

Mr. Davy: There is a grave objection to it. It ties the hands of the Arbitration Court.

Mr. ANGELO: The court has made the hours 44 per week, and my opinion is that this is quite long enough for men who work underground. As to the other amendment proposed, whilst I have a good deal of sympathy with the Minister's object, that the Australian labourer should receive preference, I cannot help thinking that the amendment is a rotten advertisement for the miners of this State. Whilst the Minister was moving the second reading of the Bill I asked him by way of interjection was there any measure of a similar nature existing in any other Australian State. He replied, "No; we are going to set the example."

The Minister for Mines: No. I said I neither knew nor cared.

Mr. ANGELO: We are going to set the example of telling the world—if the measure passes—that Western Australian miners cannot compete with foreigners.

The Minister for Mines: Nonsense!

Mr. ANGELO: Surely there is some other way of achieving the object in view. Surely the unions which we were told, during the debate, every man working in the mining industry has to join, can deal with the matter. What is to prevent the unions from dealing with it instead of Parliament being asked to advertise to the world—

Mr. Kenneally: Does the hon. member advocate direct action?

Mr. ANGELO: No. An hon. member on the Government side of the House—I believe it was the member for North-East Fremantle (Mr. Rowe)—interjected that no alien is allowed to join the Lumpers' Union until he has become naturalised. We are also told that nearly all the Southern Europeans working on the mines should be naturalised, because they have been here long enough. I agree with the member for Leonora (Mr. Cowan) that they ought to become Australians, ought to become naturalised. If there are a few who have not resided here long enough, and if it is considered that 10 per cent. of these should be allowed to work on the mines, surely the unions can permit that 10 per cent. to come in. Why approach Parliament to ask for this Bill? I suggest to the Minister that he recommend the unions dealing with the mining industry to follow the example of the

Lumpers' Union at Fremantle by dealing with the matter themselves, instead of coming to Parliament.

On motion by Mr. Ferguson, debate adjourned.

*House adjourned at 10.4 p.m.*

## Legislative Assembly,

*Thursday, 29th August, 1929.*

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

### QUESTION—RAILWAY PROJECTS.

#### *Bendering Northwards and Karlgarin Extension.*

Mr. LATHAM asked the Premier: 1, What railway facilities are projected for settlers east of Bendering northward towards Southern Cross? 2, Will he consider introducing legislation to extend the proposed Lake Grace-Karlgarin railway a further 35 miles?

The MINISTER FOR JUSTICE (for The Premier) replied: 1 and 2, The whole question of railway communication for the territory eastward of the Great Southern Railway is being exhaustively examined, and a comprehensive scheme is being prepared by the Railway Advisory Board.

**QUESTION—SCAFFOLDING ACT, FEES.**

Mr. LATHAM asked the Minister for Works: What amount was received in fees under the Scaffolding Act for the year ended the 30th June, 1929?

The MINISTER FOR WORKS replied: £5,233 10s. 1d.

**QUESTION—LAND ACT, RESIDENTIAL CONDITIONS.**

Mr. LATHAM asked the Minister for Lands: 1, Were the Crown Law Department consulted before the residence conditions in Section 68 of the Land Act were altered? 2, If not, will he refer his decision, as to the legality of altering the residence conditions under the powers of Section 25 of the Land Act, to the Solicitor General, and make available to the House the Solicitor General's comments thereon?

The MINISTER FOR JUSTICE (for The Minister for Lands) replied: 1, The Crown Law Department were consulted with regard to the application of the residence conditions under Section 55 to approved applicants, pursuant to the notification in the "Gazette" of the 1st June, 1928, and subsequent issues. 2, Answered by No. 1.

**QUESTION—COMMISSIONER OF POLICE.**

Mr. MARSHALL asked the Minister for Police: 1, Has the agreement which the Commissioner of Police made with a previous Government regarding the retention of his services, or for some such purpose, yet expired? 2, What was the nature of the agreement, and the length of the period for which it was made?

The MINISTER FOR POLICE replied: 1, Yes. 2, The nature of the agreement was that in the event of the Commissioner being retired before reaching the age of 60 years, the provisions of the Superannuation Act would apply. No specific period was mentioned.

**QUESTION—ROYAL COMMISSION, GOLD STEALING.**

Mr. MARSHALL asked the Premier: 1, In what year did a Royal Commission sit to inquire into alleged gold stealing on the

goldfields of this State? 2, Who was the Royal Commissioner? 3, How many sittings were held, and where? 4, What were the findings? 5, Who were the advocates or officers who appeared to assist at the inquiry?

The MINISTER FOR JUSTICE (for The Premier) replied: 1, Royal Commission, first sitting 31st August, 1906. 2, Royal Commissioner, A. E. Barker. 3, Sitting from 31st August, 1906, to 3rd October, and thereafter on 11th, 15th, 19th October, and 1st and 11th December, 1906. Sittings were held at Kalgoorlie and Perth. 4, The findings were, "That Detective-Sergeant Kavanagh has substantially established the allegations just quoted by me, and indicated by inverted commas." Such allegations, quoted by the Commissioner, read as follows:—"Since my transfer here (Kalgoorlie), I have recognised that gold stealing has been carried on to an enormous extent . . . . I call it a business, for such it is, pure and simple." 5, Detective-Sergeant Kavanagh appeared before the Commission, and assisted in the inquiry.

**DEPUTY SPEAKER—NOMINATION.**

The SPEAKER: In view of the unavoidable absence next week of the Chairman of Committees and myself, I nominate under the provisions of Standing Order 21A Mr. Panton, the member for Menzies, as Deputy Speaker to perform the duties and exercise the authority of the Chair during my temporary absence.

**BILL—MINES REGULATION ACT AMENDMENT.**

*Second Reading.*

Debate resumed from the previous day.

MR. LINDSAY (Toodyay) [4.37]: The Bill is not a very long one, but it is rather important. I am not yet aware that its passing will do anything to improve either the mining industry, or the position of those working in that industry. There are contained in the Bill two principles. One limits the number of foreigners working in a mine, and the other will place on the statute-book the 44-hour week for the mining industry. I am opposed to both of them. I have listened with interest to the speeches

of several members who have endeavoured to show reasons why the Bill should be passed, yet up to date I have not heard one argument that would convince any reasonable man that it ought to be passed. The member for East Perth (Mr. Kenneally) commenting on a speech which the Leader of the Country Party had previously made regarding his visit to other countries, interpreted that speech as an endeavour on the part of the Leader of the Country Party to bring down Australians to the level of blacks. I listened to both speeches, and certainly I do not think the statements made by the member for East Perth were at all fair.

Mr. Sleeman: I thought he made a very good speech.

Mr. LINDSAY: The member for East Perth, looking over at these cross-benches, told us that if we could not understand him it was because he could not give us the necessary intelligence. Yet I was surprised at the intelligence displayed by the hon. member when he dealt with the remarks of the Leader of the Country Party in the way he did. The Leader of the Country Party, it is true, did say that we had to compete with the coloured labour employed in South Africa and India. The member for East Perth, apparently, is not aware of the fact that we are doing that to-day, and will have to continue to do it in the future. Having regard to the intelligence the hon. member always displays, one would expect that in dealing with a question like this his vision would range beyond the metropolitan area. He ought to know that to-day we are competing with black labour in South Africa and India. In wheat both countries are competitors with us, and in wool South Africa is our greatest competitor of all. And both those countries employ black labour. When the Leader of the Country Party stated that we would have to reduce the cost of production and attain greater efficiency, he was only giving a warning. I agree with him that we will have to do those things. The member for East Perth also declared that the Leader of the Country Party had sought to give instructions to the Arbitration Court. The member for East Perth objects to Parliament giving instructions to that court. But what does this Bill do in respect of the 44-hour week? We on this

side have never attempted to give instructions to the Arbitration Court, have never even suggested that it should be done. We have on the statute-book an Arbitration Act that has cost this country a great deal of money. Under that Act the Arbitration Court decides working conditions, hours of labour and rates of pay. While that Act is on the statute-book we on this side say we should not attempt to interfere with those principles assigned to the Arbitration Court. I know, of course, that it is the policy of members opposite, one upon which they go to elections and get votes. I have heard some members on this side say they are not in favour of a 44-hour week, but I am prepared to say that in certain industries I am in favour of it. I do not agree that those in the mining industry should have to work longer hours, but I contend we should not in any way interfere with the duties of the Arbitration Court. We have heard a good deal this session about the alleged influx of Southern Europeans into Western Australia and the Commonwealth generally. We have been told we are being flooded with Southern Europeans. Of course the entry of Southern Europeans into the Commonwealth is a matter solely for the Federal Government. We have been told the Federal Government have done nothing whatever to stop it. That statement is not quite correct, for the Prime Minister, Mr. Bruce, has explained that he has entered into negotiations with Italy, and that the authorities in that country have agreed to limit the number of Italians entering Australia. I have here the quarterly summary of Australian statistics issued in March, 1929. In this I find that for the first quarter of the year 3,283 people from foreign countries came to Australia, and that during the same period 3,627 foreigners left Australia. In other words, during that quarter there was an excess of departures over arrivals of foreigners of 344. Unfortunately, I have not any later figures. But this shows that the menace hon. members talk so much about does not exist.

The Minister for Mines: Are those the figures for Western Australia?

Mr. LINDSAY: No, for Australia as a whole.

The Minister for Mines: Well, what is that to do with us?

Mr. LINDSAY: These are the figures for Australia. I was not dealing with West-

ern Australia alone. The Western Australian Government cannot stop the immigration of anybody into this State; that is for the Federal Government, and they have attempted to restrict the numbers of foreign people coming here. The result for Australia has been that there have been more departures than arrivals during those three months. The Prime Minister has stated that Australia is 98 per cent. British and I hope it will always remain so. The member for Cue (Mr. Chesson) an old miner, explained to the House the danger of an underground miner working with foreigners owing to the fact that they did not know the language. We have a Mines Regulation Act, and if foreigners are not able to speak the language, it is the fault, not of Parliament, but of the administration of the Act. We have had read to us the language test that foreigners have to pass. The hon. member also told us that foreigners, and particularly Southern Europeans, would enter dangerous places where a Britisher would not go, and were prepared to take risks that they ought not to take. Then he said that when an accident occurred, the man who took the risk was not the foreigner, but the Britisher. I cannot reconcile those two statements. One man is prepared to take the risk and the Britisher is not, but we are told that when an accident occurs a Britisher has to go to the rescue of the foreigner.

Mr. Chesson: That is borne out by facts.

Mr. LINDSAY: I am merely saying how difficult it is to reconcile the two statements. The hon. member gave us to understand that one of the objections against the employment of Southern Europeans was that they did not possess sufficient intelligence to protect their own lives.

Mr. Chesson: I said in connection with mining.

Mr. LINDSAY: I am prepared to accept that statement also. It is a remarkable fact that while members opposite have spoken of the necessity for keeping Southern Europeans out of the mines, this measure deals also with foreigners working on the surface, and there has not been one statement to show that any danger exists on the surface from the employment of Southern Europeans. Yet according to the Bill 10 per cent. of foreigners may be employed underground and only 5 per cent. on the surface. Why that discrimination?

If the danger exists underground, why not prescribe 5 per cent. of foreigners there and 10 per cent. on the surface?

The Minister for Mines: Why not make it 5 per cent. for both?

Mr. LINDSAY: The Bill is not mine. When a member on this side of the House stated that all the foreigners belonged to unions, the Minister interjected, "Yes, of course they have to or they cannot get a job."

The Minister for Mines: I meant on Government works.

Mr. LINDSAY: No miner can go underground in this State unless he is a unionist. I am not objecting to that.

Mr. Sleeman: It is quite right, too.

Mr. LINDSAY: I agree. The point is that the unionists can prevent those men from being employed in the mines if they so desire, just as the Fremantle Lumpers' Union have done, namely, by refusing to give them union tickets. No man can join the Fremantle Lumpers' Union unless a meeting is held to decide the number to be admitted, and those who are accepted are usually particular friends of the other members. The unions have the power in their own hands to restrict the number of Southern Europeans.

Mr. Rowe: That is entirely wrong.

Mr. Sleeman: You do not know very much about it.

Mr. LINDSAY: I am merely replying to statements made by the hon. member opposite who spoke in support of the Bill.

Hon. W. D. Johnson: That is untrue.

Mr. LINDSAY: The hon. member is not entitled to say it is untrue.

The Minister for Mines: You have made a very bad effort to quote what was said.

Hon. W. D. Johnson: If that statement was made, it is wrong.

Mr. LINDSAY: A statement can be wrong and yet not untrue. To the best of my knowledge, my statement is not wrong and not untrue.

Hon. W. D. Johnson: But if you say somebody said that, he said something that was not correct.

Mr. LINDSAY: The member for Cue said that although foreigners are good, staunch unionists and have to be in order to get employment—

Mr. Chesson: I did not say that.

Mr. LINDSAY: I say they have to be unionists in order to get employment.

Mr. Chesson: I say you are wrong and you know it.

Mr. LINDSAY: Will the hon. member say that men are allowed to work for any length of time without becoming members of the union? If so, it is news to me. I noted down an interjection made by the Minister for Mines last night.

The Minister for Mines: I said that no man could get employment on a Government job without a union ticket. The Government do not own mines.

Mr. LINDSAY: My recollection of the Minister's interjection to the Leader of the Country Party was, "We see that they do become members of the union." I do not blame him and his friends for that attitude.

Hon. W. D. Johnson: But they can refuse and can work without a union ticket.

The Minister for Mines: And they are doing it to-day.

Mr. Richardson: But not for long.

Mr. LINDSAY: The member for Cue also said that the Southern Europeans went on to the accident fund and took back 100 per cent. of the money they paid in.

Mr. Chesson: I said that in one instance they had taken more and had broken down the accident fund. I was referring to the new chums.

Mr. LINDSAY: Well, make it the new chums. On the hon. member's statement, the new chums are able to take the funds paid in by other unionists, and the other unionists are prepared to let them do it. Surely that shows a want of intelligence on the part of the majority of the men and greater intelligence on the part of the foreigners!

Mr. Chesson: We found out by experience.

Hon. Sir James Mitchell: Who had the experience and who had the money?

Mr. Panton: The insurance companies are getting the experience now.

Mr. LINDSAY: The fact remains that the argument advanced is that Italians or Southern Europeans are a menace to Britishers engaged in the mining industry—

Mr. Chesson: Through lack of experience.

Mr. LINDSAY: And that in consequence of foreigners having been engaged, the number of accidents in the mining industry has increased. Also it has been argued that the influx of Southern Europeans has been greatest during the last three years. I assume from the debate that a number of

Southern Europeans are engaged in the mining industry. I have before me a graph showing the number of deaths in the mining industry from 1900 to 1926. In order to assist my argument I am prepared to admit that a great many more men were engaged in the industry in 1900 than there are to-day. Perhaps there were three times as many married men in 1900.

Mr. Panton: More than that.

Mr. LINDSAY: Well, say four times. I will give the hon. member anything he asks in that respect so long as he allows me to continue my argument. From the tenor of the speeches made here, I assume that in 1900 there were not as many Southern Europeans engaged in the industry as there are to-day. I am justified in assuming that because their presence was not considered a menace in 1900 or during all the intervening years. It has become a menace only now. The Labour Party have been in power for many years during that period and they have never taken notice of the menace until now. Therefore I assume that the menace has become greater than it was in the past.

Mr. Marshall: I suppose you are aware of the fact that in 1900 there was no Mines Regulation Act.

Mr. LINDSAY: Yes. In 1900 the number of deaths in the mines was 45. During the other years the number varied but the graph shows that it decreased until in 1926 there were only six deaths.

Mr. Chesson: We are not talking about fatalities. Those figures do not show minor accidents.

Mr. Marshall: You have to take into account the number of men employed.

Mr. LINDSAY: I concede the hon. member that there were four times as many in 1900 as there are to-day. I am prepared to make it five times the number. I have an official publication before me giving the number of accidents in two years and it is remarkable that the number of accidents in the second year, including minor injuries, was a great deal smaller than in the other year. I have mentioned this matter in order to show that the position has not become serious during the last few months. The Labour Party have been in office for nearly six years and they held office previously for five years, a total of 11 years in all, and the presence of foreigners in the mines was not considered serious during all those years. It has become serious only to-day. Yet from

the figures I have quoted the position was more serious in the past than it is to-day, and therefore I see no reason for introducing this Bill. The member for Leonora (Mr. Cowan) when speaking last night stated that we had an Arbitration Court to protect employees in the matter of wages. Yet other members told us that although there was an Arbitration Court award, many of the men engaged in the industry accepted wages lower than those fixed by the court. I think the member for East Perth (Mr. Kenneally) said that the same thing applied to some of the foreigners employed in the furniture industry in Perth, and that the union had been able to take a case to the court and had won it. Well, what are the unions for? Are they in existence only to collect the fees of members? When they accept the subscriptions of unionists, it is their duty to look after their members. Yet members say that although Parliament has passed arbitration laws and although the court has awarded certain wages, men who are unionists are permitted to be exploited.

Mr. Panton: They are taking cases in the court every day and you know it. Hundreds of cases are set down for hearing now.

Mr. LINDSAY: I agree that the unions should police the awards. We read almost every day of cases before the court. Why do not the union officials police the award in the mining industry? Members have not stood up in the House and stated that shop assistants are paid less than award rates.

Mr. Panton: We could do so in many instances.

Mr. LINDSAY: On this Bill, however, members have said that Southern Europeans, owing to their want of intelligence and lack of knowledge concerning our laws, are a menace to other unionists, although they are themselves members of unions. That is an admission of the incompetence of union officials. The Minister for Mines said that these people were members of a union and that the officials saw to it that they joined.

Hon. W. D. Johnson: We have no control over the paysheets.

Mr. LINDSAY: But the officials have control over their members. The job of the union secretary is to see that his members are paid the proper wage.

Hon. W. D. Johnson: But they will sign for anything.

Mr. LINDSAY: Instead of making assertions in the House, why do not members bring proof of their statements?

Hon. W. D. Johnson: How can you possibly get proof of that sort of thing?

Mr. LINDSAY: Let affidavits be brought down. The member for Leonora said that we could protect members of the unions connected with the mining industry because there were awards governing it, but that we could not protect the interests of the employees of road contractors who paid their men less than the award rates. That is rather a serious assertion, and one that the hon. member should prove. I can speak with some knowledge of the road boards in my electorate. They are all paying the basic wage.

Hon. W. D. Johnson: I am prepared to extend that to the cockies.

Mr. LINDSAY: The cocky is one man who has not had his wage fixed, and the hon. member knows it.

Hon. W. D. Johnson: That is why he likes the Southern European.

Mr. Panton: One cocky to another!

Mr. LINDSAY: I should like to know how many Southern Europeans are working as farm hands. I agree with the member for York that clearing was being done under Agricultural Bank conditions when the Minister for Lands stopped it. I do not blame him for carrying out the labour policy.

Hon. Sir James Mitchell: The Government give permits for clearing to Southern Europeans now.

Mr. LINDSAY: Permits have been given in my electorate under certain conditions, and in cases where an injustice would otherwise have been done. The local authorities in my electorate are paying the basic wage. The secretaries of at least three of them asked me if the increase in the basic wage applied to them. I told them it did, and they are working their employees 48 hours a week and are paying the increased wage. I object to any interference with hours. If the Arbitration Court awards a 20-hour week, we must abide by their decision. I object to Parliament, which happens to be one-sided in this House, deciding by an Act how long any individual shall work. It amounts practically to menacing the Arbitration Court bench. The action of the Minister for Works in making an agreement with the A.W.U. in connection with the Federal aid roads grant, and fixing the hours for the week at 44, is, in a sense, an instruction to

the court not to impose a longer week in other cases. It is the task of the court to decide such a matter on the evidence that is brought forward. When the member for Leonora was speaking, I interjected to ask whether his remarks applied to the Federal aid roads grant. I am not sure how long ago the Main Roads Board put that clause into the specification. I think it has been there for the last three years. Members should give proof of where these things have happened, and of the particular class of work that was involved. In the agreement it is laid down what the working conditions shall be, and what the number of hours per week shall be. When the hon. member was talking about it, he was not referring to the private work being done by local authorities. That is usually carried out year in and year out by the same employees.

Mr. Cowan: I still say my statement is correct, and I make no apology for it.

Mr. LINDSAY: And I say the hon. member should give us the substance of the whole thing and let us investigate it.

The Minister for Works: It is you who are wrong. That clause was not then in the agreement.

Mr. LINDSAY: I did not say definitely that it was. I said it was there now.

The Minister for Works: You said it was put in three years ago.

Mr. LINDSAY: I said the agreement was made three years ago, but that I was not sure when the clause was embodied. I know it is there now.

The Minister for Works: You said you knew it had been there for three years.

Mr. LINDSAY: My speech will show what I said. I did say the Act had been in operation for three years. Members opposite believe in a 44-hour week, and in compulsory unionism. It is their party who govern the State. Naturally while they are on that side of the House they will endeavour to carry out their policy. This road question was not brought up by me. We in the country are finding ourselves in serious difficulty. We pay the basic wage, and work 44 hours a week. When it comes to a question of, say, maintenance work under the Federal aid roads scheme, the men who are working on ordinary rates are also working 48 hours. When it comes to the other job, however, we have to pay the men 6s. per week more for four hours a week less work.

Mr. Marshall: Do you mean men on the mines?

Mr. LINDSAY: I am replying to the statement made by the member for Leonora. I am opposed to two points in the Bill. I object to the 44-hour week being placed in an Act of Parliament. That job belongs to the Arbitration Court. No argument has yet been put up that justifies the inclusion of that provision. Some arguments may have been put forward regarding the limitation of the number of foreigners who are employed on underground work on the mines, but no convincing argument has been put up why the number of those engaged on the surface should be limited.

Mr. Kenneally: With the exception of those two things, you will support the Bill?

Mr. LINDSAY: Yes, because there is nothing else in it.

Mr. Marshall: You are always voting for nothing.

Mr. LINDSAY: I remember that I once voted for a motion moved by the hon. member, but of course that was nothing. I intend to oppose the second reading of the Bill.

MR. SLEEMAN (Fremantle) [5.10]: The member for Toodyay seems to be surprised that it is possible for anyone to sign a pay sheet and receive less money than is stipulated upon it. He said if these things were known members should bring them before the House. He may be interested to learn that this has been done. I was personally responsible for bringing a case before the Court and having the employer fined. If the hon. member doubts my statement, I will give him the name of the employer. Hundreds of cases of this kind are going on all over the country. I believe it is being done to a great extent with foreigners. The case I speak of was in connection with Britishers. If people will do that with Britishers, they will do it with the newly-arrived Southern Europeans, many of whom are at their wit's end to gain a living, and will accept any conditions.

Mr. Davy: You do not suggest that a mining company would fake the books in order to bring this about?

Mr. SLEEMAN: I do not say this would happen so much in the mining industry as in the case of other industries. There are hundreds of ways of getting at the employees. It has been proved that foreigners

have received money from a company, and have handed back to the shift boss some time later half the amount they received. That is one reason why Italians are employed.

Mr. Lindsay: Is the shift boss a member of the union?

Mr. SLEEMAN: No. The member for Toodyay complained about the statement of the member for East Perth (Mr. Kennally) who, when the Leader of the Country Party was speaking, said that hon. member wanted to bring this country down to the level of the blackfellow. The member for Toodyay maintains that we can compete with the blackfellow.

Mr. Lindsay: We are doing it.

Mr. SLEEMAN: We may be doing it in one industry. The hon. member can blow hot and cold in the one breath. Not long ago he complained that we could not compete with white countries. He said that our workmen could not do the work, and that this was why our implements could not be sold here. This in his opinion, was the reason we could not compete with white labour outside.

Mr. Lindsay: Why do you charge three times the ordinary price for those implements?

Mr. SLEEMAN: The hon. member says we cannot compete with a white country. My friends opposite say we should not restrict the Arbitration Court. The member for Toodyay has stated that the Minister has given instructions to the court. The member for Katanning said that as the Arbitration Court had fixed the hours at 44 per week we should leave the matter alone. I propose to show that the Leader of the Country Party also blows hot and cold. Last night he said we should not interfere with the court. On the 8th August, 1928, he said—

I suggest that in the interests of the boys and girls of Western Australia we should instruct the Arbitration Court.

Mr. Thomson: Hear, hear!

Mr. SLEEMAN: Oh yes! But never mind about the miners when foreigners are concerned. The member for Albany said, "Do you suggest we should instruct the court?" and the member for Katanning replied, "Yes." He now says we should leave the court alone. I claim we are not interfering with it, and never have done so.

There is no harm in embodying in an Act a provision for a 44-hour week when the Arbitration Court have already given it in the mining industry.

Hon. Sir James Mitchell: You should make it 40 hours a week.

Mr. SLEEMAN: It is quite correct to embody such a provision in an Act. Members also complained about limiting the numbers of foreigners, to whom they appear to be very partial. Let us examine what some members of the Country Party have said about foreigners in this House. The member for Beverley said—

I speak from personal experience. I have Italians working for me to-day. Had it not been for the rough handling I have received from the Australians and the Britishers I would not do so. The average immigrant cannot do clearing work, and the average Australian will not.

Mr. Latham: You are twisting those remarks to suit yourself.

Mr. SLEEMAN: That is what the hon. member said. The member for York can twist something else to suit himself. The member for Beverley went on to say—

I would sooner pay a gang of Italians 3s. or 4s. per acre more than average Australians and Britishers, because the job would be completed, and with less trouble.

The opinion of members opposite is that an Italian is better than an Australian. From the remarks of the member for York (Mr. Latham) I take it that if he were a mine owner he would flood his mine with Southern Europeans because, in his opinion, the job would be done better by them than by his own countrymen.

Mr. Latham: Cannot you be fair?

Mr. SLEEMAN: That is the only inference to be drawn from the hon. member's remarks.

Mr. Latham: I did not make that remark about the job being done better by Italians.

Hon. Sir James Mitchell: Cannot the member for Fremantle get back to the Bill?

Mr. SLEEMAN: Unquestionably 44 hours is long enough for any man working underground in this country's mines. In fairness to the people we bring here from the Old Country, in fairness to our own people, in fairness to the boys who will be our miners of to-morrow, restrictions should be placed upon the employment of foreigners.



Hon. Sir James Mitchell: I hope our boys will not be miners.

Mr. SLEEMAN: Our secondary industries are not always supported as they should be, and some of our boys will be driven into the mines. I compliment the Minister on having brought down the Bill, which is long overdue; and I hope it will pass both Houses.

HON. SIR JAMES MITCHELL (Northam) [5.17]: As has been suggested by the Minister for Mines, there is no need to alter the law limiting the hours of miners.

The Minister for Mines: I did not say that.

Hon. Sir JAMES MITCHELL: What did the Minister say?

The Minister for Mines: That never since I have been in Western Australia has the 48-hour system been carried out. The hours have always been less.

Hon. Sir JAMES MITCHELL: That is just what I indicated. I listened to the Minister's remarks most carefully, as I always do.

The Minister for Mines: Do not misquote. I will not allow you to do that.

Hon. Sir JAMES MITCHELL: I said what the Minister has just repeated, that since the Minister has been in this country—and he has been here most of his life—a 48 hours week has not been worked underground. The Minister is so petulant that he cannot contain himself, but goes off at a tangent and at half-cock.

The Minister for Mines: I evidently went off at full-cock in this Bill, to judge from the discussion it has evoked.

Hon. Sir JAMES MITCHELL: The hours worked underground are not to exceed 48 hours under the existing law. The Minister says that members on this side of the Chamber are backing up the foreigner. We are not doing so. We merely want justice done in the mining industry. The Minister asks us to amend a law which there is no need to amend with regard to hours. A few minutes ago the member for Fremantle (Mr. Sleeman) stated that the member for Beverley (Mr. C. P. Wansbrough) had said he had given preference to Italians. Let me tell the House that quite lately I asked a union secretary this question, "If

20 men are wanted for a job and there are 30 applicants, and if there are 10 Britishers with union tickets, 10 Italians with union tickets, and 10 Britishers without tickets, who would get the job?" He replied, "The 20 with tickets would get it." Ten Italians, having paid 25s. or whatever the fee is to the funds of the union, would get the job over the Britisher who has not the 25s. to buy a ticket with.

[Several interjections.]

Mr. SPEAKER: Order!

Hon. Sir JAMES MITCHELL: Are the unions so hard up that they must take funds from the foreigners and, having taken their money, give them jobs in preference to Englishmen? The Minister for Mines has said that we on this side back the Italians.

The Minister for Mines: Every hon. member who so far has spoken on the Opposition side of the House has done so. I do not know what you are going to do, but everyone else on your side has done that.

Hon. Sir JAMES MITCHELL: I prefer the Britisher to anyone in the world.

The Minister for Mines: Then you are the exception on that side of the House.

Hon. Sir JAMES MITCHELL: I am not.

The Minister for Mines: The only exception.

Hon. Sir JAMES MITCHELL: Nothing of the sort. I would recommend the Minister to read a little book entitled "The Cricket Match." It is the spirit of England, really. The perusal of the book would prove instructive and useful to the hon. gentleman.

Mr. Sampson: It contains a chapter headed "Playing the Game."

Hon. Sir JAMES MITCHELL: Italians have been employed by the Government, and more by the Government than by anybody else, mine owners included. Thousands of sleepers have been cut adjacent to my electorate, and stacked in my electorate, by Italians employed on Government contracts. I suppose the sleepers were cut on private lands, but they were cut for the Government and paid for out of Government funds.

Mr. A. Wansbrough: Cut by subcontractors.

Hon. Sir JAMES MITCHELL: Government money was paid away for sleepers

cut by Italians for the Government and stacked at Spencer's Brook.

The Minister for Railways: That has been stopped.

Hon. Sir JAMES MITCHELL: Because no more sleepers are required by the Government. It is no use whatever to say that the Government have stopped. They stopped three or four months ago. This matter has been talked about here for a long time. The member for Fremantle (Mr. Sleeman) read extracts from "Hansard" of the debate on the matter that took place a year ago.

The Minister for Railways: They said they were not employing foreigners, and then we had to prove that they were. Thereupon we stopped it. I can show the hon. member the file if he wants to be assured of the fact.

Hon. Sir JAMES MITCHELL: I do not want to be assured of it. The fact remains that foreigners were so employed. Apart from that, foreigners can become members of unions and help to support the unions throughout the State. Of the £100,000 collected by unions annually, I wonder how much comes from foreigners. It is perfectly right that the foreigner, if he has the protection of a union, should belong to that union; but I think that if I felt as strongly on the subject as members opposite do, I would not let him join the union, and then he would not get Government work. The trouble is not that we object to the race at all. Who could? We are not born prisoners of the country in which we are born; we are free to roam the world, and particularly where white people dwell. But it is inconvenient to have the Italians. I agree that the Britisher ought to get preference. Something has been said about clearing contracts. I told the Government that the Italians get the contracts because there are Italian contractors most capable of seeing a clearing job through. If the Government could see their way to let contracts again as we once did, those contracts would be secured by Britishers, who would employ Britishers. All our own people cannot take such contracts, because they are not accustomed to the work. Italians who have just arrived here are not expected to take contracts. Someone has to supervise them. We agree, however, that the Britisher ought to receive preference.

The Minister for Railways: Let us try to carry out our contract with the Imperial

Government to take Britishers in this State.

Hon. Sir JAMES MITCHELL: This is quite apart from all that.

The Minister for Railways: No. If we take foreigners, we cannot take Britishers.

Hon. Sir JAMES MITCHELL: Yes, we can.

The Minister for Railways: We prefer Britishers.

Hon. Sir JAMES MITCHELL: We can employ everybody within the State, and a few from overseas.

The Minister for Railways: Yes, if we get the money, or if private persons put the money in. The State cannot do it.

Hon. Sir JAMES MITCHELL: I agree that the State cannot employ everybody; but the State can easily destroy employment, and that has happened on many occasions.

The Minister for Railways: You do not charge the Government with doing that, do you?

Hon. Sir JAMES MITCHELL: Yes, I do. However, that is not the position now. So far as the 48 hours are concerned, it is quite unnecessary, as the Minister said, to alter the law.

The Minister for Mines: I said nothing of the sort.

Hon. Sir JAMES MITCHELL: Yes. The Minister said the 48 hours had never been worked. I agree that probably 44 hours would be enough in connection with mines.

The Minister for Agriculture: It is a long way too much. I tried it.

Hon. Sir JAMES MITCHELL: Does the Minister for Agriculture say he does not want to work too much?

Mr. Panton: No. He said you did not do enough.

Hon. Sir JAMES MITCHELL: I admit that I do not do enough, and I never yet met any other member of the House who did enough. I do not suppose any of us ever will.

Mr. Panton: Don't be pessimistic, but turn over a new leaf.

Hon. Sir JAMES MITCHELL: Certainly members are not over-worked and Ministers are not over-worked.

Mr. Panton: Let us all turn over a new leaf and do enough.

Hon. Sir JAMES MITCHELL: It is utterly impossible.

Mr. Panton: Are you speaking for yourself again?

Hon. Sir JAMES MITCHELL: It is utterly impossible for hon. members opposite. I know them too well.

Mr. Sampson: Those deeply engrained habits.

Hon. Sir JAMES MITCHELL: Let us not be accusing one another of favouring the Italians or of employing the Italians. It has been proved that hon. members opposite take the political fees of Italians. Hon. members opposite are all culprits in that respect. They should not attack members on this side of the Chamber. The Minister for Mines has said that one does find a few Italians working in the mines who are not naturalised. It is to be remembered that we have nothing whatever to say against the white races. There are many naturalised foreigners who have lived in Western Australia for many years. The Minister has nothing to say against them. We have admitted them into our midst, and they have done great work through the years. They are now admitted as Australians, and many of them have Australian children. We do not wish to be misunderstood in the matter. We do not desire to mark or label any section of the people who live in this country. Those foreigners who have become naturalised and have done good work here for years, are quite apart from the men who now come—brought here, I presume, by some organisation. I am in accord with hon. members who say that our own people should get the work that is available. We should do that in accordance with our agreement with the British Government. If there is additional work, then the others should be allowed to take advantage of it. The Minister says it does not matter if he is able to get a proportion of one in ten in the mining industry.

The Minister for Mines: We will be doing good work if we get the percentage down to one in ten.

Hon. Sir JAMES MITCHELL: Why should we be asked to do that in the way the Minister suggests? Either it is bad or it is good that these people are allowed to work in the mines. I feel a bit like the Jew who was told by his doctor that he was covered with smallpox and had but a short time to live. He asked the Jew if there was anything he could do for him. The Jew asked him to send for the priest. The doctor asked him why he wanted the priest and not the Rabbi, to which the Jew replied, "I don't

want to give the Rabbi this disease, do I?" The Minister can learn a lesson from the story of the Jew. Why does he want to have these foreigners in the mines at all? If it is good to exclude 90 per cent. of them, why not make a job of it and exclude the lot?

Mr. Sleeman: Surely you do not intend to move an amendment to that effect?

Hon. Sir JAMES MITCHELL: From time to time we have discussed the dangerous nature of work underground; we have spoken of the loss of life entailed by work in the mines. We all agree that work underground is not an attractive form of employment. If it is work of that description and we do not want our own people to be engaged in it, why not let others, who are willing to take the risk, undertake those jobs?

Mr. Sleeman: You are not being very considerate now!

Mr. Kenneally: The miners will be pleased to know that that is the attitude of the Opposition.

Hon. Sir JAMES MITCHELL: My very important friend from East Perth has not read the Bill. The Minister says he will allow ten per cent. of these men to work underground and I say that if he is logical he will exclude all of them.

Mr. Kenneally: Let the hon. member go to the goldfields and tell the people that.

Hon. Sir JAMES MITCHELL: Let me tell the hon. member that I do not go about the country humbugging the people. I do not want to humbug the workers by talking about the foreigners and at the same time accepting the latter's cash in the shape of union fees. That sort of thing does not suit me at all. When the Minister says he will allow ten per cent. of the foreigners to work underground, I asked him why he should have any of them at all. I confess that I am somewhat like the Jew.

Mr. Sleeman: You will certainly move an amendment, and cut out the ten per cent.!

Hon. Sir JAMES MITCHELL: I do not intend to move an amendment at all. It would be a waste of time because hon. members opposite obey the crack of the Party whip. Of course I know that under the Bill five per cent. of the workers above ground may be non-naturalised foreigners.

The Minister for Mines: This does not apply to Italians only.

Hon. Sir JAMES MITCHELL: Certainly it applies to Southern Europeans, but they

are mostly Italians who are here. Why does the Minister not say that it shall apply to all foreigners who are employed directly or indirectly in occupations?

The Minister for Mines: If you are prepared to go that far, I will be with you.

Hon. Sir JAMES MITCHELL: If the Minister is anxious to deal with the mining industry along these lines, why does he not apply the principle to other industries as well, including work on the Fremantle wharves?

Mr. Sleeman: There are none on the wharves at Fremantle.

Hon. Sir JAMES MITCHELL: To be consistent, the Minister should apply this provision to all forms of employment.

The Minister for Railways: Do you know that foreigners are working on the wharves in South Australia and taking the place of returned soldiers?

Hon. Sir JAMES MITCHELL: I do not know that the Minister is much concerned about returned soldiers.

The Minister for Railways: Yes, I am. You have not heard me say a word against the interests of returned soldiers.

Hon. Sir JAMES MITCHELL: I can say a good deal about what the returned soldiers have not got even yet.

Mr. Panton: That sort of thing has been going on ever since the war. Look at me! I might have been Governor General!

Hon. Sir JAMES MITCHELL: I hope the Minister realises that if he is to do so much under the clause I am discussing, he should apply the restriction generally—if it is to be applied at all.

The Minister for Railways: The Minister explained that the foreigners he referred to were a danger to themselves and to their fellow workmen.

Hon. Sir JAMES MITCHELL: I know, above ground. If they are to be allowed to work in the mining industry, we should remember that they have been doing so ever since we have had such an industry in Western Australia.

The Minister for Railways: Are you not aware that people can get hurt above ground?

Hon. Sir JAMES MITCHELL: Yes, and elsewhere.

The Minister for Railways: But we are dealing with the mining industry only at present.

Hon. Sir JAMES MITCHELL: Why should the Government confine it to one industry alone?

The Minister for Railways: We must make a start somewhere.

Hon. Sir JAMES MITCHELL: The Government will not have time within which to do much more, and if they desire to extend this principle, they had better do it now because it will be their last chance. For five years they have done nothing, and it is only now that they propose this amendment.

Mr. SPEAKER: Order! The hon. member must address the Chair.

Hon. Sir JAMES MITCHELL: There is no necessity to alter the Act to substitute 44 hours for 48 hours. The Minister admitted that it would not benefit the miners and, therefore, there is no need to pass that amendment to the second proposal. If the House did so, we would be stultifying ourselves. We would say that nine naturalised foreigners could be employed and only one who was not naturalised. The Minister gave us the impression it would be safe if only ten per cent. of these men worked in the mines.

The Minister for Mines: During the course of my speech, I did not say a word about it being safe. You are again stating something that you know is incorrect.

Hon. Sir JAMES MITCHELL: The Minister is very fond of saying that I make statements that I know to be incorrect. A man will only accuse another of a meanness of which he himself is capable. If the Minister were to protest a little less and make fewer assertions, it would be better for all concerned.

The Minister for Mines: Well, I make that assertion that I did not say anything about safety.

Hon. Sir JAMES MITCHELL: I certainly gathered the impression that that was what the Minister meant. I do not know that the Bill will serve a useful purpose. Most of the Bills that we dealt with last session and many of those we have considered so far, come within that category. Here we have men crying out for bread, and the Government give them a stone in the shape of this sort of legislation!

The Minister for Mines: If the Bill is agreed to, we will give work to men who are looking for it and cannot get it now.

Hon. Sir JAMES MITCHELL: If that is the position, we will put the Bill through.

Mr. Latham: And what will the Government do with the men who will be displaced?

Hon. Sir JAMES MITCHELL: Few of the mines are employing a greater percentage of foreigners than the Bill provides. That was what the Minister's own figures disclosed.

The Minister for Mines: Some of the mines are employing fewer, but all the figures I gave referred to foreigners who were not naturalised.

Hon. Sir JAMES MITCHELL: I listened to the Minister and I thought he explained that the majority of the men were naturalised.

Mr. Panton: But a man ceases to be a foreigner when he is naturalised.

The Minister for Mines: If he is naturalised, the man will not be covered by the Bill.

Hon. Sir JAMES MITCHELL: The Minister indicated that he did not wish foreigners to be employed in the mines because it impaired safety, and if that is so, surely it would be advisable to limit their employment in all other occupations.

MR. GRIFFITHS (Avon) [5.40]: The point that has struck me during the course of the debate has been the continued reference to the fact that Southern Europeans had to be handicapped in order to enable our own people to compete with them. Is that the sort of advertisement we wish to broadcast? During the course of his speech, the Minister stressed the danger involved in the employment of these men and the necessity for action that would lead to the prevention of accidents. When he made that suggestion, it occurred to me that the member for Collie (Mr. Wilson) at one time worked in a mine. I can quite imagine it would be difficult to understand him if he got a bit excited!

Mr. Angelo: He has passed the language test.

Mr. GRIFFITHS: Other members have been loudly protesting that they hold no brief for Southern Europeans. I do not know that any hon. member holds a brief for them. Repeatedly statements have been made that large numbers of these men are being employed in the farming areas, but I can give that a flat denial. Recently I was at Mundaring Weir and two men who

could speak English passably, asked me to show them the way to the pumping station. I directed them and walked along with the men. As we were progressing towards the pumping station, I asked them if they were looking for work and they replied in the affirmative. I said, "Can you not get any work in the country?" They replied that they had been for three months in the wheat belt, but the farmers had no work for them. I said that that was pretty bad, and they said it was no good at all. I asked them what they were going to do, and they told me they would endeavour to find work at the pumping station and if not, they would try somewhere else. If we allow these people to come here, it is rather hard on them to prevent them from getting work. In an interjection the Minister said, "This is Bruce's job."

The Minister for Mines: The Prime Minister has the power to prohibit them from coming here; I have not. If he will allow them to come here, he must look after them.

Mr. GRIFFITHS: Figures recently published demonstrated that more of these people were going out of the country than were coming in. The point is that these people are here and it is rather inhuman to suggest that we shall prevent them from making a living. We often hear that the foreigners are exploited. I know that before the embargo was placed upon the employment of Southern Europeans on clearing work, some of these men were working in the wheat districts and they were not in receipt of less than the usual rates. It may be that some of those men were exploited soon after their arrival in the State, but, generally speaking, I know it to be a fact that on clearing operations the men have not worked for less than is paid to ordinary Australian workmen. Within the last four or five months a certain farmer came to Perth and called on me to relate his troubles regarding clearing operations on his property.

Mr. Marshall: That has nothing to do with the Bill.

Mr. GRIFFITHS: The hon. member should mind his own business. When I speak, I do so to make a point and I make it.

Mr. Marshall: You never say anything.

Mr. GRIFFITHS: The hon. members remarks that I say nothing. When he starts to speak, I get so fed up that I clear out.

I was about to relate the experience of a certain farmer who had employed Southern European labour on clearing work. He had been ordered to dispense with the services of these men and to employ Australians. His experience, however, was so unfortunate that he asked me to use my influence with the Minister. The farmer was sent to the secretary of the Timber Workers' Union, who happened to be an old friend of his, and he said, "I will send you three men." One man went up first and the other two followed. These men began the work but left it unfinished. The farmer wired for others, and three more were sent along. They too failed to remain and in the end the Minister granted the farmer permission to employ Southern Europeans. There is a certain class of work that Southern Europeans will do that our own people will not do. The foreigners carry out clearing work very well. The argument all along regarding these men has been that they work for less than the ruling rate of wage.

The Minister for Railways: That has nothing to do with this Bill.

Mr. GRIFFITHS: It has a bearing on it.

The Minister for Railways: Not a bit.

Mr. GRIFFITHS: A great deal has been said about the employment of Southern Europeans in the wheat belt, and it has also been said over and over again that the Arbitration Court fixes the hours of work in respect of the various industries. So it seems to me ridiculous to bring in this Bill to provide for 44 hours, which is already worked by order of the court. The Bill will mean merely duplication.

MR. ROWE (North-East Fremantle) [5.48]: I have listened attentively to the speeches of various members who have dealt with the employment of foreigners in the State, and I wish to clear the atmosphere regarding the engagement of Southern Europeans on the wharves, and their membership in the Fremantle Lumpers' Union. Statements have been made that these men are permitted to join the Lumpers' Union, but I wish it to be distinctly understood that no alien is allowed to become a member of the union until he has taken out naturalisation papers. I have filled in many of the papers for Southern Europeans who have afterwards become members of the union. They turned out good workers and

good citizens. In some instances at a later period they have taken up small areas of land at Spearwood and a number of them are doing fairly well on their blocks. I repeat that no foreigners are permitted to join the Fremantle organisation until they have become naturalised.

THE MINISTER FOR MINES (Hon. S. W. Munsie—Hannans—in reply) [5.50]: I shall not take up much time in replying to statements that have been made by several hon. members. The Leader of the Opposition said that we had no right to legislate to limit the number of any nationality working in any industry. I do not know whether he has read the Act or not, but the very Act we are now amending not only limits the number of foreigners but absolutely prohibits aliens of any description working in or about a gold mine. It was through wise as far back as 30 years to legislate in that direction. The Bill we are now discussing does not entirely prohibit the employment of alien labour; it sets out that a percentage shall be employed. The Leader of the Opposition also said that if it was bad to have more than 10 per cent. employed in the mines, it was bad to employ them at all. I will go so far as to say that if I thought it was possible to get a Bill through this Parliament prohibiting altogether the employment of aliens in the mining industry, I would not hesitate to introduce it. But I do not believe it is possible, and therefore I am asking merely for what I consider is a reasonable thing—limiting the number to 10 per cent.

Mr. Sampson: Would not the industry be injured if you prohibited the employment of aliens altogether?

THE MINISTER FOR MINES: In my opinion the industry would be benefited if alien labour were done away with altogether. I am not going to criticise or blame or make charges against anyone, but the fact remains, and the figures prove it, that in respect of unskilled labour on mines, Southern Europeans do get preference over Australians and Britishers.

Mr. Thomson: Why?

THE MINISTER FOR MINES: I will leave the hon. member to find out. I am trying to prevent the wholesale employment of aliens by limiting the number, and in that way also preventing preference,

greater than 10 per cent., being given to foreigners over our own people. If I can get that through I shall have done something to provide more employment for our own race in the mines. When I introduced the Bill I said that in the interests of this country it was necessary that legislation of this description should be introduced. I wish to repeat that statement and to add that because of the large amount of money that is being sent out of this country by Southern Europeans, it is in our own interests that we should employ Britishers and in that way keep in the State the money earned here. The Leader of the Country Party took me to task for having made that statement and he drew an analogy between what I stated and the early days when what he called "tothersiders" came to Western Australia and sent nearly the whole of the money they earned to their people in Victoria and New South Wales. I would be exceeding my duty if I attempted to legislate in the direction of preventing money being sent by employees in Western Australia to their relatives in the Eastern States.

Mr. Sampson: You could not do it.

The MINISTER FOR MINES: Of course not. Then why draw an analogy between the money being sent from Western Australia to Victoria and New South Wales for the purpose of maintaining families in another part of Australia, and the money being sent out of Australia to support families in foreign countries? I can imagine the hon. member and many others on his side of the House attending some Imperial function, there waving the flag enthusiastically and appealing for support for Australian industries, and then perhaps next to Australian industries for support for Empire industries. But when we come to a question of employment in Australia for our own people, they say, "Let us give it to Southern Europeans."

Mr. Sampson: No one has said that yet.

The MINISTER FOR MINES: The whole of the arguments of some members opposite have been in that direction.

Mr. Sampson: We have drawn attention to the inconsistencies in the Bill.

The MINISTER FOR MINES: The Leader of the Opposition and the member for Toodyay quoted figures to show that

aliens in Australia were decreasing in number and said that was proved by the fact that for the first three months of this year the number of departures from Australia was greater than the number of arrivals. I believe that is true; I do not think the statistician gives false returns. But what has that to do with Western Australia? Up to the last three years we had little to complain about in respect of the number of Southern Europeans coming to Western Australia. I believe that eight or ten years ago they were coming in in too great numbers. Then there was an easing-off as far as Western Australia was concerned. The foreigners drifted from Western Australia to Queensland. What happened there? I was there myself a little over two years ago and I was told to proceed to the railway station to watch the departure of a train for Northern Queensland. I did so and saw a special train despatched with no fewer than 307 Southern Europeans going from Brisbane to the sugar fields in the north. On the following day I saw another special train despatched with 279 Southern Europeans.

Mr. Sampson: And that is where the sugar bounty goes!

The MINISTER FOR MINES: Yes. The whole position became so pronounced that a protest was made and an inquiry was ordered. The Commonwealth were approached so often that it was made mandatory that a foreigner should have £40 in cash before being permitted to land. At the inquiry that was held it was proved conclusively that the same £40 was trafficked backwards and forwards by the individual responsible for the importation of the foreigners. I do not know whether that happens in Western Australia, but there must be some organisation here that has been instrumental in bringing out Southern Europeans during the last three years.

Mr. Davy: As a matter of fact, these people do not require to have £40.

The MINISTER FOR MINES: Until quite recently if anyone went to Fremantle on the arrival of a steamer, there would be found 80 or 90 and as many as 170 Italians being met and taken to Perth, and two days later drafted out to country districts to work—not to camp, but to work. The Government went so far as to request the

Criminal Investigation Department to make inquiries for the purpose of determining whether an organisation did actually exist. We were not able to get satisfactory proof of the existence of the organisation. If we had been able to establish that proof, the Commonwealth Government would have taken action. Another complaint made by members opposite is that though the present Government have been in office for nearly six years, we failed to introduce the Bill at an earlier stage. I admit I have been Minister for Mines for two years, yet have not previously introduced it. But I say there never has been greater necessity for the introduction of a Bill for the limitation of aliens in our mines than there is at the present moment.

Mr. Sampson: The Bill could have been introduced before.

The MINISTER FOR MINES: I admit it. As I say, there never has been a time when it was more needed than at present. The reason for that is that during the last three years we have had in excess of arrivals of Southern Europeans over departures just on 8,000. It is of no significance how many others may have entered or left the Commonwealth; in this State we have had an influx of just on 8,000 within the last three years, excess of arrivals over departures. If something is not done, instead of there being 21.76 per cent. of Southern Europeans employed underground in our mines as at present, there will be 80 per cent., and that very soon. Two of my hon. friends have asked why I have not attempted to limit the number of Southern Europeans on the Kurrawang wood line. If the Kurrawang wood line or employment thereon were controlled by the Mines Regulation Act, I certainly would attempt to limit the number there; but I cannot do that under an amendment of the Mines Regulation Act. As it is I am simply endeavouring to amend the Act with a view to preventing an increase, indeed, with a view to reducing the number of Southern Europeans already in our mines. Other members have asked, "Why do you not go the whole hog and cut them out altogether?" Here again I say that if I thought I had a possible chance of getting through Parliament a Bill altogether prohibiting the employment of aliens in our mines, I would gladly do it. But I do not think I have any chance of succeeding in that, whereas I am sure I have a reasonable prospect of suc-

ceeding in this proposal to limit to 10 per cent. the number of Southern Europeans working underground. Another grievance raised is that we are interfering with the Arbitration Act. One would think that this was something new, that Parliament had never passed legislation fixing the hours anywhere. When the Mines Regulation Act was passed many years ago, the legislators then in control saw fit to set the maximum time a man could be employed underground in a mine at 48 hours per week, and inserted that limitation in the Act. As I said when moving the second reading, 11½ years ago the Arbitration Court awarded 44 hours per week for men underground. That has been in operation ever since, and I think we have had before the Arbitration Court five or six cases; yet I do not know of an instance where even the employers have suggested reverting to the 48-hour week. So I want to know what is wrong with this. Evidently when the Mines Regulation Act was passed, people were of opinion that 48 hours was a reasonable time for men to work underground. We know that for the last 11 years or more the consensus of opinion has been that 44 hours are sufficient. That being so, I cannot see what is wrong with altering in our legislation 48 hours to 44 hours.

Mr. Wilson: The British Government have made it 42 hours per week for miners.

The MINISTER FOR MINES: Yes, the House of Commons have made the 42-hour week statutory for the coal mines.

Mr. Thomson: There is no Arbitration Court there.

The MINISTER FOR MINES: And on another occasion this Parliament has fixed hours of labour. Our Shops and Factories Act not only limits the number of hours to be worked, but differentiates in the hours, prescribing the number of hours that a woman or a child may be employed, and the hours for all others employed in shops and factories working under an award of the Arbitration Court. Yet I have never heard any protest against that on the score that Parliament was there giving directions to the Arbitration Court. If it is necessary to limit the number of hours a man may work in any industry in this State, it is more necessary in respect of the mining industry than of any other. The member for York (Mr. Latham) bitterly complained that I had no right to introduce this legislation unless I was prepared to put on the Estimates an amount for the purpose of deport-



ing these aliens when they are thrown out of employment. I have no intention of asking to have such an amount placed on the Estimates. I would not ask our own Government for it, nor would I appeal to the Commonwealth Government either. I certainly would not have an amount placed on the Estimates for their deportation, nor will I ever attempt to do it until the time comes when the Government and the Parliament of Western Australia have a right to say whether or not aliens shall enter the State. While the Commonwealth Parliament alone can restrict the influx of aliens, and while they refuse to limit the number coming to Western Australia, I will not do anything for their assistance. I admit the Commonwealth Government have said that their policy is to keep Australia 98 per cent. British, and that, so far as I know, they are carrying out that policy. But the unfortunate part of it is that the Southern Europeans are flocking into Western Australia. For years the flow of aliens was to Queensland, but to-day it is to Western Australia. Is this State, with a population of but little over 400,000, to carry the percentage of aliens allowed for the Australian population of 6,000,000? If that is going to be permitted, we shall be in a fair way to having in Western Australia a population 98 per cent. Southern European. I do not wish to see that. While the Commonwealth Government permits Southern Europeans indiscriminately to come into this State, we are justified in legislating to prevent them from getting employment in our industries.

Mr. Davy: Have you considered what you are going to do with them when you get them on your hands?

The MINISTER FOR MINES: No, I have enough to do to worry about trying to find employment for Europeans.

Mr. Davy: You are not going to let them die of starvation?

The MINISTER FOR MINES: No, certainly not.

Mr. Davy: Well, they will be on your hands.

The MINISTER FOR MINES: Even so, I will then have placed in employment some 250 or 300 Britishers who are on our hands at present. With the foreigners out of employment, the Britishers will be able to get work, and I am wholly in favour of seeing our own countrymen accommodated with the employment offering. The Leader of the Opposition again brought up the contention

of the Government and their supporters that the unemployment in Western Australia has been caused largely through the influx of Southern Europeans; and he added that here we were introducing legislation for the purpose of throwing more Southern Europeans on the labour market. I admit we did say that a good deal of the unemployment in Western Australia was due to the influx of Southern Europeans. I now repeat that statement and say it is absolutely true. A very large percentage of the unemployment in Western Australia to-day is due to the influx of Southern Europeans. The figures quoted by the Premier—I have them here—prove conclusively that that is so. In three years we have had, in excess of arrivals over departures, 8,000 Southern Europeans. I say without hesitation that there are not 1,000 of those men in Western Australia unemployed to-day. I know that my friends on the Opposition cross-benches say that we can go to any farming town and see camps of them, unemployed. Nevertheless I undertake that there are not 1,000 Southern Europeans unemployed in Western Australia to-day. Where, then, have the other 7,000 gone? What jobs have they got, and have they not had some effect on the employment of the British migrant? Of course they have had a big effect on employment in this State, and for that reason I want to limit the number of aliens working in the mining industry and so increase the employment for our own countrymen.

Mr. Davy: You do not suggest that the same number of Englishmen would not have created exactly the same position?

The MINISTER FOR MINES: No, but we have done all we could by negotiations and letters to prevent more than we could possibly absorb of British migrants coming here. We had to do it. With so many Southern Europeans coming in, it was not possible for this or any other Government to carry out the contract to take a given number of migrants from Great Britain. The position would be entirely different if the Commonwealth Government refused to allow 8,000 Southern Europeans to come into this country within a period of three years. The member for Swan (Mr. Sampson) quoted a question he asked here some time ago as to how work was allocated by Government departments. He said his reason for asking the question was that he

wanted to prove we were inconsistent in introducing this Bill. He said he got, by interjection from me, the information that the majority of Southern Europeans employed in the mines were members of trade unions. I still say that is true. They are not all members of trade unions. The member for Toodyay (Mr. Lindsay) declared that no man could go underground on the mines unless he were a unionist. I only wish that contention were true. In Victoria for 15 years, before mining slackened off a bit in that State, it was compulsory that a man should have a union ticket before he went below the surface. We have not yet got that far in Western Australia. I would very much prefer to see no man working in or about a mine who was not a member of a trade union. He ought to be a member of a trade union, whether he is in the mining or any other industry. But for the trades unions, God knows what a man's position would have been to-day. Undoubtedly the trades unions have made the existing conditions for the workers of to-day. So I say if a man is getting his living by any ordinary employment, he should belong to the organisation that has built up his position.

Mr. Davy: Do you agree that a union should have no right to refuse a man applying for membership?

The MINISTER FOR MINES: The mining branch of the A.W.U. does not refuse anybody.

Mr. Davy: I did not say they did. I suppose, as a corollary to the principle you have enunciated, you agree with the other one too?

The MINISTER FOR MINES: I have no wish to discuss that just now. I say that any man working in an industry, possessing the principles of a man or being anxious to do a fair thing by his fellow men, he should be a member of the union in that industry.

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

The MINISTER FOR MINES: The member for Toodyay (Mr. Lindsay) quoted statistics of the number of accidents. Statistics of accidents are not of much value unless they are taken over a long period. In one year the figures are likely to be very high and in the next year very low. Take the report I presented to-day giving

the figures for 1927 and 1928. In 1927 there were 16 fatal accidents and in 1928 only four. The total number of injured in 1927 was 371 and in 1928 335, while the total killed and injured in 1927 number 387 and in 1928, 339. The lowest number is over 300 for one year, which is sufficient to show that mining is a hazardous occupation. I hope the Bill will be passed, as in my opinion it will do no injury to the industry but eventually will benefit it, and will certainly give employment to our own race in preference to Southern Europeans or other foreigners.

Question put and passed.

Bill read a second time.

#### *In Committee.*

Mr. Angelo in the Chair: the Minister for Mines in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 41:

Mr. DAVY: It is very difficult to understand the motive for including this clause. The awards of the Arbitration Court are just as much law as are the measures passed by Parliament. Originally the idea was that each dispute as it arose, instead of being determined by exhaustion, should be determined by reason, but much water has flowed under the bridges since then and to-day the Arbitration Court makes laws. The only difference between allowing the award limit of hours to stand and putting it in an Act of Parliament is that by putting it in the Act we prevent the court from amending it if it so desires.

Mr. Kenneally: That is, in the direction of increasing it?

Mr. DAVY: Yes. One reason why we allowed the court to do this work was that we recognised clearly that Parliament could not possibly do it. We had not the evidence and were likely to be swayed by the views of constituents, whereas the court had all the evidence and could be completely informed so that it could judge of the maximum number of hours that men should work in any particular industry. The Minister for Mines, before entering political life, was connected with the mining industry, and he has his own views as to how long he could work and be happy and comfortable.

Mr. Thomson: He works more than 44 hours a week now.

Mr. DAVY: To do his work properly he must, and quite a number of members also, work more than 44 hours a week. Still, this House is not a suitable body to determine the number of hours to be worked. That being so, one looks for a motive for the clause. It seems to me that the Minister is considering the wishes of portion of his constituents—the members of trade unions employed in the industry—and is regarding himself, not as member for the district, not as a Minister administering affairs in the interests of the whole country, but as a trade union representative. He desires to put a particular union, whose members comprise a large number of his constituents, in the position of tails they win and heads the other fellow loses, so that if the court decided that the mines should work a little more than 44 hours a week, it would be up against this provision. As we have an independent tribunal to determine such questions, we should not hamper it in any way. When the amending Arbitration Bill was before Parliament, another place carried an amendment that involved submitting to Parliament the basic wage decision of the Arbitration Court, and a scream of rage arose from the Minister for Mines, the Minister for Works and in fact, the whole of the members on the Government side.

The Minister for Mines: I should think so, too.

Mr. DAVY: Quite so; I entirely disagreed with the amendment. Either we should hand the job over to the court, or we should not. The Minister now wants to hand it over to the court—

Mr. Richardson: Loaded.

Mr. DAVY: I thank the hon. member for the word. If the Minister carried the principle to its logical conclusion, he would include in some Act of Parliament a provision that no man should be paid more than £4 7s. a week. That would leave the court the right to increase the amount, but the moment the increase was granted, the court would find that it could not go back. Thus, a court appointed to determine hours and wages from time to time would be prevented from doing its duty impartially and properly if it could make a variation in only one direction. The clause is unjust and improper. It is not consonant with the duties of a court that has to determine everything put to it freely, independently, and without fear or favour. The Minister has said—and ad-

mittedly it is a powerful argument in his favour—that the law already fixes hours in several respects. My answer is that that legislation was carried at a time when the arbitration system was more or less in its infancy.

Mr. Sleeman: It is not long since the Factories and Shops Act was passed.

Mr. DAVY: The Mines Regulation Act was passed in 1906. There was an Industrial Arbitration Act at that time, but no one then regarded the court as a subordinate legislature.

The Minister for Mines: We have passed a Factories and Shops Act much more recently.

Mr. DAVY: It is difficult to answer that argument, but it was bad legislation. It did not fit in with the scheme we had adopted to place these questions in the hands of an independent tribunal. The sooner we stop that bad habit, the better. I protest against Clause 2. If it is carried, I am not afraid that it will ever hamper the court, because I do not believe the court will ever determine that the hours to be worked underground in a mine should exceed 44. That, however, is not the point; it is simply a matter of principle. This duty has been entrusted to the court, and it would be positively indecent to trammel the court's powers in any way whatever.

Mr. J. H. SMITH: The Minister is attempting to bludgeon this Bill through this Chamber because it is the policy of the Government that men shall work 44 hours a week. Why has he delayed for 5½ years, within a few months of the next general elections, before taking this step? He is now endeavouring to gull the mining people by telling them he is going over the head of the Arbitration Court.

The Minister for Mines: The men already are working 44 hours a week. Why the anxiety? ?

Mr. J. H. SMITH: The court alone should say whether the industry can stand a week of so many hours. The Minister wants to be able to say to the people on the goldfields, "See what we have done for you. We have laid down in an Act of Parliament that your working hours shall be only 44 a week. We have gone over the head of the Arbitration Court." In such circumstances there should be no necessity for the Arbitration Court.

The Minister for Mines: Is there nothing else to fix but hours?

MR. J. H. SMITH: The Bill amounts to an instruction to the court that these men shall not work more than 44 hours. It is pure propaganda, brought forward in the dying days of the Government. The Minister is interfering with the duties of a tribunal in whose hands the matter should be left. We claim that we stand or fall by arbitration, that we are opposed to direct action, and yet the Minister is now endeavouring to force direct action upon the people. Is there a wave of public opinion on the goldfields against the present administration, and is the Minister now anxious to do something to remove the feeling that is abroad? It is an impertinence on his part to over-ride the court in this way, and with a brutal majority behind him endeavour to force the Bill through. I intend to vote against the clause.

MR. THOMSON: The Minister has advanced no logical reason why Section 41 of the Act should be amended.

Mr. Sleeman: You cannot be convinced.

MR. THOMSON: The hon. member requires no convincing because he blindly follows the Minister. It is admitted that for many years past miners working underground have not exceeded 44 hours a week. If this Bill is carried, it may have a far-reaching influence upon the community. Australia is faced with a serious economic position. The cost of production must come down. Apparently the Minister is afraid that the Arbitration Court in its wisdom may on some future occasion decide, in the interests of the gold mining industry, to put into force the Act of 1906 and restore the 48-hour week. He has not suggested that the hours of labour underground should exceed 48 per week, and no one else has done so. Section 41 of the Act refers only to persons working below ground. I do not know what are the hours being worked underground now, whether six or 6½ per day.

The Minister for Mines: It is five days at eight hours, and one day at four.

MR. THOMSON: I fail to see any need for the amendment. The principle that 44 hours shall be the maximum is to be laid down, and the Minister says this will not affect the industry injuriously. There have been declarations that an industry which cannot stand the hours and wages imposed

by the Arbitration Court has no right to exist. However, the mining industry has suffered many vicissitudes. The price of gold has not increased, while the cost of its production has risen materially. I have no regrets regarding a speech of mine on the subject of apprentices which has been quoted, although the hon. member who revived it quoted only as much as suited his argument. I shall vote against the clause.

MR. BROWN: At the first glance I favoured this clause, having observed the serious diseases that afflict underground miners. But why have not the union applied to the Arbitration Court to make the hours 44?

The Minister for Mines: They have, and the hours have been 44 for 11½ years.

MR. BROWN: Nearly all the railway men work 44 hours, and the same thing applies to men employed on Government contracts and Main Roads Board contracts. There must be something in the Minister's mind that induces him to advance this proposal; there must be something behind it. The miners themselves are satisfied. Perhaps the idea is, if the clause passes, to apply to the Arbitration Court for a 40-hour week. If costs of production become so high as to render mining unprofitable, the employers are at present able to apply to the court for a reversion to the 48-hour week. That course will not be open to them if the clause passes.

Clause put and passed.

Clause 3, Title—agreed to.

Bill reported without amendment, and the report adopted.

## BILL—ROAD DISTRICTS ACT AMENDMENT.

### *Second Reading.*

Debate resumed from the previous day.

MR. SAMPSON (Swan) [8.11]: Members will readily agree that road boards throughout the State continue to do wonderfully good work. Indeed, it is with the object of permitting the boards to extend their activities that, presumably, the Minister is to a large extent influenced in bringing down the measure. For a long time various amendments proposed by the Bill

have been awaited; and I know that the measure will, subject to certain amendments, be welcomed by those connected with local government in road board districts. However, there are some few features which I hope the Minister will consent to alter. For instance, it has been suggested that the term "road boards" is not as suitable as "district councils." It is said that "A rose by any other name would smell as sweet." I do not know that "district council" offers any advantage over "road board." The use of the term "district council" might easily cause confusion, because in many districts there are also municipal councils. Therefore if it were stated that a certain action had been carried out by the "council," confusion might arise in the minds of hearers as to whether it was the municipal council or the district council that was meant. "Road board" is a good old name, and describes fairly well the activities and functions of the local authorities to which it is applied. While it has been asserted that the name applies a limitation of activities, I question whether the alteration to "district council" would prove advantageous. I may be conservative, but I am inclined to favour the retention of the old name, which is a good name.

The Minister for Water Supplies: The proposed alteration is designed to meet the wishes of the Road Boards Conference.

Mr. SAMPSON: I understand that that is the case insofar as the 1926 conference is concerned; but I believe that at the 1928 conference, the matter having been further considered, it was decided to retain the old name. If that is not so, I shall be glad of a correction from the Minister. Another amendment suggested is that the term "chairman" be altered to "president." If that change will yield added satisfaction to the chairman of the road board or district council—which ever of these two latter names may be decided upon—I have no objection; but here again, "chairman" does describe the position, and I know of no advantage that will accrue from the change. The main objection that the Bill will encounter, however, is as regards the duration of the term for which members are elected. I refer to the clause which provides that all members

of the council shall vacate office at the one time. That matter was considered at the 1928 Road Boards Conference, and, with the 1926 Road Act Amendment Bill before the conference, the proposal was not approved. Members of the conference discussed the question at length, I understand, and generally they saw no virtue in the suggestion. Actually, the proposition was turned down. It would not, I think, require much argument to show that a continuous board is desirable. One can easily conceive that a catch cry might readily be raised with the effect of bringing about an entire change of the personnel of the board.

The Minister for Water Supplies: As it does in Parliamentary elections.

Mr. SAMPSON: It may be justified with reference to Parliamentary elections, but that is quite a separate question. I urge that it is desirable there should be a continuous road board, and that any steps that would bring about the defeat of all the members of a board, would not be in the best interests of the district affected. Should there be a smart propagandist or a clever electioneering agent in a district, and it is the desire of a small coterie to change the total membership of the board, it would be comparatively easy to bring about that result. Very often road board members, while ready to give their services to the public, are disinclined to put up a strong electioneering effort to retain their seats. We might have the spectacle of a number of malcontents who had never previously rendered any public service in the course of their lives, being able to bring about the defeat of the old members of a board through astute electioneering methods. In road board elections, as in those affecting Parliament, candidates are not always truthful.

Mr. Lindsay: Oh!

Mr. SAMPSON: The electors themselves are so honest that they accept statements made as being quite reliable. It would be quite possible, notwithstanding the intentions of the Minister, for his department to suffer disgrace because in some road board districts men who had proved themselves as tried, trusty and reliable, had been displaced by a few inexperienced and not mentally balanced individuals. I hope the Minister, when he looks into the matter further, will agree that the present methods are more acceptable. Briefly, they are that when the road board members are first

elected, those receiving the highest number of votes hold office for three years; those receiving the next highest number, for two years; and those receiving the least number of votes have to retire at the end of the first year. Thereafter it is quite simple, and each newly-elected member holds office for three years. Under that system there is a continuous board with a continuity of policy, better results, and a maintenance of that knowledge of the work and of a district that is so desirable. In the course of his second reading speech, the Minister did not give the House any good reasons why there should be an entire change of road board members.

Hon. Sir James Mitchell: He had no argument in favour of the proposal.

The Minister for Water Supplies: The hon. member has already stated the best of reasons why the alteration should be made.

Mr. SAMPSON: I hope the Minister is not reflecting upon the Road Boards Conference, because they decided against the proposition after having had more than 12 months to consider it. They could see that there could easily be a very nasty nigger in the woodpile, and they preferred to adhere to the old established method that has proved to be sound and workable. I am glad to know that the Minister has seen fit to make provision for the local authorities having control of boardings throughout the State. The Government are to be congratulated on that course. Other countries protect their landscapes, but in Western Australia we have allowed advertising agents to roam abroad and deface our beauty spots. The effect of that has always been bad.

Mr. Mann: And, of course, it tends to take advertisements away from the newspapers.

Mr. SAMPSON: I think it was the member for Leonora (Mr. Cowan) who drew attention to advertisements that had been distributed around an honour board. When we travel down through the Ranges, we are confronted with all manner of advertisements. I remember two too-anxious persons having had painted on the rocks all sorts of warnings, such as: "Prepare to meet thy God."

Mr. Sleeman: Would you call that objectionable?

Mr. SAMPSON: Yes, when scenery is defaced with advertising matter of any de-

scription. One has sufficient warning of danger ahead when travelling in our trains, without such notices being plastered over the scenery.

Mr. Davy: You do not suggest that this amendment will enable that procedure to be prevented?

Mr. SAMPSON: It think it will.

Mr. Davy: Are they advertisements?

Mr. SAMPSON: I take it they are advertisements that have been displayed as the result of the efforts of some organisation. Those efforts take the form of propaganda on behalf of the particular society responsible for it. I congratulate the Minister upon his decision to have effective control exercised over the hoarding nuisance; the step is long overdue. It is a question that has been discussed in the Press of the State on many occasions, and the arguments advanced have been unanswerable. The opportunity is given in the Bill to deal with the opening up of quarries for stone and of gravel pits. I take that provision as a compliment to myself, and a personal acknowledgment from the Minister that he has been good enough to include in the Bill the clause I had moved on two occasions to the effect that it will be illegal for any person to open a quarry or a gravel pit in any townsite without the approval of the local authority. Here again the Bill provides protection for the individual, because provision is made whereby the person concerned will have the right of appeal to the Minister against the board's decision in the event of a local authority refusing to grant permission. I am sure the Minister will not lightly give his approval should a road board refuse to grant any such application. Another provision that the road boards will welcome is that which will give them the power to impose a lighting rate. Wards that desire to instal a street lighting system will readily avail themselves of the opportunity to impose such a rate, and it will be the means of improving townsites in many districts. They will be able to secure funds to provide for that work. I question, however, whether it is wise to provide a limitation in respect of the continued individual life of those road boards that are in receipt of less than the prescribed amount per year. At present there are but two road boards that receive less revenue than the amount stated, namely, £600 per year. They are the Shark Bay Road Board, with £368 a year, and the Norseman Road Board, with £326. That

revenue was derived by those boards during the year 1927-28. It is gratifying to know that the Minister has made provision so that in special circumstances boards receiving less than the specified amount may be granted exemption. That will enable a district showing signs of advancement to receive the approval of the Minister to fall into line with other districts in respect of the advantages of a local road board, notwithstanding that its revenue is less than £600 for any one or more years. I am in doubt whether the Bill furnishes an opportunity for local authorities to establish hospitals. I hope not.

The Minister for Water Supplies: That is already provided for in the Hospitals Act.

Mr. SAMPSON: That is where such power should be provided. The Bill will give boards the right to call meetings to consider the question, and that will be of advantage. I welcome the Bill, and I believe it will have a ready passage through the House, especially if the Minister will agree to the deletion of the clause that provides for the vacation of office by all members of a road board simultaneously, and to the suggestion I make that the present methods of election may be continued. I support the second reading of the Bill.

Question put and passed.

Bill read a second time.

## **BILL—INSPECTION OF SCAFFOLDING ACT AMENDMENT.**

### *In Committee.*

Resumed from the 27th August; Mr. Angelo in the Chair, the Minister for Works in charge of the Bill.

The CHAIRMAN: Clause 2, which deals with the amendment of Section 2, is under consideration.

Mr. SAMPSON: I understand that the Minister proposes to make a statement relative to the deletion of the limitation upon the height of scaffolding. It was urged that the abolition of the limitation would impose an undue burden upon those engaged in the erection of small cottages, that experience had shown there was no necessity for the removal of the limitation, and that there was no need for a license where the height from the horizontal base did not exceed 8 feet. This question was raised by the Leader of the Country Party who, I under-

stand, is very anxious to obtain a statement from the Minister.

The Minister for Works: I answered him.

Mr. SAMPSON: It does seem very hard that there should be need for a scaffolding license for the erection of a small cottage where the weight the scaffolding has to carry is comparatively light, and frequently scantling is used. I have yet to learn that the provision of a license would make the position any safer than it is to-day. I hope the Minister will agree to allow the 8ft. limitation to remain. I move an amendment—

That Subclause 3 be struck out.

The MINISTER FOR WORKS: I explained the other night that this will not add a fraction to the costs anywhere. To-day every cottage in the course of erection has to be inspected, for scaffolding must be provided for the chimney, and that scaffolding necessarily is more than 8ft. in height. Consequently an inspector has to visit every cottage.

Mr. Sampson: Will it not mean an increased fee?

The MINISTER FOR WORKS: It will make no difference whatever to the fees.

Hon. Sir James Mitchell: What about painting and renovating?

The MINISTER FOR WORKS: The inspector has to go to each cottage now. Generally he makes two or three visits, extending over a period of weeks.

Mr. Davy: Suppose the owner of a cottage gets a man in to paint the bathroom.

The MINISTER FOR WORKS: We are not troubling about little things like that; it is only in the erection of the building itself.

Mr. Davy: But if the bathroom is being painted, will not the inspector want to see what sort of a box the painter is standing on?

The MINISTER FOR WORKS: There will be no trouble about such things as that. I have never had brought to my notice any such case as the hon. member mentioned. At all events, that kind of work would not all be below a height of 8 feet.

Mr. Davy: But for the painting of an ordinary house the scaffolding would not require to be 8 feet high.

The MINISTER FOR WORKS: Not inside the house, but outside it would. This is the law in other parts of Australia, and I do not think the authorities there get

down to the absurd position the hon. member cites. The subclause will make no difference whatever to the charges.

Hon. Sir James Mitchell: If a man is about to paint a house, does he not have to notify his intention of erecting a scaffold?

The MINISTER FOR WORKS: I do not know. I only know that when a house is being built the scaffolding has to be inspected. Even for the outside painting and renovating of a house the scaffolding would require to be higher than 8 feet. A license fee for the scaffolding for the chimney of a new house has to be paid to-day, and the sub-clause will not add one penny to the cost.

Mr. SAMPSON: When the Minister brought down the parent Act some years ago, he gave us some striking information regarding the dangers that workmen on buildings have to face, but not once did he refer to the small cottage type of building.

The Minister for Works: You are quite wrong. We had this same argument then.

Mr. SAMPSON: Certainly the Minister quoted the case of a man swinging on a bosun's chair to paint a high wall, but I do not recall any reference to cottages. This subclause will mean additional inspectors, and will make the position worse for the builder of a small cottage. Presently this country will become notorious for its number of inspectors per square yard. We are to have inspectors of public halls, and now for every little cottage building there is to be an inspector. Under this subclause a man kalsomining the wall of a cottage will have to take out a scaffolding license. The clause will impose hardships, and therefore should be struck out.

Mr. THOMSON: The Minister informed the Committee that to-day charges are made because a chimney is being built in a cottage and that, consequently, the subclause will not mean any extra cost. If these charges are being made, I say the department has overridden the intention of Parliament. When the parent Act was before the House, we fought for the 8-feet limitation, and the whole purpose of the fight was to exempt cottages. Now we find that because there is a chimney in each cottage the department are levying scaffolding fees. I have received a letter from an acquaintance who was present when I spoke the other evening. In that letter he says that

whoever put up the information to the Minister knew nothing whatever about buildings. Last year no less a sum than £5,233 was collected from scaffolding fees. I do not believe the Minister is behind this subclause; rather do I think it is his department, anxious to build up its strength. On the cottages approved by the Workers' Homes Board last year the 5s. charge would mean an additional cost of £2,688 to the clients. The average cost of a four or five-roomed house to-day is £800 without the land, and the fee would be £2 on each cottage. The Minister told us the other night of an inspector who objected to a scaffolding of 8 feet 3 inches, when the limit was 8 feet. When an official descends to such tactics, he should be sent out to work for his living. Homes built in the country are exempt from inspection, but if the limit for scaffolding be deleted, a man building a home perhaps 30 miles from a railway must notify the inspector. The average contractor on such a job uses floor and ceiling joists for scaffolding, but he will not be allowed to use them in future if the Minister has his way. It will be necessary to send out £20 or £30 worth of scaffolding at a cost of perhaps £10 or £15. The builder is to be debarred from tying a square piece of timber to a round pole. That practice has been in existence for 40 years, and yet the inspector asked whether he could prosecute for such an offence. That is the sort of stuff that is being put up to Parliament. It is time we stopped this extreme legislation to force people into asking a Government servant whether they might stand on a box or place a piece of wood across a cement cask. I hope the Minister will not allow such an imposition to be foisted on the workers because the workers will have to pay it. Building costs are far too high, and a law of this kind will make the costs still higher. I am surprised that an inspector should put up such stuff as the Minister quoted, thus deliberately attempting to mislead Parliament. Already scaffolding fees are being charged on cottages, and the intention of Parliament to exempt them has been evaded. Let us get away from this continual increasing of costs.

Mr. BROWN: This provision will undoubtedly increase the cost of building. If the average height of a wall is 11 feet, a scaffolding need not be higher than 8 feet. If all scaffolding has to be inspected, we



can imagine what the cost will be. Let me give an idea of the cost of staging. A friend of mine in the city desired to have the three small chimneys of his home tuck-pointed, and the quote for the work was £14. When the contractor was asked why the price was so high, he replied "It is not the cost of the work, but of the scaffolding." I have built bat walls up to 10 feet high and all I had for scaffolding was a plank on trestles or on two boxes, and I never met with an accident. It is ridiculous to insist on cottage scaffolding being subject to inspection.

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

Ayes	..	..	..	13
Noes	..	..	..	19

Majority against .. 6

#### AYES.

Mr. Barnard	Mr. Maley
Mr. Brown	Sir James Mitchell
Mr. Davy	Mr. Sampson
Mr. Doney	Mr. J. H. Smith
Mr. Ferguson	Mr. Thomson
Mr. Griffiths	Mr. North
Mr. Lindsay	

(Teller.)

#### NOES.

Mr. Chesson	Mr. McCallum
Mr. Clydesdale	Mr. Millington
Mr. Corboy	Mr. Munzie
Mr. Coverley	Mr. Rowe
Mr. Cowan	Mr. Sleeman
Mr. Cunningham	Mr. A. Wansbrough
Mr. Kenneally	Mr. Willcock
Mr. Lambert	Mr. Withers
Mr. Lamond	Mr. Wilson
Mr. Marshall	

(Teller.)

#### PAIRS.

AYES.	NOES.
Mr. J. M. Smith	Mr. Kennedy
Mr. George	Mr. Lutey
Mr. Taylor	Mr. Troy
Mr. Teesdale	Miss Holman

Amendment thus negatived.

Mr. DAVY: The term "workman" may be said to include a person who is assisting a friend to build a garage or bird-cage, or some other structure. In that case it would be necessary for scaffolding to be erected under the supervision of the inspector, and failure to do this might lead to prosecution. If a woman engaged as a domestic in a house stands upon a ladder to clean an electric light globe, the ladder constitutes a scaffold, and an inspector should be brought into the house to examine it. It should be

possible to frame laws so that they can be kept without being regarded as absurd. All this time we are building up an army of officials to inspect this and inspect that. About 20,000 people are now employed in the civil service, and every session we have to deal with new legislation involving the creation of new departments with new inspectors, and all their underlings, clerks, typists, doorkeepers and so on. I do not know where we are trending.

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

Ayes	..	..	..	19
Noes	..	..	..	13

Majority for .. 6

#### AYES.

Mr. Chesson	Mr. McCallum
Mr. Clydesdale	Mr. Millington
Mr. Corboy	Mr. Munzie
Mr. Coverley	Mr. Rowe
Mr. Cowan	Mr. Sleeman
Mr. Cunningham	Mr. A. Wansbrough
Mr. Kenneally	Mr. Willcock
Mr. Lambert	Mr. Withers
Mr. Lamond	Mr. Wilson
Mr. Marshall	

(Teller.)

#### NOES.

Mr. Barnard	Mr. Maley
Mr. Brown	Sir James Mitchell
Mr. Davy	Mr. Sampson
Mr. Doney	Mr. J. H. Smith
Mr. Ferguson	Mr. Thomson
Mr. Griffiths	Mr. North
Mr. Lindsay	

(Teller.)

#### PAIRS.

AYES.	NOES.
Miss Holman	Mr. Teesdale
Mr. Lutey	Mr. Taylor
Mr. Troy	Mr. George
Mr. Kennedy	Mr. J. M. Smith

Clause thus passed.

Clause 3—agreed to.

Clause 4—Persons employed on scaffolding to have a knowledge of the English language.

Mr. THOMSON: What is the meaning of the clause, and what do the Government intend by it?

The MINISTER FOR WORKS: This clause will be found almost verbatim in the Mines Regulation Act and other Acts, which deal with men's lives being endangered unless their mates on the job can understand what they say and make themselves understood. Instances are known of men on a

scaffold having to deal with gear and not being able to understand the English language. Their mates have drawn their attention to some danger and they have not understood, or they have seen some danger and have not been able to make their mates understand. This has been due to their ignorance of the English language and lack of understanding when spoken to. Such men are a menace to those working about them.

Mr. THOMSON: The people referred to by the Minister may desire to erect a home for themselves. They may not understand the English language, but may be quite intelligible to each other in their own language. They may not, however, be permitted to build their own homes because they do not understand English. If this kind of legislation is passed, serious difficulties must lie ahead. If the clause referred to charge of machinery, I could understand its inclusion. But under the provision as it stands, if a woman, unable to speak English intelligibly, stood up on a pair of steps to clean a window she would be liable to a penalty for infringement.

Clause put and passed.

Clause 5—Amendment of Schedule:

Mr. THOMSON: The Minister has said that the Government do not desire to obtain revenue from the Bill, but are anxious solely to protect the lives of workmen. On the basis of a 10s. fee, the Government last year obtained a revenue of £5,233 from inspection of scaffolding over 8 feet high. On the reduced fee of 5s. they should obtain £2,616.

The Minister for Railways: There is a sliding scale.

Mr. THOMSON: Very well; but we have already passed a clause empowering the Government to bring every cottage within the scope of this legislation. A man desirous of altering the electric lighting system of his house may get the work done by an electrician for perhaps £15, but in addition he will have to pay a scaffolding fee of 5s. Such may not be the Minister's intention, but it is what the Bill says. It was never intended that fees should be imposed on small buildings. I move an amendment—

That in line 29 of the clause the words "five shillings" be struck out, and "two shillings and sixpence" inserted in lieu.

The MINISTER FOR WORKS: Some people are most unreasonable. No matter

how one strives to help those engaged in the industry, one is harassed and misrepresented. This clause meets to the very hilt the request which came to me from the Builders' and Contractors' Association. I have gone the whole way with them, and even further as regards electricians and signwriters, who instead of being charged 5s. for every little job will pay a lump sum for their year's work. It is owing to the action of the member for Katanning that they have been charged 5s. on every small job. The hon. member opposed the idea of protecting men's lives.

Mr. Thomson: You have no right to say that. I claimed that the Bill was unnecessary.

The MINISTER FOR WORKS: I have lived up to my undertaking that the Government would not seek profit from the measure, but would seek only to obtain the expenses of administration. I cannot conceive that the Committee will take the amendment seriously.

Hon. Sir JAMES MITCHELL: We go much too far in legislation of this kind. The parent Act protects the workmen. It is wrong to insist upon payment of fees by a person who is doing something to his own house, possibly with the help of a friend. There should be power to vary the fees by regulation, making the amount mentioned here the maximum.

The Minister for Works: I will agree to that.

Hon. Sir JAMES MITCHELL: I agree with the member for Katanning that we ought not to impose more charges, or heavier charges, than we can help. The Minister will obtain much more revenue under this Bill than he has obtained under the parent Act. If he finds he is obtaining too much, he should have power to reduce the fees by regulation.

Mr. THOMSON: I wish it recorded in "Hansard" that I repudiate the Minister's suggestion that I am careless regarding men's lives, not anxious to protect their lives. Practical knowledge makes me fairly competent to deal with the Bill. My only wish is to save unnecessary expense. Certainly I do not want to see another costly department built up. While it may not be the intention of the Minister, I am afraid it may be the desire of the depart-

ment to increase its ramifications and have an augmented staff. The Minister claimed that there would be no extra cost incurred in collecting the fees. If that is so, the Minister could easily accept my amendment. Last year's collection on the basis of a charge of 10s., brought in a revenue of £5,233.

The Minister for Works: There never was a fee of 10s.; it was 5s.!

Mr. THOMSON: If my information is incorrect, it rather strengthens the case I am putting up. I was dividing that amount by four, and that would show, on the fees collected last year in respect of buildings that were erected, the Government would have collected £1,308.

The Minister for Railways: You know there was a sliding scale.

Mr. THOMSON: The effect is to exempt, so to speak, the larger buildings under the clause, but not cottages.

The Minister for Works: How many more times have I to repeat what I have said many times, that cottages pay now.

Mr. THOMSON: I know there has not been payment in respect of cottages in the country.

The Minister for Works: I have the list before me and I know what I am talking about.

Mr. THOMSON: From my own knowledge, I know that payments are not made in respect of country cottages. If the building inspectors have been collecting fees in respect of cottages, they have been getting money under false pretences. They have no right to make the charge. If I reduce the collection I have mentioned by half, the Government will still receive £2,616. I am sorry I must differ from the Minister, but many cottages will have to contribute further amounts, and the revenue, even at the reduced rate I advocate, could easily reach a minimum of £3,000. I am glad that the Minister is prepared to accept the suggestion of the Leader of the Opposition. While the builders and contractors may be prepared to accept what the Minister has indicated, I know that, in common with the architects, they consider the charges levied to-day quite unnecessary. The Minister says that the deputation were prepared to accept what was submitted.

The Minister for Works: But the deputation submitted the proposal; it came from them.

Mr. THOMSON: We know that of two evils, men are prepared to accept the lesser. The reason for the Act being amended was the disclosure that scaffolding fees in connection with the University buildings would amount to £500. We were amazed to hear that such an enormous amount could be levied on such buildings. It was not fair for the Minister to say that I am unreasonable and not desirous of protecting the lives of workmen. I have been a workman as well as an employer. Any man who has been engaged in the building industry will know that the great majority of accidents have been due to carelessness on the part of the men themselves. The Minister was unfair when he suggested that any man would be desirous of seeing his fellow men suffer injury or accident. I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

## **BILL—VERMIN ACT AMENDMENT.**

### *Second Reading.*

Debate resumed from the 21st August.

**THE MINISTER FOR AGRICULTURE** (Hon. H. Millington-Leederville) [9.39]: This Bill seeks to amend Section 100 (a) of the Vermin Act, 1918, which provides for a special levy for a fund in connection with the destruction of dingoes, foxes and eagle hawks. Already certain exemptions exist; one relates to municipal districts or town sites, while areas up to 160 acres are also exempt. Then, again, where satisfactory vermin-proof fences have been provided, the owners are not subject to the tax. Therefore the properties mentioned in the amending Bill would in the main be exempted. I presume there are instances that will come under the provisions of the Bill. The Government take no exception to the measure. We consider that the interests of the trust fund should be safeguarded

so that abuses will be obviated. Although I do not raise any objection to the measure as it stands now, I propose, when we deal with it in Committee, to move the addition, at the end of Clause 2, of the words, "unless the Governor shall, by Order-in-Council, otherwise determine." That will mean that the properties mentioned in the Bill will be automatically exempted, unless the Governor-in-Council otherwise determines.

Hon. Sir James Mitchell: Then we are to pass the Bill, so that you can set it aside?

The MINISTER FOR AGRICULTURE: The proviso would apply only if an attempt were made to abuse the provisions of the Bill.

Hon. Sir James Mitchell: There is no principle involved in it that could be abused.

The MINISTER FOR AGRICULTURE: Yes, there is. Exemption might be claimed wrongfully. An allegedly charitable institution might claim exemption. It might subsequently be discovered that the institution was not one for charitable purposes. Such an institution might purchase a station under the plea that it was for charitable purposes, and when it was discovered that it was not within that category, the Governor-in-Council would have the right to declare that that property should not be exempt. It would not require an Order-in-Council to exempt properties mentioned in the Bill for they would be automatically exempted. Instances might arise in which the trust funds might be affected.

Hon. Sir James Mitchell: Have you not about £30,000 in the trust fund now?

The MINISTER FOR AGRICULTURE: That does not affect the position. The question as to whether the present tax should be levied, or a reduction made, can be dealt with apart from the Bill.

Hon. Sir James Mitchell: Surely there must be a reduction this year.

The MINISTER FOR AGRICULTURE: That is a matter upon which the advisory board must report. It does not directly interest the Government. The last advice I received from the advisory board was that the same rate of 1d. in the pound on pastoral properties and ½d. in the pound in respect of other land, should be levied. It is true that there is a considerable surplus in the fund, and I presume there will be no

extraordinary calls made upon it. That position is not affected by the Bill and can be dealt with in the proper way. It will not require additional legislation because the Act empowers the collection of an amount up to the maximum I have already mentioned. That maximum can be reduced without recourse to Parliament. When the recommendations of the advisory board are received, the matter can be dealt with by the Government. I offer no objection to the Bill, but the Government consider it necessary to insert the safeguard I have indicated.

**HON SIR JAMES MITCHELL** (Northam) [9.45]: I hope the Minister will see that the tax is reduced next year. We have over £30,000 held by the Government and used by the Government and on which they pay no interest. On top of that the Minister charges the fund with the cost of collecting the tax. So, although the collection of the tax does not cost the Government one farthing, the fund is charged something like £1,200 per annum. The Government ought to be paying interest on the full amount of the fund held by them. Certainly if interest is saved by the Government, interest ought to be paid by the Government. As for the charge for collecting the tax, it is a monstrous thing.

The Minister for Agriculture: The fund is partly administered by our officers. Indeed, special men had to be put on for the purpose.

Hon. Sir JAMES MITCHELL: The Minister talks of "our officers." Surely they are the servants of the public!

The Minister for Agriculture: I am merely pointing out that your statement is not quite correct.

Hon. Sir JAMES MITCHELL: To protect the flocks and herds of this country the people who have leased land from the Crown and the people who have bought land from the Crown are subjected to a special tax. The protection of those flocks and herds ought to be a charge upon general revenue.

The Minister for Agriculture: We ought to have power to charge administrative costs against the fund, but we have not that power and so we have to do without it.

Hon. Sir JAMES MITCHELL: It is merely a special tax levied to cover something which the ordinary taxation should provide for. But what I am complaining about is, not that the Government do not charge the fund enough, but that they charge

it with something that ought not to be charged against it. If the Government use that fund they should pay interest.

The Minister for Agriculture: The Government are at very considerable expense on account of vermin.

Hon. Sir JAMES MITCHELL: And the country also is at great expense on account of vermin. It means expense all along the line. Many of the taxpayers to this vermin fund are not getting the slightest benefit from it.

The Minister for Railways: They are all participating in the benefit.

Hon. Sir JAMES MITCHELL: Nothing of the sort, except the benefit that all the taxpayers of the State get. I am quite sure the orange growers at Gosnells do not get one scrap of protection from this fund, notwithstanding which they have to contribute to it. In this instance the fund does not operate at all fairly. However, it is the law, and the unfairness need not be added to by the acts of the Government to which I have referred.

The Minister for Agriculture: If those who pay to the fund object, it can be repealed at any time.

Hon. Sir JAMES MITCHELL: Well, they do object.

The Minister for Agriculture: They have only to ask.

Hon. Sir JAMES MITCHELL: And then the amount will have to be found from general revenue and it will be all charged against all the people. That is the difference.

The Minister for Railways: And they will all have to employ dingo hunters and fox trappers.

Hon. Sir JAMES MITCHELL: We pay enough in taxes already to cover these services and other services, but the House foolishly agreed to this special tax.

The Minister for Agriculture: There is nothing foolish about it. The farmers levied this upon themselves with their eyes open, and they levy a good deal more than this.

Hon. Sir JAMES MITCHELL: Of course they do. They pay special fees for the killing of a particularly destructive dog. They must protect themselves. I know people who have paid in addition to the tax many pounds for a single dog.

Mr. Chesson: One man paid £16 the other day for a single dog.

Hon. Sir JAMES MITCHELL: It would be foolish if they did not pay these special sums. I knew of one dog that destroyed

£100 worth of stock in one centre in the South-West. This fund did not bring about the animal's destruction. We are all foolish to submit to special taxation when general taxation could do the job. And it is particularly ungenerous on the part of the Government, when we have submitted to special taxation, that they should use this fund of £30,000 without paying interest, and on top of that charge for collecting the tax.

Mr. Lindsay: There is a lot more than £30,000 in the fund to-day.

Hon. Sir JAMES MITCHELL: Well I think we ought to turn the Government out of office. The administration of this tax is so unjust that really something should be done.

The Minister for Agriculture: It is so unjust that those who pay it tell me it is well worth while.

Hon. Sir JAMES MITCHELL: Some of them.

The Minister for Agriculture: A large majority of them.

Hon. Sir JAMES MITCHELL: No. The Minister in all his life has not spoken to five per cent. of those paying the tax.

The Minister for Agriculture: They would soon speak if they objected. They had a meeting the other day, and none objected.

Hon. Sir JAMES MITCHELL: Then there was that proposal for destroying emus. The Government said "If you pay half, the Government may pay the other half." I do not know what we are coming to with all these special taxes and charges.

The Minister for Railways: We shall all be ruined.

Hon. Sir JAMES MITCHELL: Yes, if this Government stays in office much longer. I hope the Bill will be passed. The Minister is willing that it should pass, so long as he can add a provision which says that if the Minister does not like the Bill he can defeat it at any time. That is what the Minister's proposed amendment means. Of course the Minister has no intention of doing injustice to the people who ought to be protected by this, but sometimes Ministers do harm without intending it, and so we have to protect the people from them.

MR. THOMSON (Katanning) [9.54]: I was pleased to hear the Minister say that if the advisory board recommend a reduction of these charges the Government will

consider the recommendation. At the conference held in Perth recently, it was unanimously agreed by the 200 delegates present that we ask the Government to reduce the tax by one-half. In view of the fact that the Government have £30,000 in hand, it seems to me that even this year probably they could waive that tax altogether. Since the Government are considering some amendments to the Act—I think it does require amendment—I suggest that this phase should be considered also. It is in the settled districts where what is termed an isolated dog comes along and does enormous damage. A member of another place, a farmer, has lost between £150 and £200 worth of sheep this year through one dog. He has found it very difficult to get an expert trapper. This gentleman considers that power should be given to the board to appoint two or three special expert trappers who will be paid a retaining fee of £200 or £300 per annum. Such experts probably would be able, through their special knowledge, to get a dog much quicker than is possible at the present time. The gentleman whose case I am quoting offered £25 to an expert to come at once. Unfortunately, he was not able to come. There is an aspect of danger to the stock owner in settled districts, and I commend it to the consideration of the Minister. I trust the Minister will make a note of that and see whether it is not practicable to include the necessary provision in the Act.

**MR. FERGUSON (Moore) [9.58]:** I support the second reading and I commend the member for Swan for having brought down the Bill. The principle having been established that religious bodies, public hospitals, etc., should be exempt from taxation such as that of municipalities and road boards, it is only right and proper that they should be exempt also from this special vermin tax. If for that reason alone, I think this is essentially an equitable proposal and should be agreed to. The suggestion of the Leader of the Opposition that it is iniquitous for the Government to charge the vermin fund with the cost of collecting that fund, is not the only wrong thing that is taking place. The voluntary taxing of farmers and pastoralists for the purpose of raising funds for the payment of a bonus for the destruction of dingoes, foxes, and hawks has resulted in the saving of

thousands of pounds to the Government. Prior to the establishment of that fund for many years the Government were paying bonuses for the destruction of dingoes. An amount of something like £3,500 per annum has been saved by the Government in that way alone. The farmers and pastoralists are prepared to tax themselves by contributions to this fund and tax themselves to a much greater extent because, through local bodies they are paying a vermin rate, some of which is added to the bonus of £2 paid by the central fund, in addition to which there are numerous dingo clubs throughout the agricultural and pastoral districts, and producers are voluntarily taxing themselves to provide additional bonuses in that way. I am the secretary of a dingo club in my district, and the farmers pay an additional sum of £5 for every dingo and £2 10s. for every fox caught in that locality. The local vermin board pays similarly, so that on top of the bonus paid by the central fund, a considerable bonus is paid for vermin in that district. It seems unfair that the Government should have commandeered the £3,500 a year which they previously contributed for the destruction of dingoes, instead of adding it to the funds now being contributed. I support the second reading.

**MR. LINDSAY (Toodyay) [10.2]:** I do not intend to oppose the measure, but I want members to understand that two taxes are involved. The original Act provides for a local vermin rate collected by the local governing bodies.

**Mr. SPEAKER:** I have been exceedingly liberal because I have been trying to see how members could put themselves in order. Members who have spoken, the Leader of the Opposition, the Leader of the Country Party and the member for Moore, have all been dealing with features of the principal Act. On the second reading of this Bill, all that can be debated is the principle involved in the proposed amendment. I have allowed members very great latitude, as they must admit, but from now on they must speak to the Bill and not discuss the principal Act.

**Mr. LINDSAY:** I was dealing with the clause of the Bill at the time.

**Mr. SPEAKER:** The hon. member appeared to me to be discussing the principal Act and was referring to the two taxes.

**Mr. LINDSAY:** This does apply to both taxes.

Mr. SPEAKER: I have indicated to the hon. member that he must confine his remarks to this Bill.

Mr. LINDSAY: This is a Bill to amend the Vermin Act of 1918.

Mr. SPEAKER: Yes, but the hon. member must confine himself to this Bill.

Mr. LINDSAY: It involves the question of taxation. Two or three years ago we amended the 1918 Act. That applied to another tax. Two rates of tax are charged, one by the local governing bodies and the other by the central body. The Bill refers to any holding owned by any religious body or exclusively used for the purpose of a public hospital, benevolent asylum or orphanage, or for other charitable purposes. There are one or two religious bodies who hold large areas of land and the proceeds are used for religious purposes. I take no exception to their being exempted. The original Act applied to all land whereas the second tax applies to all land in excess of 160 acres. So far as I can see, the Bill will not greatly affect the revenue at present derived. It will not affect the revenue of the central fund except in one or two instances, and I do not think it will affect the revenue collected by the local governing bodies.

MR. SAMPSON (Swan—in reply) [10.5]: When I moved the second reading of the Bill I pointed out that I was satisfied, as I am sure members generally are, that the omission of exemption for religious and charitable bodies was an oversight. I thank the Minister in a limited way for the limited approval he has given the Bill. The Road Districts Act provides exemption from rates for land belonging to any religious body and used or held exclusively as or for a place of public worship, a Sunday school, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood; also land used exclusively as a public hospital, benevolent asylum, orphanage, public school, private school being the property of a religious body, public library, public museum, public art gallery or mechanics' institute, etc. In the Bill similar language is used. It provides that no rate shall be assessed or deemed to be imposed or payable for the financial year commencing the 1st July, 1930, or for any subsequent financial year in respect of any hold-

ing owned by or on behalf of any religious body, or exclusively used for the purposes of a public hospital, benevolent asylum or orphanage, or for other charitable purposes. I hope the Minister will be generous enough to give full approval without insisting on the amendment of which he has given notice and which is in the nature of a limited approval. The limitation expressed in the amendment, I think, will not be exercised, but it would be appreciated by the religious and charitable bodies concerned if the approval were whole-hearted and complete.

Question put and passed.

Bill read a second time.

### *In Committee.*

Mr. Angelo in the Chair; Mr. Sampson in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 100A:

The MINISTER FOR AGRICULTURE:  
I move an amendment—

That the following words be added to the proviso:—"unless the Governor shall by Order in Council otherwise determine."

The business of the Government is to collect this tax and administer the Act. The proposal contained in the Bill, however, may be regarded as a drag net. Already a big proportion of church properties and those held by charitable societies are exempt from taxation under Section 100A. Further, it does not apply to any holding that is smaller than 160 acres. This might meet the difficulty concerning hospitals and churches. The proposal is very far reaching. We do not know all the circumstances or what may happen in the future. Some charitable organisation may decide to engage in farming or sheep-raising. In that case, if my amendment is carried, the question of taxation can be dealt with on its merits. The Government are not interested in the tax itself, but merely pass it on.

Hon. Sir James Mitchell: You get £3,000 a year out of it.

Mr. Chesson: You would not like a church property to become a breeding ground for vermin?

Hon. Sir James Mitchell: What do you mean?

Mr. Chesson: What I say.

**THE MINISTER FOR AGRICULTURE:** I do not now know of a property to which my amendment would apply, but it is possible on some future occasion that the necessity for such a provision may arise.

**MR. SAMPSON:** The clause, as worded, already gives full protection. Unless the provisions of the clause were maintained, exemption would not be granted. The principle of exempting such lands has been endorsed time and again. There is no string upon such exemptions in any other Act. Before the suggested amendment could be considered, the circumstances would have already precluded the opportunity of securing exemption. I hope the Minister will listen to the promptings of his natural self, and give, as he feels inclined to give, the full approval that is asked. I see no possibility of danger; but if danger should arise, it could be met by further amending legislation. The principle has been acknowledged time and again, and even long before our Parliament was constituted. The amendment savours of agreeing with one voice and disagreeing with another.

**MR. DAVY:** If Ministerial members had been in Opposition and we had made a proposal of this sort, I think they would have talked against it all night and would never have agreed to it. The proviso places in the Minister's hands the right to determine whether a certain person should be taxed or not. If one searched the statutes of the Empire, nothing analogous would be discovered. Should the amendment be carried and the member for Swan proceed with the Bill, I shall divide the House on the third reading. The amendment is altogether wrong in principle. A similar exemption obtains in every local governing measure. The fear which prompted the amendment has less force in this case than in almost any case which could be imagined, because the bulk of the land referred to is already exempt under the existing law. Therefore the cases to which the measure might apply would make very little difference. The Minister's suggestion is that we should exempt certain bodies and give him the right to cancel any such exemption. A wrongful exemption ought to be cancelled by Act of Parliament. Exceptions to a principle should not be left to the sweet will of the Minister or any other body of people.

**THE MINISTER FOR AGRICULTURE:** The clause would apply only to large areas, small areas of this nature being already exempt. One can conceive cases where a large area owned by a religious body and surrounded by pastoral or farming properties would be exempted under this Bill. There might be cases in which exemption would not be fair. At times a church becomes a trading concern, and sells valuable property. The countryside has to pay its vermin tax, while the charmed circle is exempt and has its land overrun by vermin.

**MR. DAVY:** Amend the formula if it is wrong.

**THE MINISTER FOR AGRICULTURE:** As regards the other aspect I see very little difficulty, the cases cited being already exempt. This Bill will deal with large areas.

**HON. SIR JAMES MITCHELL:** If they are for charities, why not?

**THE MINISTER FOR AGRICULTURE:** It could be contended that where land which belonged to a church had been partially alienated, the buyer was entitled to exemption. Such cases would have to be dealt with. We know that churches alienate properties.

**MR. DAVY:** If the properties were alienated, the churches would not own them.

**THE MINISTER FOR AGRICULTURE:** They would partially own them.

**MR. SAMPSON:** The sale is effected when the first payment is made.

**THE MINISTER FOR AGRICULTURE:** I cannot see that it will affect the Government to any extent. I suggest there should not be preferential treatment of churches when they are engaged as trading concerns. The object of the amendment is to protect the trust fund. It will not be a matter of exercising discretion but of having the right to determine whether or not an application for exemption is a genuine one.

**MR. DAVY:** Why not let the courts decide that.

**HON. SIR JAMES MITCHELL:** It would be ridiculous for the Committee to pass the amendment, for it would mean making a law that would be subject to the whim of a Minister. If the Minister desires the right to refuse exemption to any church that holds land for speculative purposes or for



a purpose other than a charitable consideration, he can provide for that without going so far as he does. What he proposes is the right to rescind the law altogether.

Amendment put and negatived.

Clause put and passed.

Title—agreed to.

Bill reported without amendment and the report adopted.

## ADJOURNMENT.

**THE MINISTER FOR JUSTICE** (Hon. J. C. Willcock—Geraldton) [10.36]: I wish to notify members that it is not proposed to sit during next week except on Tuesday. I move—

That the House do now adjourn.

Question put and passed.

*House adjourned at 10.37 p.m.*

## Legislative Council,

*Tuesday, 3rd September, 1929.*

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

## PERSONAL EXPLANATION.

*Hon. H. Stewart and Forest Royalties.*

**HON. H. STEWART:** I desire to make a personal explanation. I regret I was not able to be present when the Leader of the House delivered his reply to the speeches

that had been made during the course of the Address-in-reply debate. In the report of his speech which I perused and which I have every reason to believe was authentic, he attributed to me certain statements that appeared in the form of a quotation. From that quotation some material words were left out. The reference was in connection with the Forests Act, and I will content myself with making a brief explanation now because I can deal with the matter more fully at a later stage. The elimination of the words I refer to, whether inadvertently or otherwise, served to enable the Chief Secretary to build up a case that falls to the ground because of that material omission. The quotation from my speech, which appeared in part in the report, was as follows:—

The statement that the Conservator could not use the money for which it was set apart was false, because there is in the Forests Act nothing which says that sandalwood royalties shall be used for the re-establishment of sandalwood.

The words "in the Forests Act" were omitted. Subsequently I was dealing with the Forests Act and the Chairman of Committees interjected to that effect, and I was represented as dealing with the amendment.

The Chief Secretary: The Forests Act includes the amendment.

## BILL—WORKERS' HOMES.

Read a third time and passed.

## BILL—STAMP ACT AMENDMENT.

*Second Reading.*

Debate resumed from the 22nd August.

**HON. SIR EDWARD WITTENOOM** (North) [4.40]: Since the House met last, I have had an opportunity of going thoroughly into the Bill and I have no opposition to offer to it.

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.