

Clause 36, Title—agreed to.

Bill reported with amendments.

BILL—LAND TAX AND INCOME TAX.

Second Reading.

THE PREMIER (Hon. J. C. Willcock—Geraldton) [8.42] in moving the second reading said: Considerable time has been spent this evening in discussing taxation methods and assessments. The Bill now presented to members is similar to those passed for many years, in consequence of which I do not think it necessary to devote much time to it. The measure will fix the rates of land tax and income tax for the current financial year, and those rates are the same as were included in last year's tax Bill and in those for years past. They are clearly set out in the Schedule. The collections for last year were: Land tax, £124,000; income tax, £582,000. For the current financial year, the estimated collections are: Land tax, £113,000; income tax, £669,000. The reason for the anticipated drop in land tax collections was explained when I presented the Budget. Last year pastoralists paid taxes that were outstanding, and further payments under that heading are not anticipated during the current financial year. The principles of land tax and income tax are so well known that I need not delay the House by commenting upon them. I move—

That the Bill be now read a second time.

On motion by Hon. C. G. Latham, debate adjourned.

BILL—BASIL MURRAY CO-OPERATIVE MEMORIAL SCHOLARSHIP FUND.

Second Reading.

THE MINISTER FOR AGRICULTURE (Hon. F. J. S. Wise—Gascoyne) [8.45] in moving the second reading said: This is a very short Bill to adjust certain matters desired by the contributors to the Basil Murray Co-operative Memorial Scholarship Fund in the direction of altering the terms under which moneys from the trust fund may be used in connection with expenditure for scholarship purposes. Older residents of Western Australia will remember the late Mr. Basil Murray and his keen interest in the co-operative movement. To perpetuate the memory of his association with that movement, it was decided to establish a memorial fund, and to use money from the fund for the purpose of granting scholarships to certain young men who were required to attend Muresk Agricultural College. The fund was established by voluntary subscriptions and the total amount collected was £1,189 12s. 10d. The fund was established in 1926 and

one of the rules provided that scholarships be awarded for a term of three years at the Muresk Agricultural College, such scholarships not to exceed an annual value of £70. The scholarships were open to competition by sons of qualified members or shareholders in any co-operative society or company associated with the Co-operative Federation of Western Australia. Last year I was approached by the trustees of the fund, who represented to me that they were not entirely satisfied that the services of scholarship holders were being utilised to the best advantage of the co-operative movement. They asked that the Government should introduce a Bill to alter the terms governing the application of the trust funds. On behalf of the Government, my reply was that if they could show that an overwhelming number of the subscribers desired the alteration, I would agree to introduce the Bill. I shall table the memorial presented to me so that it may be perused by members. All the subscribers to the fund that are available or are known to be alive, and all the societies interested in the original contributions, have signed the request that the terms of the trust be altered, so that instead of the scholarships being taken out at the Muresk Agricultural College, the scholarship holders shall be trained in co-operative societies or co-operative organisations and be sent, perhaps, to other parts of Australia to gain experience within the co-operative movement, and thus be trained essentially for service in that movement. The resolution was sponsored by the three principal trustees and carried at the Co-operative Federation which met in 1936. The rules of the fund are not those of a registered body. There is no power to alter the rules and so an Act of Parliament is required. I have mentioned that replies have been received from every subscriber to the fund agreeing to this proposal: and in the memorial that I have mentioned 45 different organisations have signified their approval. The Government is convinced that an overwhelming majority of the people concerned favour the proposal. They desire to do their best in the interests of the movement and of the investments. I feel there will be no opposition to this simple Bill.

On motion by Mr. Patrick, debate adjourned.

BILL—SAILORS AND SOLDIERS' SCHOLARSHIP FUND.

Second Reading.

Debate resumed from the 11th October.

HON. C. G. LATHAM (York) [8.53]: I give the Bill my whole-hearted support. As the Minister has pointed out, it is necessary to make some alteration in the trust fund. I understand the trust is an implied trust, so far as the State is concerned. For that reason, provision should be made for continuity of office of trustees. I propose, therefore, when the Bill reaches the Committee stage, to move an amendment, to which I hope the Minister will agree. The amendment is to give the present trustees power to appoint successors.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Hegney in the Chair; the Minister for Mines in charge of the Bill.

Clauses 1 to 4—agreed to.

New clause:

Hon. C. G. LATHAM: I move—

That the following be inserted to stand as Clause 5:—"5. (1) Where a vacancy or vacancies occur in the office of trustee either by death, resignation or otherwise, the surviving or continuing trustees or trustee shall by writing appoint another person or two other persons, as the case may be, to be a trustee or trustees to fill such vacancy or vacancies.

(2) Every new trustee so appointed shall have the same powers, authorities and discretions and may in all respects act as if he had been one of the trustees in whom the trust was originally vested.

New clause put and passed.

Preamble—agreed to.

Title:

The MINISTER FOR MINES: I move—

That in line 7 of the Title the figure "8" be deleted and the figure "9" inserted in lieu.

Title, as amended, agreed to.

Bill reported with an amendment and an amendment to the Title.

BILL—INSPECTION OF SCAFFOLDING ACT AMENDMENT.

Second Reading.

Debate resumed from the 11th October.

MR. DONEY (Williams - Narrogin) [9.0]: The only person I can think of who in any way would be likely to revel in a Bill of this description is Mr. J. D. Moloney, one-time member for Subiaco. Since he terminated his association with this Chamber there has been no one amongst us with any practical knowledge of building, and no one therefore able accurately to assess the benefits or weaknesses of the Bill before the House. Be that as it may, we can at least agree that to the extent to which the Bill ministers to the increased safety of men who work high up on scaffolding, it will have the support of every member of the House. If that increased safety can be secured without extra cost to the builders—and the Minister insists that it can—so much the better; but if not, that cannot be helped. The cost will, in such a good cause, have to be incurred. One thing must be remembered, however, and that is that the onus of proving that the existing protection is inadequate falls upon the Minister.

I suppose I suffer the same disability as the Minister in that I have a relatively small practical knowledge of the matter, and have therefore necessarily to go outside among those in the trade to augment my knowledge. The Minister is able to go to the Principal Government Architect, Mr. Clare, and so goes to a very reliable source of information. I have an equally reliable source. I went to those men that are more or less constantly working on scaffolding, and also to master builders who are responsible for the erection of scaffolding, and for the safety of life and limb of the men engaged on the work, and for compensation if compensation should at any time become necessary. None of the men I saw in either group seemed to be dissatisfied with the present scaffolding practices, and certainly none would have been among those who approached the Minister seeking amendments to the Act. One point they were agreed upon was that the Minister could hardly be correct in claiming that there would be no additional cost imposed upon building contractors affected by the Bill. The Minister would agree, for instance, that one result of the Bill would be that certified scaffolders would naturally expect more pay than would ordinary scaffolders. They would demonstrate their ability by being able to pass the test that would in due course be imposed by the Principal Government Architect. Then, of course, more planks would be required, together with longer outrigger putlogs, and other material. There would, too, be an additional expense arising from the delay occasioned through meeting the newer requirements of inspectors, and a considerable loss arising from the confiscation of material considered unsatisfactory. All those things must increase costs. If the Minister is able to show that they do not, I shall be glad to hear from him.

I said that the Minister did not make good his contention that the present methods are culpably dangerous. The Minister should have used a few figures. No one can deny that scaffolding is dangerous. Inevitably it must be, but after all, that danger is largely—though one might not think so—a matter of opinion. For my part, if I gaze up to the dizzy heights of some tall building in course of construction I am amazed that the men I see on the job can so unconcernedly move about over the building. To me the job is one of the most hazardous jobs on earth, but the men that follow that class of employment week after week do not seem to regard it as at all dangerous, and feel they are as safe on the scaffolding as in the busy street below.

The Minister submitted certain figures to demonstrate the growing value of the building trade to this State. I am sure he will not mind if I use those same figures for an entirely different purpose. He mentioned the number of applications for inspections that had been received. The figure was 10,000. The value of those buildings, he said, was about £8,750,000. Those figures covered the five years from 1933-34 to 1937-38. In addition to showing the progress that has been made in the building trade during that period, those figures can be made to demonstrate how extremely safe is modern scaffolding, even without the improvements, if improvements they are, foreshadowed by the Bill. I have ascertained from a source I am sure the Minister would consider as quite satisfactory and reliable, that architects and builders regard every working man on a building as costing them nearly £9 per week. As a matter of fact, £8 15s. is more or less

the actual figure; that would be roughly £5 for wages and £3 15s. for building material. On that basis the £8,750,000 would represent a total of 1,000,000 working weeks, and that multiplied by 44 hours per week would give a total of 44,000,000 working hours by men engaged on scaffolding during the five years. The point I wish to make is that of the extremely small number of major accidents during that very long period. I was amazed to learn that the number was so extremely small, so small that I had to go to some little trouble to verify it, not that I have been able to verify it to my satisfaction, but I have done what I could. The Minister's remarks would have suggested that these accidents were frequent enough, so frequent anyhow as to require a special Act of Parliament to remedy the position.

The inquiry I have referred to elicited the information that during the whole of the five years or the 44,000,000 working hours, there were two major accidents, of which only one was fatal, and that was the accident that occurred no great while ago during the erection of the C.M.L. building. I thought there was another one during the building of the Regent Theatre, but I found that that accident, which proved fatal, occurred rather more than six years ago, which was previous to the period covered by the Minister's figures. That is a very fine record indeed, and a big tribute to the care exercised by the men and, on their behalf, by the builders or those in charge of the work. I am not vouching for the absolute accuracy of those figures. I have already admitted that they are so low as to give rise to reasonable doubt as to their accuracy, but they are the figures supplied to me, and I have submitted them to others who have informed me that they are accurate. But if they are only reasonably correct, they are still a fine tribute to the building trade, and do not form anything like an argument for the bringing down of a Bill of this sort.

I find there is no great amount of objection to the change in the boundaries of the metropolitan area under this measure. There appeared to be some objection at the outset, but an examination of the position showed that from the point of view of master builders—the workmen are not really concerned—the change is rather desirable. I find, too, that the elimination of the 8-ft. limit has given rise to no objections. Master builders are quite willing to do as the Minister wishes. As a matter of fact, I can quite understand that the releasing of the 8-ft. limit from inspections, probably led to quite a crop of minor accidents on the score, I suppose, that the nearer the ground, the less was the amount of care exercised by the men. I daresay that men stumbling when working at that comparatively low level, and cumbered with such an awkward load as a hod of mortar, a plank or two or a sheet of iron, found it difficult to discard their burden and save themselves from a fall.

Very strenuous objections, however, are voiced to the proposal to confiscate such scaffolding material and gear as do not meet with the approval of the inspector. I am rather surprised that the Minister should have given his support to that proposal. He must surely realise that confiscation of this sort is most unjustifiable. Certainly it would be wasteful, because obviously there must be quite a number of uses to which valuable material of the kind—frequently it is very costly material—could be put. In Committee I shall move for the deletion of that clause, so I shall not dwell upon the point now. I shall vote for the second reading, but in Committee I propose to move the amendment I have just indicated, in addition to one or two other amendments.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Sleeman in the Chair; the Minister for Works in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Amendment of Section 2:

Mr. DONEY: Is the scaffolder to be an essential employee during the whole of the building operations on the one structure or is he to be engaged merely on the erection and demolition of the scaffolding? During lengthy periods there would be no interference whatever with the scaffolding. The definition of "scaffolder" does not indicate, nor can I find elsewhere whether he would be a necessary employee during erection and demolition only or during the whole time. The Minister might explain also whether scaffolders would be certified equally for more important work such as the top work on a high building like the C.M.L., as well as ordinary scaffolding jobs. Of course there is a vast difference between the two classes of work.

The MINISTER FOR WORKS: "Scaffolder" means a certified scaffolder. Such a man must be employed on any building exceeding 27ft. in height, and he is responsible for the whole of this particular kind of gear. I do not know what evidence the hon. member requires of the necessity for such a person. If he desires to get information on the point he should inquire of the building trade, when he would be informed that more than two accidents occurred in five years.

Mr. Doney: I referred to major accidents.

The MINISTER FOR WORKS: Does the hon. member desire me to produce statistics that would resemble a war record? We propose by this Bill to fence the precipice, whilst the hon. member seems to take a delight in driving the ambulance to the bottom of it. This measure is designed to prevent accidents. Is it suggested that the building trade is not a dangerous one? Men have to work on swinging scaffoldings and high scaffoldings that very often have not been erected by experts. Those engaged in the building trade have a right to ensure that their working conditions are rendered more safe. No one is as interested as the man who works on buildings, and no one has more right to insist on safe conditions than he has. The scaffolder will have to be a certified scaffolder. His examination will be an oral one and he must be a practical man.

Mr. Sampson: A bricklayer?

The MINISTER FOR WORKS: No: a man who can safely rig scaffolding. On all large buildings a scaffolder should be in charge of this particular work. He should know the regulations, and when he receives instructions from the inspector of scaffolding he should be able to understand them and carry them out. This provision will place no further burden upon the builder.

Mr. DONEY: I have not disputed the Minister's statement, but I must express my own point of view. Master builders want to know whether a scaffolder must be employed throughout the period of the job, from the time when scaffolding first goes up until it is taken down.

The Minister for Works: The next clause deals with that question.

Clause put and passed.

Clause 4—Insertion of new Section 10A:

The MINISTER FOR WORKS: A scaffolder must be employed on all buildings more than 27ft. in height. I should say he would be a builder's labourer, but as an expert he would be placed in charge of the scaffolding. He would be there all the time. Scaffolding is not all erected at once, but is progressive. If a builder or contractor were engaged in putting up two buildings, he might employ the same scaffolder to supervise the gear on both of them. The scaffolder must be in charge of all scaffolding, see that it is in safe condition, and attend to its demolition.

Mr. SAMPSON: All that matters is that the scaffolder shall have the required capacity and ability to enable him to erect and take down scaffolding. He may be a good type of tradesman connected with construction work, but he must possess the knowledge requisite for carrying out the requirements of this piece of legislation. Only on the larger buildings would such a man be engaged all the time, and it is important he should be fully qualified for the job. There need be no anxiety as to excessive cost, as the scaffolder when not engaged in that particular work would be engaged in other work connected with the construction.

Mr. DONEY: I learn from master builders that the following is a practical objection to the clause as they understand it. Suppose the builder cannot get a certified scaffolder to work for him—a position which, I am informed, may arise at any time. In the days following upon the coming into operation of this measure, there would not be too many certified scaffolders. Larger builders might have one, two, or three scaffolders, according to the size of the business; but the smaller builders, I am given to understand, are not so satisfactorily circumstanced.

The MINISTER FOR WORKS: There is no dearth of certified scaffolders. They are numerous. They have to pass merely an oral examination. Scaffolders work on the job. They are not in business as scaffolders.

Clause put and passed.

Clause 5—Amendment of Section 11; Inspector may give direction as to scaffolding, etc.:

Mr. SEWARD: There is a mistake in the proposed new section. When it appears to

an inspector that without the use of scaffolding work on any building or structure would be dangerous, he may, by notice to any person so employed or to the owner of the building or structure, give directions for scaffolding to be used to his satisfaction, and unless notice of appeal is given, such direction shall be forthwith carried out. A later proposed new subsection allows the person or owner seven days to decide whether he will refer the matter to the decision of the nearest police or resident magistrate. During those seven days, what is to happen? Shall the work stop if there is an appeal? The construction of a well or an underground tank might be finished before the question reached the magistrate. That is, unless the owner decides not to appeal. There is a loophole.

The MINISTER FOR WORKS: The clause is practically a reprint of a section of the Act, reconstructed and re-drafted. It refers to the inspector's powers and the manner in which his instructions shall be enforced. Undoubtedly those instructions would have to be carried out.

Mr. Seward. But another proposed new subsection allows seven days to appeal against an instruction.

The MINISTER FOR WORKS: In the meantime, the owner would have to comply with the instructor's decision.

Mr. Seward: That is not provided.

Mr. Watts: In some districts a month might elapse before the question got near the magistrate.

The MINISTER FOR WORKS: The owner or builder could not continue work against the inspector's instruction.

Mr. Seward: He can if he decides to appeal. There is nothing to say he must stop work in the event of his appealing.

The MINISTER FOR WORKS: The builder would either have to conform to the inspector's instruction or discontinue work and appeal. The point is not set out in my explanatory notes, because the clause is a redraft of Section 11 of the Act. The inspector must have these powers.

Mr. SEWARD: The clause authorises the inspector to stop the work if he considers timber or shoring necessary, but it gives the owner the right to appeal from that decision and allows him seven days in which to decide whether he will exercise that right of appeal. The construction of a well or an underground tank does not take long and police or resident magistrates are not distributed freely over the country districts. The Minister should postpone further consideration of the clause and look into the points that have been raised, because nothing is included that will compel an owner to cease work pending the hearing of an appeal against the direction of an inspector, which may involve a period of two or three weeks.

Mr. WATTS: I, too, trust that the Minister will have the clause re-drafted, as it is most peculiarly worded. While Subclause 6 may meet the difficulty, the wording of Subclause 4 is such that unless notice of appeal is given against the direction of an inspector, there is no need to carry out those directions, and no penalty will be involved.

The MINISTER FOR WORKS: No doubt Subclause 2 will give the inspector power to stop work, and certainly where the inspector considers the work dangerous in connection with well-sinking, which is dealt with in Subclause 4, he should have power to enforce cessation of work. Unless his instructions are complied with, the object will be defeated.

Mr. Watts: We desire compliance, should the work be dangerous.

The MINISTER FOR WORKS: It is certainly provided for in one part of the clause, and perhaps the latter part requires re-drafting. I will have the matter looked into.

Progress reported.

BILL—PUBLIC WORKS ACT AMENDMENT.

Second Reading.

Debate resumed from the 22nd September.

MR. DONEY (Williams - Narrogin) [9.46]: I readily agree that the rapidly increasing volume of motor traffic in Western Australia has created an extensive new level-crossing problem, that a policy to deal with that problem is desirable, and that the heads of all Government departments that deal with any major phase of the problem should form themselves into a Commission to lay down the necessary policy. For my own part, the Minister may well succeed with this Bill, provided only that the rights and views of the general public and of local governing bodies are given the same consideration by the authority to be set up, as is extended to the requirements of the

Commissioner of Railways. The Bill involves three considerations—the rights and privileges of the public; the reasonable requirements of the Commissioner of Railways, and the safety of the travelling public. Any Bill for the co-ordination of those three desiderata must be acceptable. The Minister commenced his second reading speech by saying that the Bill was small and could be explained briefly. I admit the Minister was brief, but unfortunately he omitted the particular explanations that the House most needed. Naturally, members wanted to know just exactly what powers are already possessed by the Commissioner of Railways and the local governing bodies. I have looked up those powers in the two or three Acts dealing with that phase and found it rather difficult to determine just what are the powers held by the Commissioner and the local authorities respectively. I think the Minister should have gone to a little more trouble than he did to explain just how objections to the closure of this or that crossing would be met.

Mr. Raphael: You would not have understood it, if he had.

Mr. DONEY: So long as the hon. member and some of his friends understood it, that at least would be something.

Mr. Sampson: Something new.

Mr. DONEY: At one stage the Minister certainly did admit the probability of objections by people using a crossing affected, but he dismissed their long-standing rights and privileges by saying that that difficulty could be overcome by the appointment of a board. I daresay the House, if it is sufficiently interested in the matter, would say that it would depend entirely upon the board. Members will appreciate that any board, able to rely upon its majority as would be the case here, and able also to rely upon the backing of the Government of the day, would be inclined to overcome any such difficulty by the simple process of forcing a decision. I do not want that to happen. The method employed should be one by which the public and the Commissioner can fight out a disputed closure upon terms more or less even. What did the Minister say about the board? He said the Bill provided for the formation of an independent and competent board to hear applications, to make inquiry into the merits of those applications and to come to decisions. He said that any local body could appeal against a decision of the board if it felt in any way aggrieved. But the appeal would be to the board itself; and as the person likely to represent the road board or the town council on the appeal would be either the chairman of the road board or the mayor of the town, and as one or other of those two men would have sat on the board, plainly the objections they would raise on the appeal would have already been submitted to the board and over-ridden. Thus no great benefit can arise from that method. As a matter of fact, it would be most one-sided and patently unfair to the local governing body. According to the Bill, the board will be comprised of the Commissioner of Railways, the Commissioner of Main Roads, who will, if the Bill becomes law, be the chairman, the Chairman of the W.A. Transport Board and the Town Planning Commissioner. No one is likely to raise an objection to the selection of the Commissioner of the Main Roads, who is undoubtedly a man well fitted for a task of this kind; nor would anyone be inclined to object to the selection of Mr. Millen, who also is possessed of high qualifications for the position. As to the Town Planning Commissioner, I have nothing to urge against Mr. Davidson's ability to solve problems relating strictly to his own department, but I cannot see on what grounds the Minister links him up with a job of this kind. His place on the proposed board I suggest would be better filled by the Chief Traffic Inspector of the Police Department. That is a suggestion which I hope the Minister will bear in mind. By and large, I am not finding any great fault with the competence of the board; but, having regard to the fact that all the applications would be made by the Commissioner and that the Commissioner himself will be one of the four members of the board, I certainly claim the right to dispute the 100 per cent. independence of the board. I readily agree, and so would everyone else, that the Commissioner of Railways can properly be described as a thoroughly honourable gentleman, but every man is quite naturally biassed in the direction of his own view. The fact that the Commissioner would be the applicant would certainly not prompt him to be a wholly independent member of the Board. When improvements to the permanent way of our railways at the expense of public convenience are to be considered, there certainly must be some means of arriving at a solution reasonable and fair to both sides. For

that reason, I have placed on the notice paper, as members may have observed, an amendment the fairness of which I think no one can dispute, that if differences should arise this Chamber should have the right to make a decision. In order to demonstrate to members how extremely desirable it is that the board and local governing authorities should be in complete agreement upon all phases of closure of crossings, I may mention that some 16 or 17 years ago—the Premier may remember this, although probably at that time he was not Minister for Railways—the Narrogin Municipal Council and the then Commissioner of Railways argued at considerable length the question of closing a level crossing from the centre of the west side of the town to the centre of the east side of the town. I think an undertaking was given at the time by the Commissioner of Railways—this, at all events, was the council's contention—that if the closure was agreed to, a subway or an overhead bridge would be provided to compensate the town for the thoroughfare that it had lost. In due course the closure was made, but neither the subway nor the overhead bridge has been provided. Members do not need to be told that on that occasion a big injustice was done to the landowners and householders in the affected areas whose properties became materially reduced in value. As a matter of fact, the value of some of the properties was reduced to a negligible point. This instance shows how extremely careful the board should be in considering submissions made to it by municipal councils or by road boards and how desirable, in the public interests, is the protection which my amendment will afford. Closures will not be disputed frequently. Possibly in not more than 5 per cent. of closures will a dispute arise, but even so it is desirable that fair play should be given.

MR. SAMPSON (Swan) [9.59]: I certainly do not propose to support the Bill. The Bill provides that a board shall be formed comprising the Commissioner of Railways, the Chairman of the W.A. Transport Board, the Town Planning Commissioner, the Commissioner of Main Roads, and also the mayor of the municipal council or the chairman of the road board, as the case may be: and that, in the event of unanimity not being reached, the decision of a majority of the board shall prevail. That means, of course, that the local authorities would find themselves ruled out on every occasion the board so desired. We may not always have as Commissioner of Railways a gentleman of the good type of Mr. Ellis, the present Commissioner. But to give to any board this power would be entirely wrong. The Bill should make absolute unanimity obligatory, otherwise the townspeople of the different districts in which the closure of a railway crossing is desired will have no opportunity whatever of having their convenience considered. Already the Railway Department is run on more or less tyrannical lines. Consider the Melbourne-road crossing. I will not say that that is a closed crossing, but it certainly is closed for long periods. The same may be said of the Lord-street crossing. The same objection does not apply so much to the Moore-street crossing because that is a comparatively small one. But the closure of crossings for long periods is exceedingly inconvenient to people who require to pass from one side of the railway line to the other. The suggestion that the board should be given the power suggested in the Bill in respect to country towns and districts is most inequitable. I notice that the board is to have power to consider applications by local governing bodies and other persons for the rescission of any order previously made by the board directing the permanent closing of the level crossing specified in any application. That would be all right. It is, as Shakespeare might describe it, "Springes to catch woodcocks." That clause I am prepared to support, but no one should approve the giving up of the rights and the privileges of the public to this board. I ask that the Minister in charge of the Bill will agree to amend the clause that provides that a majority of the board shall have the power to close a crossing. If that is carried, the holding of a meeting will be more or less farcical, because a decision could be reached long before the meeting started.

The Minister for Mines: The Board would not do a thing like that.

Mr. SAMPSON: I do not want to speak against the members of the board. No doubt they are very excellent gentlemen, but they would be a Government coterie with a definite object in view, namely, to close railway crossings possibly without consideration for the public's convenience. It cannot be urged, if a majority is to decide the question whether a crossing shall be closed or not,

that the public is being considered. The wishes of the public are not being considered unless there is insistence upon unanimity amongst the members of the board, including, of course, the mayor of the municipality or the chairman of the road board, as the case might be, in the district in which the crossing is situated.

The Minister for Mines: That would not make much difference to the public.

Mr. SAMPSON: Of course it would. I remind the Minister that the board is to consist of the four governmental officers I mentioned and the chairman of the road board or the mayor of the municipality where the crossing is situated. If the local authority's representative does not agree, it does not matter because the decision of the majority prevails, so that the proceedings would be farcical. As a result of the decision of such a meeting of the board, we might possibly find that Geraldton would be cut off from the North and that people would be unable to cross the railway at Geraldton from the north in order to proceed to Greenough. That would be a serious matter. In January, 1937, and that is not long ago, the Western Australian Government Railways recommended that 18 crossings in the metropolitan area should be closed. Five of those were in the Gosnells Road Board district, one was in the Armadale district, and two were in the Canning area. I will not deal with those in the Canning district; I will leave them for the member for Canning to deal with, and I hope he will have something to say about them.

The Premier: Why *do not you have a big* national outlook?

Mr. SAMPSON: I claim that I am evincing a national outlook. I am not, neither is the Premier normally, prepared to give to any board the right to ride roughshod over a local authority. The Premier would not do that. The convenience of the Government Railways Department is not always that of the public, especially when the closing of a crossing means that a local authority is compelled to build several chains, or perhaps miles, of road alongside the railway until a station, near which there is generally a crossing, is reached.

The Premier: I know of five railway crossings in a mile.

Mr. SAMPSON: Where?

The Premier: The Speaker will tell you.

Mr. SAMPSON: The mayor of Guildford might agree to close one or two of those crossings, but the people of Guildford are worthy of reasonable consideration. They should not be victims of a board which, armed with a big stick, can obtain its wish irrespective of what the local people's representative has to say. When the Railway Department desired to close the 18 crossings, the matter was taken up by the Metropolitan Local Government Association and the effort was stopped. The closing of the five crossings in the Gosnells district meant that only three crossings would be left, that is, with the exception of the Albany Road crossing at Maddington. If those five crossings were closed, there would be only one left to give people facilities to cross the district. The three remaining crossings were located at the different railway stations—Gosnells, Maddington and Kenwick. Why should the department consider its convenience only?

The Premier: You want these crossings made safe. I have heard you advocating that.

Mr. SAMPSON: Yes.

The Premier: You do not keep 100 crossings when you can make 20 safe.

Mr. SAMPSON: The dangerous crossings are those on main roads, not the local crossings. The crossings at right angles to the main road have not yet been the scene of accidents or, if they have, on very rare occasions. Seemingly the crossings at the points where there are railway stations met with the approval of the department. That was rather remarkable, and indicates that the first consideration was the convenience of the department. I am advised that to close one of these thoroughfares—the crossing at William-street, Ladywell-street, or Austin-avenue—would have entailed to the local road board a cost of not less than £2,000 and further would have meant very great inconvenience to the people of the district. The maintenance costs of roads would also have been greatly increased. The closing of the other two crossings at Gosnells would have meant that people wishing to travel to Perth or Kelmscott would have had to cover 80 chains instead of nine chains and 60 chains instead of two chains on each single trip. The local authority very rightly considered that the closing of those crossings would be an immense handicap to the development of the dis-

trict, and would make it difficult for settlers and trades people, and could only be described as inconvenient and unfair in the extreme. I certainly agree that a railway crossing should not be opened unless there is full justification for it.

The Premier: Crossings were built over every road when the railway was constructed. That is the trouble.

Mr. SAMPSON: Some people might ask for a crossing at every road.

The Premier: Because there is a public road, there had to be a crossing.

Mr. SAMPSON: There is not a crossing at every road.

The Premier: There was, when the railway was built.

Mr. SAMPSON: In the early days?

The Premier: Yes.

Mr. SAMPSON: It was just as dangerous then as now because trains, apart from the Diesel coaches, run at exactly the same speed.

The Premier: That is a cheap sneer.

Mr. SAMPSON: My statement cannot be disputed.

The Minister for Employment: There is more traffic to-day.

The Minister for Mines: Motor cars now, horses then.

The Premier: A cheap sneer.

Mr. SAMPSON: Shall I say that the trains move at the same steady pace to-day as they did 30 years ago? I would not be surprised if they travelled more quickly then because there was no play in the big ends. I claim that the Bill would permit of definite interference with local government. Unquestionably that is so.

The Premier: That is the object of the Bill.

Mr. SAMPSON: To deprive municipalities and road boards the right of any effective say as to whether the crossings should be retained?

The Premier: No, they will have adequate representation on the board.

Mr. SAMPSON: They will have one representative.

The Premier: A public-spirited man.

Mr. SAMPSON: If a chairman of a road board became the representative temporarily, he would know what his board desired and his duty would be to stick out for that.

The Premier: Do you think it a fair thing to have crossings over the railway at every 100 yards.

Mr. SAMPSON: I am not advocating that. I am urging that the local authorities should have effective representation to determine whether a crossing should be closed.

Hon. P. D. Ferguson: The crossing belongs to the local authority.

Mr. SAMPSON: That raises the question of the ownership of the crossings. Is the Railway Department the lord of the earth? Does it control everything it touches or every part on which it trespasses? I do not know to whom the road crossings do belong.

The Premier: They belong first to the Government and then to the local authority.

Mr. SAMPSON: Certainly these crossings have been a cause of great anxiety. Parliament has been generous to the railways, and I hope the department is not responsible for the principle contained in this Bill. The measure is utterly unfair and improper, and I hope the House will not approve the clause that provides for a majority decision by a board of five, of whom four will be paid Government officers. The Premier, I am sure, would not stand for that for a moment. Would the Premier be respected as he is throughout the State and regarded more or less with affection in Geraldton if he held that view? Perhaps the Premier has not yet read the Bill.

The Premier: I read it four or five years ago.

Mr. SAMPSON: I hope the Premier will not permit his early affection for the railways to cloud his judgment.

The Premier: I think it ridiculous that at Cottesloe and Midland there should be a crossing every 100 yards.

Mr. SAMPSON: But is it ridiculous that the local authorities should be given some say in the matter of closing crossings? To provide for one representative of the local authority on a board of five and then stipulate a majority decision is not fair.

The Premier: You are questioning the honesty of purpose of those persons. Surely they would be fair!

Mr. SAMPSON: I do not like the type of fairness we are likely to get when the majority of members of this board can do what it likes.

The Premier: What about the Commissioner of Main Roads as a member of the board?

Mr. SAMPSON: The Bill provides that when the members present at a meeting of the board are not unanimous about some

determination, the decision of the majority shall be taken as the decision of the whole board. When there is an equality of votes, the chairman will have a casting as well as a deliberative vote. For sauvity, simplicity and kindliness commend me to paragraph (c) of Subclause 7 of Clause 4. It is an outstanding example of unfairness.

The Premier: You cannot quote clauses on the second reading.

Mr. SAMPSON: How can we expect local authorities to stand up to that sort of thing?

The Premier: I am surprised at the attitude of members of the Country Party, who would not be here but for the railways.

Mr. SAMPSON: We do not say a word against the railways except to protect country people from being controlled by them. One member said that even at Coolgardie there might be trouble, although in that town the road traffic passes over a bridge, and the train runs quietly underneath. If the railways want to do these things, they should do them on a fair basis, discuss them with those concerned, and treat everybody in an equitable and businesslike manner.

The Premier: As the railways always do.

Mr. SAMPSON. I do not know that the railways do everything like that. They were very brutal in their treatment of certain people who had built up a transport business, only to find themselves deprived of it. I hope the House will not pass the Bill. If it is passed, goodbye to that which we call democracy, goodbye to everything except autocracy.

Hon. P. D. Ferguson: And goodbye to the crossings.

Mr. SAMPSON: Goodbye to the rights of the people who make possible the running of the trains; goodbye to everything except control by a majority of the members of the board who, before they go to a meeting, would already be seriously committed.

The Premier: Be careful!

Mr. SAMPSON: In January, 1937, the department endeavoured to close some of these crossings. Why deprive the local authorities of their rights? I appeal to members not to allow a wretched measure like this to pass. It hands the people, bound hand and foot so far as local government is concerned, over to a board and deprives them of the rights they should possess; for that tribunal, without full representation of the people, will be able to determine whether certain crossings are to be closed or retained.

MR. LAMBERT (Yilgarn-Coolgardie) [10.25]: If loquaciousness——

Mr. Sampson: And impudence.

Mr. LAMBERT: —would add the slightest essence of conviction to the debate on this Bill, the member for Swan——

Mr. SPEAKER: The member for Swan is not under discussion. Kindly deal with the Bill.

Mr. LAMBERT: I doubt very much whether the Bill is properly before the Chamber as an amendment of the Public Works Act, and whether it should not appear as an amendment of the Government Railways Act.

The Premier: The Public Works Act deals with the construction of railways.

Mr. LAMBERT: That may be true, but by a simple amendment to the Government Railways Act we could give the Commissioner all the powers set out in this Bill. Already he has large powers vested in him.

Hon. P. D. Ferguson: Who wants to do that?

Mr. LAMBERT: Some time ago the ex-member for South Fremantle and a Minister of the Crown led a deputation to the then Commissioner of Railways, whose name need not be mentioned. The ex-Minister was furious about the danger he saw in some of the level crossings, particularly in the Fremantle area. He said to the Commissioner, "Do you know that your railways running alongside hundreds of buildings are an absolute menace? I suggest that you close these level crossings." After the Commissioner had been fêted in the Fremantle Town Hall, he replied as follows:—

> Mr. Mayor and Councillors, and the member for South Fremantle and Gentlemen,—I want to tell you that the provision of level crossings is purely an act of courtesy on our part. If you get in front of one of our locomotives, that is your responsibility.

The ex-member for South Fremantle said to me, "What do you think the Commissioner for Railways said to me?" I replied, "What did you expect him to say?" The Bill deals with level crossings, and the responsibility of the Government and the railways to provide adequate level crossings, particularly in the metropolitan area. Take the Melbourne-road level crossing in West Perth. It is appalling to think a Commis-

sioner of Railways should say that if one is passing over that crossing with one's car, the responsibility for missing a locomotive is one's own and not the department's. True, that is a partially protected crossing. We have protected crossings and unprotected crossings. I do not know that the metropolitan area is entitled to protected crossings more than country areas are. There, unprotected crossings are far more dangerous than they are here. Moreover, protected crossings are inefficient; they hold up traffic on every possible occasion. In Cottesloe, where I live, there is a protected crossing, and I do not know whether the man in the signal box goes to sleep, but one has to toot, toot, toot and sometimes wait for five minutes. That is only one instance of our protected crossings. That one should have to wait five, ten, or even 15 minutes at Melbourne-road is scandalous. Nine-tenths of the traffic to the Perth Goods Shed cannot pass over the Horseshoe Bridge. That traffic goes to consign goods to various portions of the State, and for that reason does not cross the railway.

I am not in the least concerned about the Minister's conception of what is right and what is wrong in the metropolitan railway system. Probably the Minister has a skirmishing knowledge of the economic loss to the people using the main goods shed at Perth. It must amount to £40,000 or £50,000 a year. Far better if people consigning goods over the railway system were to pay the Commissioner of Railways a certain sum like passengers over the Sydney Bridge pay tolls. Dozens of heavily laden motor trucks are held up for 10 or 15 minutes at the Melbourne-road crossing, and also at East Perth. Instead of dealing with rubbishy legislation of this type, we should ask the railways officers to review the position. An ex-Commissioner of Railways said it was the responsibility of citizens to get out of the way of any locomotive.

Mr. Marshall: I shall make it my responsibility, I assure you.

Mr. LAMBERT: That was the only answer a Commissioner of Railways receiving £2,500 a year could give. He also said that merely as a matter of courtesy were people permitted to cross the Government railway system. This Parliament should tell the Minister for Railways that such legislation as the Bill is entirely unacceptable. Many level crossings in this State are most dangerous; and some of them are to be found in your electorate, Mr. Speaker. At Midland Junction fatal accidents have occurred at unprotected crossings. Many such crossings could be protected at the cost of a few thousand pounds. Let the Minister for Railways tell us what the reports and statistical records of the Railway Department are costing.

The Minister for Railways: Remember what was said about loquacity earlier in the evening.

Mr. LAMBERT: That money should be spent on dangerous crossings. Who reads the report of the Commissioner of Railways? Has the Minister ever read it? Does any member of Parliament ever read it?

The Minister for Railways: It is a best-seller.

Mr. LAMBERT: That our main commercial arteries to the goods shed within a quarter of a mile of Parliament House should hold up traffic as they do is an absolute disgrace. Traffic is held up in the vicinity of the Perth goods shed for 15 or 20 minutes, especially in the afternoon, when shunting is going on. Parliament should not approve of legislation such as this. If any amendment is necessary, it should take the form of an alteration of the Government Railways Act and not of the Public Works Act. The House should realise the futility of the Bill. I do not know who framed it, or whether it is a conception of the Minister himself.

Mr. Heguey: Were you not consulted?

Mr. LAMBERT: I recognise that there is definite room for improvement, particularly in connection with the dangerous level crossings that are to be found at various points throughout the entire railway system. In indicating that the public must get out of the road of his locomotives and that they are allowed to cross his lines merely as a matter of courtesy, an ex-Commissioner furnished an indication of his conception of the requirements of public safety. It is regrettable that railway construction work was separated from the operations of the Public Works Department.

The SPEAKER: The hon. member is getting away from the Bill.

Mr. LAMBERT: But only by way of comparison, and you, Mr. Speaker, know that, in relation to the matters I have dealt with, the Commissioner of Railways and his officers are definitely out of touch with the

requirements of the public. The manner in which the convenience of the public is neglected represents the most wicked example of what can be done. Members have only to look at the conveniences provided to realise that they are the most disgraceful that anyone could conjure up in his mind.

Mr. Hegney: Now, what do you really mean by that?

Mr. LAMBERT: I hope the Bill will be rejected and that the House will give instructions to the Minister to tell the Commissioner of Railways that the conveniences for the public in the metropolitan area are antiquated, out of date and a disgrace to the department. It is a great pity that the Commissioner and his officers are not called upon to take the risks that the travelling public have to incur, all through the inefficiency and incapacity of the Railway Department.

On motion by Mr. Cross, debate adjourned.

House adjourned at 10.46 p.m.

Legislative Council,

Tuesday, 25th October, 1938.

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

ASSENT TO BILLS.

Message from the Lieutenant-Governor received and read notifying assent to the following Bills:—

1, Alsatian Dog Act Amendment.

2, Northam Municipality Loan Authorisation.

AUDITOR GENERAL'S REPORT.

The PRESIDENT: I have received from the Auditor General a copy of his report on the Treasurer's statement of the Public Accounts for the financial year ended the 30th June, 1938. It will be laid on the Table of the House.

QUESTION—WORKERS' HOMES.

Number Erected on Goldfields.

Hon. E. H. H. HALL asked the Chief Secretary: How many workers' homes have been erected and at what centres—(a) on the Eastern Goldfields; (b) on the Murchison or East Murchison Goldfields?

The CHIEF SECRETARY replied: 1 and 2, For many years it was the policy of the Workers' Homes Board not to erect houses in goldfields areas. It has since been possible to cater only for the Kalgoorlie district where a great shortage of houses existed. Forty houses have been completed and a further 18 approved. Generally speaking, the large mining companies on the Murchison and East Murchison have done commendable work in providing housing accommodation for their employees and the shortage is not so acute.

QUESTIONS (2)—NATIVE ADMINISTRATION ACT.

As to Regulations.

Hon. H. SEDDON asked the Chief Secretary: In view of the fact that the regulations made under the Native Administration Act, 1936, and published in the "Government Gazette" on the 29th April, 1938, have not yet been laid on the Table of the House, will the Minister correct the statement that these regulations are now in force?

The CHIEF SECRETARY replied: It is expected that these regulations will be laid on the Table of the House this week.

Hon. H. SEDDON asked the Chief Secretary: Arising from the answer given to the question I have just asked, will the Chief Secretary state whether the regulations referred to are in force?

The CHIEF SECRETARY replied: I have just given a reply to a question asked by the hon. member indicating that the regu-