

crease still further the number and scope of classes already being conducted at technical schools throughout the State, and to establish such classes at new centres where the demand warranted such provision. In so far as the Vote will allow, this policy will be pursued.

At present 150 student teachers are being trained at the Teachers' College, Claremont, and they will be ready for appointment as teachers when the schools re-open in February next. The correspondence classes continue to do commendable work, especially with post-primary pupils in country schools. A valuable contribution to social service is now being carried on by these classes, two members of the staff visiting and instructing crippled children in the metropolitan area who otherwise would be denied educational opportunity because of their physical infirmity.

There is not much I have to add except that I as well as the other members of the Cabinet regret that we have not more money to expend on educational facilities for the children of Western Australia. Like every other section of the community, the children have to make some sacrifices, especially while the war continues.

Progress reported.

House adjourned at 11.9 p.m.

Legislative Council,

Thursday, 28th November, 1940.

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

MOTION—STANDING ORDERS SUSPENSION.

On motion by the Chief Secretary, resolved—

That during the remainder of the session so much of the Standing Orders be suspended as is necessary to enable Bills to be passed through all stages in one sitting, and all Messages from the Legislative Assembly to be taken into consideration forthwith and that Standing Order No. 62 (limit of time for commencing new business) be suspended during the same period.

BILL—MARGARINE.

Report, etc.

Reports of Committee adopted.

Bill read a third time and returned to the Assembly with amendments.

BILL—BUILDERS' REGISTRATION ACT AMENDMENT.

Report, etc.

Report of Committee adopted.

Bill read a third time and returned to the Assembly with amendments.

BILL—NATIVE ADMINISTRATION ACT AMENDMENT.

Report, etc.

Report of Committee adopted.

Bill read a third time and returned to the Assembly with an amendment.

RESOLUTION—STATE FORESTS.*To Revoke Dedication.*

Message from the Assembly requesting concurrence in the following resolution now considered—

That the proposal for the partial revocation of State Forests Nos. 4, 9, 22, 24, 25, 26, 27, 29, 35, 37, 38 and 39, laid upon the Table of the Legislative Assembly by command of His Excellency the Lieutenant-Governor on the 26th November, 1940, be carried out.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [4.37]: I move—

That the resolution be agreed to.

The particulars concerning these proposals are as follows:—

Area No. 1.—1½ miles South-West of Yornup. About 22 acres to be exchanged for area resumed for access to State Forest.

Area No. 2.—3 miles South-West of Yornup. About 160 acres practically all non-jarrah country. Applied for by son of adjacent settler.

Area No. 3.—4½ miles North of Jarrahdale. About 32 acres carrying no timber. Required by adjoining settler for pasture.

Area No. 4.—3 miles North-East of Jarrahdale. About 25 acres carrying no timber. To be made available as an addition to an adjoining holding for market garden purposes.

Area No. 5.—2 miles North-East of Jarrahdale. About 2½ acres carrying no timber of value. Required by adjoining market gardener to provide high ground for residence.

Area No. 6.—3 miles South-East of Jarrahdale. About 15 acres carrying only swamp growth. Applied for by adjoining settler as a grass paddock for cattle.

Area No. 7.—3 miles South-East of Jarrahdale. About 55 acres practically all swamp growth. Required for grazing purposes.

Area No. 8.—4 miles South-East of Serpentine. About 10 acres carrying no marketable timber. Adjoining settler requires this area for growing of summer fodder for dairy cattle.

Area No. 9.—3½ miles North-West of Muja. About 8½ acres from which all marketable timber has been removed. Gully land required by settler to protect stud stock from weather.

Area No. 10.—½ mile South-West of Muja. About 160 acres of cut over forest of poor quality. Applied for by local resident.

Area No. 11.—10 miles South-West of Collie. About 12 acres carrying small quantity of timber to be removed by mill. Area required as an addition to small holding adjoining.

Area No. 12.—3 miles East of Noggerup. About 400 acres which have been heavily cut over for milling and hewing. Poor quality forest. Applied for by local resident.

Area No. 13.—3 miles South-East of Boyanup. About 110 acres required as an addition to an existing holding. Marginal forest of poor quality.

Area No. 14.—3 miles South of Boyanup. About 175 acres consisting of sandplain country carrying stunted timber.

Area No. 15.—2½ miles West of Argyle. About 519 acres cut over sand plain forest. 3 applicants.

Area No. 16.—4½ miles South-West of Argyle. About 500 acres of cut over poor quality sand plain forest.

Area No. 17.—2 miles South-West of Donnybrook. About 100 acres. Heavily cut over for marketable timber. Applied for by local resident who proposes to establish an orchard.

Area No. 18.—6 miles South-West of Donnybrook. About 46 acres as an extension and to enable settler to erect a permanent fence clear of the river.

Area No. 19.—1½ miles North of Wilga. About 10 acres required by applicant to connect two properties.

Area No. 20.—2½ miles North-East of Greenbushes. About 135 acres mostly paper bark and ti-tree flat.

Area No. 21.—3 miles South of Wilga. About 185 acres of heavily cut over forest. Applicant's wife holds property adjoining.

Area No. 22.—8 miles West of Boyup Brook. About 3,950 acres. Poor quality forest. All merchantable timber removed by hewing and sleeper sawmilling. No longer required for State Forest, to be released for alienation as required. Two applications received for specific portions of this area.

Area No. 23.—4 miles North-East of Wilga. About 450 acres of poor forest country. Required as addition to well improved adjoining property.

Area No. 24.—9 miles South of Nannup. About 50 acres from which the marketable timber has been removed. Applied for as an addition to an adjoining holding.

Area No. 25.—27 miles East of Manjimup. About 11 acres of poor forest not suitable for regeneration treatment. Applied for by the adjoining land holder.

Area No. 26.—16 miles East of Manjimup. About 100 acres of poor forest country required as an extension to existing holding for sheep farming.

Area No. 27.—14 miles South-East of Manjimup. About 13 acres to provide road frontage extension to existing holding.

Area No. 28.—8 miles South-East of Manjimup. About 27 acres of poor quality forest. Desired as an extension to an adjoining holding.

Area No. 29.—3 miles South-West of Pemberton. About 34 acres required to provide water or stock on adjoining locations.

Area No. 30.—9 miles South-East of Pemberton. About 40 acres to be set apart as a camping reserve for travellers and stock in exchange for area included in State Forest.

HON. W. J. MANN (South-West) [4.46]: All these areas are in the South-West Province and a number of them are known to me. I am also aware that for some years

past residents who have made application for them have desired them in order that they might slightly increase the size of their holdings. All the areas are in land that has either been cut out or is poor forest country unsuitable for regeneration. We should keep in mind the desirability of country that is no longer required for forestry purposes but is useful for other purposes, being made available to settlers. There is only one large area referred to in the Bill. That is situated near Boyup Brook and is nearly 4,000 acres in extent. It is in good sheep country and I notice that there are two or three applications for it. I feel sure that all the representatives of South-West Province are in accord with the motion.

Question put and passed.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

In Committee.

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

Clause 1—agreed to.

Clause 2—Amendment of Section 480:

Hon. Sir HAL COLEBATCH: I move an amendment—

That in line 1 of proposed new paragraph (ai) the word "any" be struck out and the word "the" inserted in lieu.

I consider that we should legislate for the present war without contemplating some future war. If any war takes place at a subsequent date, the department of that time will have to decide, in view of the then existing circumstances, what is best to be done. No good purpose can be served by our passing legislation that is to have application to some future war. If the amendment is carried, one or two consequential amendments will be necessary.

The CHIEF SECRETARY: The object of this Bill is to allow municipalities to make contributions to war patriotic funds from their 3 per cents. account. I am advised that the Bill is drafted with the object of making it a permanent measure, so that if municipalities wish to make contributions in the direction indicated during the present war, they will be legally entitled to do so; and, if in the future there should

be another war in which the Empire is engaged, there will be no necessity to amend the parent Act to allow municipalities to do the same thing again. At the last sitting of the House, Mr. Cornell drew attention on the second reading to the drafting of the measure. In a very frank manner he stated that the Bill was not in accordance with the standing orders, particularly Standing Order 175, and that, if the Parliamentary Draftsman was not prepared to alter the drafting, he would ask the Committee to so amend it that it would then be in accord with the standing orders, or his interpretation of No. 175. I referred his remarks to the Solicitor General, who was responsible for the drafting of the Bill, and he has supplied me with a reply to the hon. member. The Chairman of Committees said that if this was to be a temporary measure, it would be necessary for the wording of the clause to be transposed, or that the duration of the Bill should be stated in a separate paragraph. He also said that if the measure was to be a permanent one, there was no need for some of the words appearing in the particular clause. The opinion of the Solicitor General is as follows:—

1. Standing Order 175 reads as follows:—

"The precise duration of any Bill, the provisions of which are intended to be temporary shall be inserted in a distinct clause at the end thereof."

2. In this case, the Bill itself is not a temporary measure, nor are the provisions of the proposed new paragraph (ai) temporary provisions.

3. The Bill is for an Act to amend permanently Section 480 of the Municipal Corporations Act, and the proposed new paragraph (ai) will stand in Section 480 for all time.

4. The object of the said paragraph is to authorise certain payments out of 3 per cents. subject to certain conditions, namely—

(a) When Australia is engaged in a war;
(b) When a patriotic fund has been established in connection with such war;
and

(c) The Council makes the payment to such patriotic fund during the continuance of that war or within a period of six months after the war has been determined.

5. It should thus be obvious that the proposed new paragraph (ai) has for its primary object the stating of the circumstances or conditions under which particular payments by the Council will indefinitely be authorised, and not merely such an authorisation temporarily.

6. It was for the purpose of making it clear that the proposed new paragraph would not operate only during the continuance of the

present war, in which case the said paragraph would have had only a temporary operation, that the words "either at the commencement of this paragraph or at any time hereafter" were inserted in the paragraph.

7. These words make it clear that the paragraph will have an indefinite operation, although the provisions thereof will take effect only when certain circumstances are existing.

8. In a similar way the provisions of the Income Tax Assessment Act creating the liability for income tax have a permanent operation but they take effect only when certain circumstances are existing, that is, when a person has in any year received taxable income.

9. Consequently in this case Standing Order 175 does not apply at all.

Naturally I accept the advice of the Solicitor-General, but, if the Committee takes a different view, it is within its province to amend the Bill as it thinks fit.

The CHAIRMAN: Since last evening I have given some consideration to this clause. The whole question seems to hinge on what is permanent legislation and what is only temporary. The Chief Secretary has been good enough to allow me to peruse the Solicitor-General's opinion, and I find that he and I disagree. I am in accord with what Sir Hal Colebatch has indicated, and with what is shown by his amendment. This is what would happen under the clause as now worded. Assume the present war was to end to-morrow, this legislation would have force for six months and would then cease to have force. If another war broke out 12 months later, the legislation would come into operation again. Not only does it purport to legislate for this war but for future wars.

Hon. J. J. Holmes: It would remain an Act all the same.

The CHAIRMAN: My interpretation of an Act of Parliament is that it is one to apply for all time. This Bill is not intended to apply for all time. It is proposed to make provision for all wars that may occur, and it is the first time I have seen such an innovation. I went into a similar position with similar legislation last session. I refer to the War Funds Regulation Act. That measure was introduced to regulate the collection of funds for patriotic purposes arising out of this war. I suggest to the Committee that it deletes all the words down to and including "war" in line 3 of page 2, strikes out the word "such" in line 9, and inserts the words "the present." It could then insert a new paragraph which would

follow the lines of a similar paragraph contained in the War Funds Regulation Act, as follows:—

In this paragraph "the present war" means the war with Germany and Italy in which His Majesty is at the date of the commencement of this Act engaged, and with any allies of Germany and Italy in that war.

At the end, the Committee could then do as was done in the case of the other legislation and insert the words "This Act shall continue in operation during the continuance of the present war and thereafter until Parliament determines otherwise." I think that is the better way to go about it.

Hon. W. J. Mann: That will make it perpetual.

The CHAIRMAN: I suggest to the Committee that the standing order is absolutely clear.

The CHIEF SECRETARY: I consider that the clause is quite clear as it stands.

Hon. H. S. W. Parker: So do I.

The CHIEF SECRETARY: There is no misapprehension as to what is meant. The Perth City Council requested Parliament to amend the Act so that the municipality should have the right to devote some of its 3 per cents. to patriotic purposes. I assume that so long as it is a war in which the Empire is engaged, none of us will have any objection to the municipality spending a portion of its funds in that direction. So I see no point in altering the Bill as suggested by the Chairman. As it stands, the Bill would be easier to interpret than with the suggested alteration, and I say that with all due deference to the Chairman. May I make this point: The Chairman of Committees suggests that the Bill will not be operative six months after the termination of the war, and not until another war commences. Does that not apply to a number of matters in the Municipal Corporations Act which gives the municipality power to do a number of things?

The CHAIRMAN: Not as a result of the war.

The CHIEF SECRETARY: To me that does not matter at all. What is proposed is not being done every day nor every year. Say the council desires to carry out a drainage scheme. It has the power to spend money on that particular work and when the work is finished it might be many years before a similar work is undertaken. Then we do not say that it is necessary for the municipality to come to Parliament to have

the Act amended to give the municipality the right to carry on a similar undertaking somewhere else. I have no feeling in the matter; it is purely an argument between our legal adviser and the Chairman of Committees. The Chairman says that the standing order applies and the Solicitor-General claims that it does not apply. I must stand by the advice given to me and the Committee can decide on the method it prefers.

Hon. J. J. HOLMES: I do not see the necessity for the introduction of Germany and Italy as suggested by the Chairman. What would happen if Japan came in? Japan would not be mentioned in the Bill. I intend to stand by the Bill.

Hon. H. S. W. PARKER: If we substitute the word "the" for "any," the Bill will be applicable to any war in which the Commonwealth is engaged. If the amendment suggested is agreed to, the Bill will refer only to the present war, and then it is obvious that the Act will be of limited duration. The Bill as drawn will apply to any war at any time in which the Commonwealth may be engaged.

The CHAIRMAN: I am entirely in the hands of the Committee. I have read the two war measures that our Parliament has already passed—those dealing with profiteering and war funds. Those measures refer to the war in which His Majesty is engaged and automatically the Commonwealth then is included. In the Bill before us, instead of following those two measures in which His Majesty is mentioned, the reference is to the war in which the Commonwealth is engaged.

Hon. Sir HAL COLEBATCH: I do not suggest that the clause as it stands will do any harm because, if another war comes, Parliament can effect an alteration; but I am not convinced of the wisdom of legislating now for future wars. I would prefer to see the clause amended as the Chairman of Committees has suggested; but if it is thought that the clause as it stands will carry out what is desired, well and good.

The CHAIRMAN: Does the hon. member wish to withdraw the amendment?

Hon. Sir HAL COLEBATCH: Yes.

Amendment, by leave, withdrawn.

The CHIEF SECRETARY: The suggestion has been made that we should strike out the words "Commonwealth of Australia" and substitute the words "His Majesty the King." I do not know that the alteration would make very much difference.

Hon. J. J. Holmes: It will make the Bill harmonise with the other measures.

The CHIEF SECRETARY: The others are not associated with this measure.

Hon. H. S. W. Parker: The clause would read better if we substituted "His Majesty the King" for the "Commonwealth of Australia."

The CHIEF SECRETARY: If members prefer to make the alteration, there can be no objection to it.

Hon. H. S. W. PARKER: I move an amendment—

That in line 2 of paragraph (a1) the words "Commonwealth of Australia" be struck out and the words "His Majesty" inserted in lieu.

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

Clause 3, Title—agreed to.

Bill reported with an amendment and the report adopted.

BILL—EMPLOYMENT BROKERS ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER (Hon. E. H. Gray—West) [5.15] in moving the second reading said: This Bill is the result of careful study over a period of two years. Private employment brokers come under the jurisdiction of the Minister for Labour; but the State Labour Bureau is administered by the Minister for Employment, and I have been attending to that work for nearly two years. I assure hon. members I am sincere in introducing this measure and I hope they will give it serious consideration and support. This Bill conforms to the general policy of the Government in developing the State Labour Exchanges for women, young people and men. The most important amendments provide for a radical change in the licensing of private employment brokers.

The present Act contains 10 sections dealing directly or indirectly with the licensing of those who desire to become employment brokers. The present procedure has proved to be costly, unsatisfactory and cumbersome, both to the State and to the employment brokers. It provides that an application must be made to the clerk of a local court, who then has to post up the necessary notice

and notify the Chief Inspector of Factories. A licensing court has then to be appointed by proclamation to sit at a certain place for the purpose of hearing and deciding any application which may come before it. Under the present system persons are, of course, given the right to raise objection to any application with which the court may be concerned. The licensing court finally decides whether the license applied for is to be granted.

The amendment in the Bill will make licensing simple. Applications will be made to the Chief Inspector of Factories, who will hear and decide each application. The procedure will be somewhat similar to the licensing provisions of the Bread Act. In addition to empowering the Chief Inspector to grant or refuse an application for a license, the Bill also proposes to give him power to cancel any existing license if he considers there are sufficient grounds to warrant drastic action of that nature. Whenever the Chief Inspector refuses to grant a license applied for, or whenever he cancels an existing license, there will be a right of appeal from his decision to a magistrate. The grounds upon which an application may be refused are that the applicant is not a fit and proper person to hold a license; that he has practised fraud, imposition, or extortion; that he has conducted his business for immoral purposes; that he has failed to observe the provisions of the Act; that he has suffered forfeiture or cancellation of a license under the Act; that the requirements of the district do not warrant the granting of a license; and finally that the premises in which the applicant proposes to exercise, or to continue to exercise a license, are unsuitable for the purpose. When the Chief Inspector refuses an application for a license or cancels an existing license, and a magistrate, if appealed to, upholds the decision of the Chief Inspector, the person concerned in the making of the application or in the holding of the cancelled license will be prohibited from carrying on business in any way as an employment broker, and from acting as a servant or agent of any other employment broker.

An endeavour is made in the Bill to widen the definition of the term "servant." The idea is to enable more workers to receive the protection of the Act than is possible today. The words "for reward," where they

appear in the definition of "employment broker" and in the definition of "servant" in the parent Act are deleted by this measure, and the words "under a contract of service or a contract for service" are substituted. The effect of this proposed alteration is that independent contractors will be given the protection of the law. It is well to mention here that a contract of service in law is held to be a straight-out contract for wages. A contract for service, however, is held to be an independent contract. We have had some evidence that clearers, woodcutters, shearers and other similar workers have been exploited in the past, and this provision will clear up any doubt with regard to the position; and the men referred to will therefore come under the protection of the Act. Furthermore, this type of worker is more entitled to protective legislation because of his independence than is the ordinary worker, and, further, would be more likely to obtain employment through the offices of employment brokers than would the general run of workers. There is a class of worker who refuses to go to the Government for relief work and who, under the present legislation, has no protection at all. The Bill, if passed, will afford him protection. I do not wish members to get the idea that I consider all employment brokers are scoundrels. Two or three of them are conscientious.

Hon. L. Craig: Only two or three?

The HONORARY MINISTER: Two particularly.

Hon. J. J. Holmes: You want to rob the employees.

The HONORARY MINISTER: No. Our desire is to bring down legislation to protect the workers. The Bill also provides that no fee is to be paid by any person who goes into the office of an employment broker seeking employment. It is only when work is actually found through the agency of an employment broker that the worker will be called upon to pay a fee. This provision is considered to be highly desirable, as it is a safeguard for the worker against unscrupulous brokers.

Hon. G. B. Wood: Do you know of any cases where that has been done?

The HONORARY MINISTER: I am informed that exploitation has occurred. A schedule is added to the Bill setting out the maximum charges which may be made to an employer or a worker by the broker for

services rendered. The present Act in operation in this State, contrary to all the other States of the Commonwealth, does not provide for a maximum fee at all. It merely states that each employment broker shall display in his office a statement setting out the maximum fee which he is charging to those for whom he is doing business. Absolute discretion as to the maximum charge is left with the employment broker himself. The general practice is to charge 50 per cent. of the wages to the worker and 50 per cent. to the employer.

Hon. G. W. Miles: The worker and the employer each pay 50 per cent. of the fee?

The HONORARY MINISTER: That is so.

Hon. J. Nicholson: But that is already provided for in the Amendment Act of 1918.

The HONORARY MINISTER: It is the practice.

Hon. J. Nicholson: It is done under statute.

The HONORARY MINISTER: We know that unfortunate domestic servants, who know nothing about the State Labour Bureau, are forced to pay two or three fees in one year. That is scandalous.

Hon. J. Nicholson: If the Honorary Minister will look at the 1918 Act, he will see the provision.

The HONORARY MINISTER: I recognise that this is a contentious part of the Bill, but nevertheless I think I can put up a reasonable case to the House. These charges are a tremendous burden upon the lowest paid workers in the State, and, especially in time of war, should not be tolerated. The scale of charges contained in the Bill is based, with one exception, entirely upon the scale of maximum charges provided by the Victorian legislation, which has been in operation for some considerable time. We are copying the conservative State of Victoria.

Hon. H. S. W. Parker: Which Government introduced the legislation in Victoria?

The HONORARY MINISTER: I cannot say. It has not been amended, so the Country Party in Victoria is subscribing to this legislation.

Hon. G. W. Miles: That is not much commendation.

Hon. J. Cornell: Mr. Hamersley will support the measure.

The HONORARY MINISTER: The charges range from 1s. 6d. to each worker and employer concerned, where the weekly rate of wages does not exceed 5s., with or without board and lodging, up to 20 per cent.—to be paid by both employer and worker—of the weekly wage where the weekly rate of wages exceeds 40s., with or without board and lodging. Where married couples are engaged as servants, every such engagement is to be regarded as one engagement. The maximum charge that may be levied in such cases is 10s. to each married couple and employer concerned where the yearly rate of wages does not exceed £50 with or without board and lodging, and 7s. payable by each party concerned where the yearly rate of wages exceeds £50 with or without board and lodging.

Hon. J. J. Holmes: Why do the workers go to these employment brokers? The workers can obtain free service from the State Labour Bureau.

The HONORARY MINISTER: It is astonishing how little people know of this matter.

Hon. J. J. Holmes: Mostly they know, I think.

The HONORARY MINISTER: I will explain that later. The Bill makes it compulsory for employment brokers to retain for a period of at least six months all books, letters, papers and documents associated with their business, and any inspector appointed under the Act is to be permitted access to such books, letters, papers and documents, and to take such copies thereof as he, in his discretion, may think desirable. The inspector, of course, is to be bound to secrecy with respect to any investigation he may carry out. The parent Act provides that the employment broker must keep proper books of record and documents relating to the operations of his business, but does not impose upon him the period of time for which he shall keep such books and documents. Experience has proved that inspectors, on seeking to police the Act, have discovered that certain books or documents or letters which they require have been lost or destroyed, one of the reasons given being that they are out of date. This amendment is considered very necessary for the efficient policing of the Act. Members will appreciate the wisdom of keeping that check. It might not be generally known

that the State Labour Bureau advances fares not only to those persons whose engagement is effected by that office, but also to persons who are proceeding to employment and have not the financial provision for transport. Since the depression period, fares have also been advanced by the State bureau to persons proceeding to employment secured through the agency of the fee-charging brokers. The facilities of the State bureau are only too well known to these agencies as the figures for the last two years show. The employment brokers have been given a very fair deal, as I think members will agree when I have quoted the figures. For the financial year 1938-39, 2,802 fares were advanced by the Perth office to men proceeding to employment. Of these 982 were advanced to persons engaged by the State Labour Bureau and 912 were advanced to men engaged by the private agencies.

Hon. W. J. Mann: How many private agencies are there?

The HONORARY MINISTER: About 30.

Hon. W. J. Mann: And they had 900 between them.

The HONORARY MINISTER: Yes.

Hon. W. J. Mann: Are those agencies in the metropolitan area?

The HONORARY MINISTER: All with the exception of two—one at Fremantle and one at Midland Junction. The balance of 908 were advanced to men who were returning to work, who had been engaged by non-fee-charging agencies, or who had obtained their employment by letter or other means. For the financial year 1939-40, 2,894 fares were issued to men by the Perth office—957 to persons engaged by that office and 1,127 to persons engaged by the private agencies. The balance of 810 were issued to persons who obtained their work independently or in the same manner as in the previous year. From these figures it will be noted that in 1938-39 a little over one-third of the fares advanced to men by the Perth office of the State bureau were advanced on behalf of men engaged through the private agencies, for which engagements the workers paid a fee. The cost of these advanced fares was £1,075. For the year 1939-40, approximately two-fifths of the fares advanced by the State bureau were advanced on behalf of the private agencies, the cost of these being £1,223.

Hon. L. Craig: I suppose all the fares advanced were refunded?

The HONORARY MINISTER: To the credit of the workers, I am able to say that the great proportion has been refunded.

Hon. J. J. Holmes: In many instances the employer pays the fares, so those figures convey very little.

The HONORARY MINISTER: Some of the employers pay the fares.

Hon. J. J. Holmes: A lot of them.

Hon. C. F. Baxter: How many of the men reach their destinations?

The HONORARY MINISTER: A large percentage of the employees who go from the State Labour Bureau reach their destinations because the bureau is careful in selecting men. From these particulars it should be clear that the State, through the agency of the State Labour Bureau, is in effect subsidising the private employment agencies, not only to the extent of the fares advanced—these are repayable, and very few are not repaid—but also to the extent of the cost and time and other effort incidental to the collection of these repayable advances. The Women's Branch of the State Labour Bureau in 1938-39 advanced 475 fares. Of these 350 or 70 per cent. of the total were advanced on behalf of women engaged by the private agencies.

Therefore, without the facilities provided by the State, the fee-charging employment brokers would be at some inconvenience in making their engagements, as they would have to advance the cost of transport for workers proceeding to employment and provide the machinery for the collection of these advances, or leave the question of transport to the resources of the worker. If the worker could not provide the wherewithal for transport, he could not accept the employment, and therefore the broker would get no fee. To a large degree then, under existing arrangements, the State is enabling the private agencies to collect their fees from workers who have to go to the country for employment and therefore a greater measure of control, as provided for in this measure, should be exercised.

Hon. G. W. Miles: Should not you abolish private agencies and give the Trades Hall the business?

The HONORARY MINISTER: When the war commenced, the Government decided to refrain from introducing any contentious

legislation. This is a very moderate measure. Personally I think that private employment agencies should be abolished.

Several members interjected.

Hon. L. Craig: You are helping your Bill a lot!

The PRESIDENT: Order!

The HONORARY MINISTER: The question of permitting private employment agencies to continue is a big one that has been discussed by all civilised countries. Let me quote from the report of the Royal Commissioner on Youth Employment, Mr. Justice Wolff. His remarks are particularly applicable to the Bill because he made important recommendations on the control of private employment brokers and the re-organisation of State labour employment agencies. The following are extracts from Mr. Justice Wolff's report:—

The labour exchanges should form an important link with the carrying out of a plan of vocational guidance and placement, and can also be availed of in the administration of any unemployment insurance scheme.

Mr. Bradshaw, the Chief Inspector of Factories, who gave evidence on the subject, advocated the abolition of the private registry office and the establishment of a system of State control. In 1925 a Bill to this effect was introduced into the State Parliament but failed to pass.

The General Conference of the International Labour Organisation of the League of Nations, convened at Washington on the 20th October, 1919, adopted a draft convention for ratification by members of the International Labour Organisation in accordance with the Labour Pact of the Treaty of Versailles of the 28th June, 1919, and the Treaty of St. Germaine of the 10th September, 1919. Article 2 of the Draft Convention reads:—

Each member who ratifies this convention shall establish a system of free public employment agencies under the control of a central authority. Committees which shall include representatives of employers and of workers shall be appointed to advise on matters concerning the carrying on of these agencies. Where both public and private free employment agencies exist, steps should be taken to co-ordinate the operations of such agencies on a national scale. The operations of the various national systems shall be co-ordinated by the International Labour Office in agreement with the countries concerned.

The following recommendations were also adopted:—

(a) That the establishment of employment agencies for profit be prohibited.

(b) That such agencies as exist be brought under control and abolished as soon as possible.

Substantially the same recommendations were made at the General Conference at Geneva on the 8th June, 1933.

Mr. Justice Wolff continued—

A summary of my recommendations and findings on this head is as follows:—

- (a) That a system of State controlled labour exchanges be instituted, with free service to both employer and employee.
- (b) That the activities of the exchanges be divided into two distinct branches—
 - (i) adult placement (persons over 25 years of age);
 - (ii) youth placement (persons under 25 years of age).
- (c) That the Labour Bureau and the Boys' Employment League be absorbed in the new organisation.
- (d) That in connection with youth placement the exchange work in conjunction with the vocational guidance bureau in the metropolis and with the trade committees and the Education Department in the country.
- (e) That private, fee-charging agencies should be brought under more strict control and placed directly under the Minister for Labour, who should be given the power to renew and cancel licenses. That the fees chargeable by these agencies should be definitely fixed by law.
- (f) That notification to the exchange of unemployment should be made compulsory.

Four of these recommendations have been put into operation:—

Recommendation (a):—The Men's Labour Bureau has been taken from the Relief Department at Marquis-street and is now situated in a central position at the corner of Wellington-street and King-street, Perth. Ample accommodation is provided, with a trained staff, and provision is also made for employers and employees to meet each other privately, if necessary. Particular attention is given to the selection of competent men for country positions, and the career of each man placed is carefully followed. The increasing number of placements for last year, despite the war and the drought, is a striking testimony to the efficiency of this department.

Recommendation (b):—The exchanges have been separated and are now in three separate buildings; the Men's Bureau at Wellington-street and King-street, Youth Employment at James-street, and the Women's Employment Office in new premises at Luxor Arcade.

Hon. J. J. Holmes: That is near the Trades Hall, is it not?

The HONORARY MINISTER: Near the railway station. I think members will agree that the new site is much better.

Hon. J. M. Macfarlane: It is far better than the old place.

The HONORARY MINISTER: I think that very soon the business will increase. The change will be of great convenience to employees. Continuing the comment on recommendation (b)—

The Youth Employment Bureau is controlled by a comparatively young officer, who has proved to be a particularly efficient officer with the necessary personality essential to such a task.

The Women's Employment Office, which is now functioning in far more suitable premises and in a very accessible position in town, with suitable accommodation for employers and employees to meet, should very shortly largely increase its operations and prove an inestimable boon to the women who avail themselves of its service.

Hon. L. Craig: Where do the married couples go?

The HONORARY MINISTER: To the men's bureau.

Recommendation (d):—For the Youth Placement and Exchange Work: An expert committee is in active operation with a full-time secretary. This committee is working in close co-operation with the other States and the Commonwealth, and a very valuable foundation is being laid to grapple with the grave problem of youth employment and dislocation of industry after the war is won.

Recommendation (e):—With regard to fee-charging agencies etc. This recommendation is now embodied in the Bill.

I realise that the storm centre of this Bill will be the schedule. I wish to quote figures to disprove statements made in the correspondence sent to members by employment brokers, and will show conclusively that the employment brokers will be able to carry on under the charges stipulated in the schedule. True, they will not be able to make as much money as in the past, but that will be a saving to the workers. Western Australia has a population of 462,461, with 220,330 in the metropolitan area, and the number of licensed employment brokers is 30. Victoria has a population of 1,873,760, with 1,035,600 in the metropolitan area. The number of licensed employment brokers is 120, and the approximate ratio to Western Australia is as four to one. The same schedule as is appended to this Bill operates in Victoria. South Australia is a comparable State, with a total population of 595,109, of which number 321,410 reside in Adelaide. The approximate ratio of Adelaide's population to Perth's is 1.5 to 1. The number

of licensed employment brokers doing business in Adelaide is 13. New South Wales has a population of 2,735,695, of whom 1,288,720 are residents of Sydney. The ratio in this case is six to one. The number of employment brokers doing business in Sydney is 109.

The figures I have quoted clearly indicate the lack of foundation for the statement that the Schedule to the Bill will drive private employment brokers out of business. Taking Victoria as an example, we find that with the same schedule the same proportion of employment brokers is in operation as in Western Australia—120 as against 30 in this State. If the contention were correct, a large proportion of the Victorian employment brokers would have been out of business 12 months ago.

It is the responsibility of this Chamber to accept or reject the Bill and the Schedule. The position to-day is, I repeat, that thousands of workers, male and female, unprotected by arbitration awards and independent enough to strike out and look for work instead of relying on the Government for sustenance, are subjected to a parasitical charge on their wages out of all proportion to the services rendered to them by the brokers.

Hon. J. Nicholson: What sort of charge?

The HONORARY MINISTER: Parasitical.

Hon. J. Nicholson: How do you know?

Hon. G. B. Wood: Then why do people go to the private employment brokers?

The HONORARY MINISTER: This cannot be tolerated in times of peace, much less in wartime. There is at present a serious shortage both of domestic servants and of farm workers. The shortage is greatly aggravated by the charges these people at present have to pay in order to secure work, and also by the fact that the work they do is often seasonal and of a temporary nature, necessitating the payment of a fee more than once, possibly three or four times, in 12 months when seeking further employment. Why should one class of people, receiving the lowest wages in society, be asked to pay such high charges to obtain employment when all other classes of workers obtain employment free of charge?

Hon. H. S. W. Parker: Who are the lowest-paid class?

The HONORARY MINISTER: Domestic servants and farm workers.

Hon. H. S. W. Parker: Receiving £2 10s. per week and keep.

The HONORARY MINISTER: As regards domestic servants, the late Mr. Lovelock stated here that the problem was one that could only be solved by the Industrial Arbitration Court. It is unthinkable that in the present so-called advanced stage of civilisation this condition of affairs should be tolerated and even encouraged by public men. Hon. members will have time to reflect upon the provisions of the Bill during the week-end. If impartial consideration is given to it, undoubtedly the measure will pass practically without amendment. In accordance with Government policy to refrain from introducing legislation of a contentious character, the present Bill, which is moderate and entirely just to all parties in its provisions, is introduced as a measure of justice to the workers concerned, and as part of a considered plan of wartime economy. I move—

That the Bill be now read a second time.

On motion by Hon. C. F. Baxter, debate adjourned.

BILL—FARMERS' DEBTS ADJUSTMENT ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.52] in moving the second reading said: I feel sure that the House will agree to this Bill, which proposes to continue the operation of the Farmers' Debts Adjustment Act for a further period of three years—to the 31st March, 1944. The original Act was passed in December, 1930, was renewed each year until 1934, extended from then till March, 1938, and again extended for three years until the 31st March, 1941. The proposal is to extend it, once again, for another three years as from that date. Members are aware that the Act makes the necessary provision to enable a debt-burdened farmer to apply for a stay order so that he can make arrangements for the submission of a proposal to his creditors to carry on farming operations under the control of a receiver.

At present 24 farmers are operating under these provisions, and after harvest their cases will come up for review by interested creditors. Provision is made in the

Bill to enable farmers to apply for a stay order, so that they may be able to submit to their creditors proposals for adjustment of debts through the Rural Relief Fund. On the required order being granted, creditors' claims are submitted to the Director of Farmers' Debts, under whose direction a proposal is framed for submission to creditors. If the arrangements then made are satisfactory, the farmer thereupon applies to the Rural Relief Trustees for the necessary advance from the fund to meet the claims agreed upon.

In order to obtain the benefit of the Rural Relief Fund, a farmer must first of all apply under the Farmers' Debts Adjustment Act. That is the real need for the Bill. To date 3,581 farmers have received advances totalling £1,209,770, and 64 applications are in hand awaiting adjustment. The balance of the fund is £30,000, as to which the Trustees are committed to proposals involving the expenditure of £12,000. The extension of the Act is necessary to protect those farmers carrying on under its provisions and also to enable applications for assistance from the Rural Relief Fund to be dealt with. In addition, the present seasonal outlook is likely to embarrass a number of farmers, who possibly will have to avail themselves of the Act to enable them to continue operations. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Bill read a third time and *passed*.

BILL—STREET COLLECTIONS (REGULATION).

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.58] in moving the second reading said: This is a measure by which it is proposed to prohibit collections in any public street or place within the metropolitan area—as defined in the Traffic Act—unless the person or organisation making the collection has received the

necessary permit to do so. Members are aware that since the outbreak of the war, there has been a considerable increase in the number of street appeals for patriotic purposes by various organisations. Friday has usually been looked upon as the best day for a street appeal; but as time has marched on and the war has proceeded, these appeals have extended to other days of the week. Since the beginning of April there has been a total of 60 appeals by various organisations.

Hon. J. J. Holmes: Fridays are known now as Black Fridays.

Hon. J. Cornell: And people know that is the time to keep out of Perth.

Hon. C. F. Baxter: Sometimes appeals have been conducted on four days a week.

The CHIEF SECRETARY: That is so. I do not think anyone objects to street appeals for patriotic or charitable purposes, but I think the public are looking to the Government for some means of exercising control regarding them, and the Bill has been introduced for that purpose. It is rather strange that at present no Government department, or other authority, has statutory control over these appeals. The Police Department issues a permit to an applicant or an organisation, when satisfied that no obstruction to traffic will take place. That is the only control exercised at the moment. So far as can be ascertained, no statutory provisions obtain in any part of the Commonwealth affording means of control. Certainly I can find no record of any statute dealing with this question. In some States street collections are controlled under bylaws framed by local governing authorities and in some instances by means of regulations under the local Traffic Acts. In England this question has been under consideration for many years. Since the commencement of hostilities, the necessity has arisen to frame many regulations governing the position, and to some extent the Bill now introduced here is based on the English House To House Collection Act, which does not prohibit these collections but controls them from house to house, the object being to prevent the promotion of these collections by which considerable sums may be procured from the public and from which only a small proportion of the proceeds is actually applied

to charitable or patriotic purposes. We should bear that in mind. The English Act applies to collections made for charitable purposes as well as those for patriotic objects. This Bill purposes to exercise control in these matters and also seeks to prohibit collections in any public street or place in the metropolitan area unless the required permit has been obtained.

The Bill provides for the granting of such a permit, which will be in the form to be prescribed and on which will be stated the object or purpose of the collection, the day upon which it will be made, and the hours on that day within which operations can be carried on. There is a provision which limits to fifty the number of days in any year on which permits may be granted. This does not mean that fifty collections shall be held in any one year but that none in excess of that number will be permitted. It is further provided in the Bill that it shall be an offence if any person uses a prescribed badge or certificate of authority, which is not a proper badge or authority for a particular occasion. There are very good reasons for that. It is also an offence if a forgery of any badge or certificate is used.

Hon. G. W. Miles: Will people have to submit results of appeals?

The CHIEF SECRETARY: Yes, under the regulations. Another proposal in the Bill is that the Governor may make any regulations that may be necessary and convenient in carrying out any of the provisions of the Act. For instance, the type of collection box to be used can be prescribed. It can also be laid down whether or not such collection boxes shall be numbered; the places where collections can be made; the badges and certificates to be displayed by collectors, and so on. In fact, most of the machinery of the Bill, if passed, will be implemented by regulation. The Bill further deals with the usual provisions in connection with prosecutions for offences.

Under the Bill the provisions of the War Funds Regulation Act are specifically excluded. It is considered necessary to do this because under that Act power to collect is granted, and although there is no specific provision to that effect, it may be inferred that a power to collect would involve a power to make a collection in a street or public place. The Bill does not seek to in-

terfere with the War Funds Regulation Act in any way. It is considered that in view of the increase in the number of street collections and the scope of their operations, the provisions of this Bill are necessary, and that such provisions should embrace collections made for home charities as well as those for patriotic purposes.

I want to make clear that the charitable or patriotic purposes for which recent appeals have been made are not questioned, but I think it will be generally agreed that there should be some control and regulation of such collections both from the point of view of the public who contribute, and the various organisations or committees who are responsible for their conduct. If the Bill is passed, the intention of the Government is to frame regulations that will, generally speaking, not only deal with the granting of permits for street collections, but with the methods employed by people to whom such permits are granted. I move—

That the Bill be now read a second time.

On motion by Hon. J. Nicholson, debate adjourned.

BILL—PROFITEERING PREVENTION ACT AMENDMENT (No. 2).

Second Reading.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [6.10] in moving the second reading said: This Bill proposes to extend the scope of the Profiteering Prevention Act in regard to those things which may be controlled by the provisions of that Act. It further seeks to provide more effective power to deal with offences under the Act and to punish those responsible. The Act has now been in operation for approximately one year and was passed last session in order to prevent profiteering in this State during the period of the present war and for six months thereafter. Generally speaking, its operations have been reasonably effective, and it can be said, too, that they have so far given satisfaction to the community generally.

The Act embraces commodities of all kinds, and, in addition, certain services provided by public utilities, such as the supply of heat, power and light. There are, however, many services supplied to the public that do not come within the scope of the

Act, and in regard to these many complaints have been received in recent months in connection with the various increased charges which have been made. For instance, laundry and parking charges have been the subject of complaints, and by this Bill such services may be brought under the control of the Act.

The main proposal in the Bill relates to an extension of the definition of the word "commodity." The proposal is to include under the definition, services supplied or carried on by any person or body of persons engaged in an industrial or commercial enterprise or a profession which, in the opinion of the Commissioner, is essential to the life of the community. In the event of the Bill being passed, such services will be covered by the Act which the Price Fixing Commissioner first of all decides to be essential to the life of the community or to their physical well-being and health, provided, however, that the Governor-in-Council confirms the Commissioner's opinion by proclaiming any such services to be "commodities" under the Act. This means that the Commissioner will first have to recommend to the Minister concerned that such and such a service be declared a service under the Act, and the decision as to whether or not the Commissioner's recommendation shall be agreed to, will finally depend on the opinion of Executive Council.

The basis upon which calculations will be made on charges for services rendered will be in accordance with the same principle as that which operates in connection with prices charged for commodities, namely, that no person or company will be permitted to increase charges beyond those operating as at the 31st August, 1939, unless an increase is agreed to by the Price Fixing Commissioner. Persons supplying services to the public should be under the same control as regard prices as that applying to those who supply goods. In effect, therefore, the Bill proposes to place suppliers of services and goods on the same footing, and thereby render to the community of the State a wider and more effective safeguard against profiteering.

The Bill seeks to amend certain other definitions in the Act. Such words as "prevailing price," "price," "sell," and "trader" are amended to make them more applicable to services. A further proposal in the Bill

is to enable a prosecution to be launched for an offence under the Act within a period of two months after the Commissioner has completed the necessary investigations. It is provided under the Act that a prosecution shall be launched within six months from the time when an offence takes place. It must be appreciated that it is of necessity a rather difficult proposition to discover whether any profiteering is going on, particularly in a case where the margin of excess profit is not very high. The general public expect the policing of this type of legislation to be done entirely by Government officials, and when an apparent offence has been discovered, consequent investigations carried out are more often than not most complicated. Many avenues have to be explored and much detailed examination has to be made.

Experience has demonstrated that by the time the Prices Commissioner had completed his investigations, no prosecution could be instituted for the reason that by Section 28 of the Profiteering Prevention Act it is provided that offences may be prosecuted and punished by complaint under the Justices Act. That Act provides that a prosecution must be commenced within six months of the commission of the offence and this has been proved by experience to be too short a time for departmental purposes, particularly when it is borne in mind that the inquiries made by the Prices Commissioner invariably include investigations beyond the limits of this State. In these circumstances, guilty persons can escape a prosecution and at the same time retain their illegal excess profit purely on account of the difficulty associated with the investigation of the offence. By this Bill, therefore, it is provided that such proceedings may be commenced at any time within two months after the completion of investigations by the Price Fixing Commissioner.

I have explained the main provisions of the Bill which contains two further amendments—one of a consequential nature, and the other to correct a drafting error. These can be dealt with in Committee. The proposals of the Bill are desirable and necessary in order to meet the position which has arisen, and, as I said before, will give more effective protection to the people of this State against the profiteering methods of those desiring to take advantage of war-time conditions to fleeh undue gains from

the pockets of their fellow citizens. I move—

That the Bill be now read a second time.

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

House adjourned at 6.18 p.m.

Legislative Assembly.

Thursday, 28th November, 1940.

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

QUESTION—WIRE AND WIRE NETTING ACT.

Money for Advances.

Mr. WATTS asked the Minister for Lands: 1. Are any moneys available for advances under the Wire and Wire Netting Act of 1926? 2. If not, are any arrangements in contemplation or under discussion with the Federal Government under which such moneys will be made available?

The MINISTER FOR THE NORTH-WEST (for the Minister for Lands) re-