Legislative Council,

Tuesday, 12th October, 1926.

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

ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the undermentioned Bills—

1, Forests Act Amendment.

2, Soldier Land Settlement.

3, Government Savings Bank Act Amendment.

QUESTION—STUD STOCK, CARRIAGE ON RAILWAYS.

Hon. H. J. YELLAND asked the Chief Secretary: 1, Is the Minister for Railways aware that some owners who were exhibitors at the Royal Show of valuable stud stock from the Beverley district, and had ordered trucks for conveyance of their stud stock to the Claremont Show Ground, were supplied with trucks in a filthy condition, being inches deep in manure and slush? 2, Is the Minister also aware that some of those owners refused to load their stock in the trucks, and that although the local station-master endeavoured to get the trucks cleaned, he had not the appliances for effectively cleaning them, and in consequence the stock suffered? 3, Will the Minister cause instructions to be given to the responsible officers of the Railway Department to see that when trucks are ordered for the conveyance of stock to or from the Royal Show or other agricultural shows, only clean trucks are sent, thus assisting stock owners in their efforts to improve the quality of live stock in this State?

The CHIEF SECRETARY replied: 1, The Minister is aware that certain of the trucks supplied for loading Show stock at Beverley were not in a proper condition as regards cleanliness. 2, The Minister is aware that in one or two instances owners refused to load until trucks had had attention. The usual facilities for this purpose were available. 3, Instructions to this end are already in existence, and if these had been carried out there would have been no reason for complaint.

BILL—ALBANY HARBOUR BOARD.

Introduced by the Chief Secretary and read a first time.

MOTION—INDUSTRIAL ARBITRATION.

To Disallow Apprenticeship Regulations.

Debate resumed from 7th October on the following motion by Hon. J. Nicholson:—

That the Apprenticeship Regulations made (under and in pursuance of the Industrial Arbitration Act, 1912-1925), and published in the "Government Gazette" of 20th August, 1926, and laid on the Table on 24th August, 1926, be and are hereby disallowed.

HON. J. E. DODD (South) [4.40]: Mr. Nicholson's motion opens up a big question. I would not like to see the House deal lightly with it, or deal with it at all without giving it every possible consideration. The regulations deal with the rights and obligations of employers and apprentices. This is one of the most urgent and important problems with which we have to deal. The more publicity that can be given to this matter to awaken the public to the realities of it, the better will it be for the State. We are spending thousands of pounds every year on education, and are practically landing our boys and girls at dead-ends, or at no end at all so far as employment is concerned. It is bad enough in the city, but it is worse on the goldfields because the boys there are not allowed to go underground, and there are practically no secondary industries into which they can be absorbed. Their only outlet is on the land. Hundreds of families have left the State, particularly the goldfields, because there is no outlet for boys or girls. I venture to say that if an advertisement were put in the paper tomorrow for an apprentice in the most desirable of trades, between 150 and 200 applications would be forthcoming. A few years ago at least 150 young people applied for every position. We are spending thousands of pounds on bringing people into

the country, although a continuous stream of emigration, of people who are leaving the State, is going on. Up to 1909 the condition of apprenticeship was even more acute than it is to-day. There has been some improvement. My experience is the experience of every member. We are continually being asked by some parent or boy to see if we can find employment. We recognised this state of affairs last session, namely, that there were not so many apprenticeships being entered into as there should be, and Parliament passed a clause in the amending Arbitration Bill applying, however, only to four trades connected with the building industry. These trades are now compelled to take apprentices if the Government or the court so desire. These regulations have been framed to govern the new conditions set up by the amending Act. When I heard Mr. Nicholson speak, and before I had examined these regulations, I thought his position was unassailable, and also thought there was some justification for Mr. Cornell's remarks that the regulations looked upon every employer as a burglar and a bushranger. After hearing the reply of the Chief Secretary, which I presume is the reply of the court, these regulations do not appear to me to be so formidable. I do not say that the court's contention is tenable in every respect. Mr. Nicholson was somewhat pessimistic about the matter, but I hardly think he was sufficiently acquainted with past practices in regard to apprenticeships. In fact, I think he was misinformed in reference to the conference that sat and helped to frame the regulations. Perhaps the hon. member in his reply will be able to put a different complexion upon the remarks of the Chief Secretary. The apprenticeship system has come down to us from the old craft guilds. At that time apprentices were engaged in handicrafts. To-day we have reached the period of machinery. One of the chief characteristics of the days of the handicrafts was the wonderful work they engaged in, work that is the admiration of the world to-day. There was one thing about the handicrafts regime that does not obtain to-day. It was that the test of citizenship was the test of good workmanship. The master was compeled to teach his apprentice and to teach him well and truly. The apprentice on his part was bound by very severe obligations to his master. I refer to that feature, because I wish to deal with the clause relating to misconduct, which was mentioned by Mr. Nicholson. In those early days bad work was not allowed and if it became known that bad work was being turned out by those under any particular master, that master soon lost his opportunity to make a living. Let me come down to the days of the unions. Now we find that the unions are beginning to take the places of the masters regarding the teaching of trades. Mr. Somerville, the workers' representative on our Arbitration Court bench, has issued a very interesting pamphet in the course of which he touches lightly on this question, and points out that to-day the employer himself does not teach a trade to an apprentice, who is taught, under existing conditions, by the journeyman tradesman. The mechanic is the man who really teaches the apprentice, not the employer. It is the worker, not the employer who is responsible. The latter is responsible for the business, but the mechanic teaches the apprentice his work, instead of the employer as in olden times. The first regulations dealing with this question were incorporated in the Industrial Arbitration Act of 1909, and were again incorporated in the Act of 1912, and we added them to the Act passed last year. Some additions were made to the regulations on that occasion, and some clauses were introduced relating to the apprenticeship question. I will deal with Clause 3 of the regulations—this refers to the retrospective aspect—to which Mr. Nicholson made special reference. That regulation reads—

> No minor shall, after the date of these regulations, be employed or engaged in any of the industries, crafts, occupations or callings to which these regulations apply, except subject to the conditions of apprenticeship or probationership herein contained.

There is an attitude adopted by the court which I find it impossible to agree with. The court makes the apprenticeship regulations retrospective. When we consider what took place when the Arbitration Act was being dealt with in the House, hon. members will remember that a clause was included in the measure giving the court power to make awards apply retrospectively. I voted in favour of it, not because I believed in it altogether, but because I believed there might be some instances where such a clause should apply. The clause, however, was defeated. Is it right for the court to include something in the regulations that Parliament said specifically should be excluded from the

legislation under which the regulations were framed? I do not think such a position can be sustained. The court relies upon the wide powers given to it by the term "industrial matters." No doubt that term is very wide. Evidently the court relies upon that term for power enabling it to make the regulations apply retrospectively. I am rather inclined to think that if any attempt were made to apply a condition relating to a matter that was expressly excluded by Parliament from an Act, that action might be challenged by some other tribunal. Any such measure might also lead to this position: Parliament will have to say not only what shall be done, but will have to be particularly careful to say what shall not be done, if this sort of thing is to obtain. Then we come to Clause 10 regarding unions accepting apprentices. I do not know that there is much to condemn in the proposition. I think there is much more to commend than otherwise. The difficulty, to my mind, is as to how unions are going to become employers. If they are allowed to take apprentices, they have to assume the role of employers and it is for the court to decide whether the Act allows them to do so. If the Act does provide that power, I will not offer any objection. In fact, I think it would be a good thing for the community if industrial unions could take apprentices and train them. There is also a subclause that gives associations of employers the right to take apprentices. That provision is entirely superfluous because already the employers have the right to take apprentices. No doubt that provision was included in the clause for the purpose of softening the effect of allowing unions to take apprentices. If unionists enter industries and take and train apprentices, that very procedure will get over a good deal of our difficulties. If they cannot, as unions, enter into agreements to take apprentices, they may be able to do so by establishing co-operative societies. That has been done in many parts of the world with much success. In America to-day industrial unions are paying more attention to entering the field of industry than was formely devoted in other directions. That is a good thing. Suppose the building trades unions, as Mr. Gray pointed out, decided to co-operate and enter the building industry as contractors: Why should we attempt to stop them? If they will take apprentices, so much the better for the community. Further than that, it will give the unions an idea of the responsibilities and difficulties of those engaged in industry. It will also provide them with an opportunity of knowing what profits or losses are made in connection with that industry. I would go further and say that the A.W.U. might, with advantage, acquire a sheep station. There is no reason why that organisation should not do so. The A.W.U. possesses many hundreds of thousands of pounds and spends hundreds of thousands of pounds. If the organisation spent a little more money in the direction I have suggested, they could provide a place where the sons of their members could be trained in connection with pastoral matters. That would be doing a good work. The same might be said regarding the farming industry. If the unions acquired a farm and adopted the same procedure as I suggest regarding the A.W.U., I do not see any reason why that should not be done. The unions have men who possess the brains and the ability to carry out such work. Many of our most successful farmers to-day were unionists and many of our most successful contractors were unionists in their early days. We have old unionists in this Chamber, who are now successful farmers. If the court says that unions can enter into such businesses, the organisations should be allowed to do so, and I am convinced success would attend the move. While I am dealing with that, I am reminded that suggestions have been made by Sir Edward Wittenoom that the Government should establish a 10,000 acre farm upon which immigrant farmers and others might be trained. The Government might also establish a similar farm in order to train our boys to become farmers. If that were done, I think the Government would engage upon excellent work. The same thing might be said regarding the experimental farms. The Government already do that sort of work regarding our forests, and are engaged in training juniors in the science of forestry. There is no reason why they should not train young farmers in the same way. To-day we have boys leaving the schools at 14 years of age and all that is ahead of them is dead end employment or, in fact, nowhere to go. There is no opportunity, in the absence of secondary industries, whereby lads may be trained in various spheres of usefulness. If the farmers could be induced to come into a scheme such as I have suggested, it would be a great help to the community. I do not know that they

would agree to a hard and fast set of regulations such as we have before us now, but some regulations might be framed by the farming community to govern such a move, especially in view of the success that has attended their co-operative efforts in other directions. Regulations could be framed under which the farmers could take boys and train them as the farmers of the future and thus solve many of the difficulties facing us to-day. I would like to refer to Clause 20 which was dealt with by Mr. Nicholson in regard to apprentices being discharged for misconduct. First of all, as the Chief Secretary pointed out, that provision is embodied in the Act, so whether the House disallows the regulations or not, the Arbitration Court will be justified, and rightly so, in including such a provision in any award of the court. I cannot, however, accept the principle laid down by Mr. Nicholson that the employer should have the sole right of deciding what is misconduct under the terms of this particular clause. I would point out to hon. members that this is not an ordinary state of employment. It is not a case of taking on a youth for a year or a month or a week, whatever the period may be, together with the right of terminating the employment whenever desired. On the other hand, the apprenticeship system represents a contract entered into between the apprentice, or his guardian or father, and, on the other hand, the employer. It would be wrong to give the employer the sole right to say what was misconduct. Surely the other party to the contract should have some rights in the determination of such a question. There is one part of the clause that to my mind reads rather arbitrarily. It sets out that the employer may suspend an apprentice for misconduct and includes the following provision:—

> . . . . but in any such case the employer shall forthwith make an application for cancellation of the agreement of apprenticeship, and in the event of the court refusing same, the wages of the apprentice shall be paid as from the date of such suspension, and, in the event of the application for cancellation being granted, such order may take effect from the date when the apprentice was suspended.

I do not see why "shall" should be used where the employer is concerned, and "may" where the apprentice is concerned. I do not think the contention that the employer should have the right to say whether the misconduct is sufficient to warrant the cancellation of the articles of apprenticeship is right. Hon. members will recognise that in connection with the legal profession, the dental profession, the architectural profession, and many other professions, the employer has not the right, if I am not mistaken—Mr. Nicholson probably knows better than I do—to determine articles. If they have, they should not possess that right.

Hon. E. H. Gray: And they have not got it, either.

Hon. J. E. DODD: Then there is Clause 14 that provides that if an apprentice has failed in regard to his technical education, he may be given another chance or a number of additional chances to make good, at the employer's expense. Here again, quite apart from the justice or otherwise of the provision, it is included in the Act. When the measure was before us last session I drew attention to this particular point, and said that it was not going to be conducive to good business to say that the employer, whatever the cause of the trouble might be, should be compelled to pay for the extra tuition required. If it was the employer's fault, he should be made to pay. If it was the apprentice's fault, it would be to the good of the apprentice if he had to pay. However, the clause is now a subsection of the Act and we cannot alter it by way of regulation. There is a clause inserted in the various awards—I mean some of the awards of the past—which deals with this question. I would like to read it to the House. It is contained in the award of the Metropolitan Master Printers and reads—

> It shall be lawful for the employer to withhold the increase in wages accruing to the apprentice . . . from any apprentice who fails through no fault of his employers to satisfy the examiners.

That seems to me to be fair; that was prior to the passing of the last Act. According to the regulations it does not matter how an apprentice fails an employer may be forced to pay. However, that lies now at the discretion of the court and nothing that this House can do will alter it. It always seems to me that the question of apprenticeship is something like our divorce laws in that the people most concerned are the people who are not represented. In connection with divorce the people mostly concerned are the children, and in the instance under discussion those most concerned are the apprentices. If a system could be introduced where-

by parents or guardians could attend at a conference as mentioned by Mr. Nicholson, and thereat make suggestions to the employers, which suggestions might be placed before the court, much good would result. There is only one section that can be compelled to take apprentices and that is the building trades, and if the regulations are harshly enforced they may overstep the mark and result in lads not being apprenticed in other trades. I think Mr. Nicholson might withdraw the motion. The principal objection he has raised is one that the court can get over in other ways. The court is composed of men who know what they are doing, and it would be advisable for the House to place its trust in that court in respect of the regulations, especially as the difficulty may be got over. I would like to add in regard to one or two matters, especially the retrospective nature of the clauses, that to my mind the position of the court cannot be sustained and I am sure, if any attempt be made to go further the position will be challenged by some other tribunal. I will oppose the motion, but I would like to hear Mr. Nicholson in reply.

HON. SIR WILLIAM LATHLAIN (Metropolitan-Suburban) [5.5]: I regret I was absent when the motion was submitted, and therefore I am not as conversant with the whole of the details as some of the other hon. members. I listened attentively to Mr. Dodd's remarks this afternoon, and I appreciate them very much. I also listened to what Mr. Gray had to say the other evening, and I can endorse the views he expressed. Every member in this House must realise that we want plenty of apprentices, but the conditions under which those apprentices shall work, and the conditions that are placed upon employers require very serious consideration. I admit that every consideration should be given to the apprentices, and every encouragement given to employers to take on the indenturing of apprentices, but we must be careful that the restrictions placed upon employers are not so great as to prevent them entering into the field and securing as many apprentices as they possibly can. I am one of those who believe in the future prosperity of the State, and I agree with Mr. Gray that we should do everything we can to educate our children to become first class craftsmen in every branch of trade. There are one or two points in regard to the regulations which, in my opinion, are very drastic. I am not going to speak of many of them but I wish to refer to paragraph (j) of Clause 9, which says—

> All existing agreements of apprenticeship made or entered into prior to these regulations coming into force shall continue to have full effect, subject to any modifications imposed by these regulations, and shall be deemed to have the same effect as if they had been entered into in accordance with these regulations.

Mr. Dodd has already spoken on this point. It is a very drastic thing to do to alter an existing contract. For instance, if the City Council were fortunate enough to borrow £500,000 at about 3¾ per cent. then, if the rate of interest advanced considerably, the council would not care to have its agreement altered and be made to pay the higher rate. Yet, under the regulations, employers are asked to alter the conditions under which boys have been apprenticed to them, and that is not a fair position to take up. Under Clause 20 the position becomes very difficult, that is, in regard to a boy that has misbehaved himself. When a boy starts on his apprenticeship he is setting out on the great battle of life and he requires to be given every encouragement. At the same time those who employ him are entitled to see that he conforms to certain discipline. The discipline of to-day is not as it was in the old days, and no one wants the old days to return. It is a dangerous precedent to create that the employer has to go before the court in order to prove his case. If a man makes boots, he wants to go on making boots; he does not want to waste time going to the court. Whilst those connected with various organisations may think that going to the court is an easy matter, I wish to say that to a number of business people it is a very formidable function indeed to be obliged to attend the court. In this particular instance I feel that such a procedure is likely to interfere with discipline. I have had a great deal of experience in employing people for a great number of years, and I have come to the conclusion that, whether it be a boy or man, if there is not an amicable understanding between the employer and the employee, whether the employee be an apprentice, journeyman or anything else, the sooner the two part the better it will be for both sides. If a man does not get on with his employer, the man may not be to blame. The fact remains that, in regard to apprenticeships, I do not think that apprentices, under the

conditions I have stated, will ever gain that full experience everyone desires should be theirs. On the other hand, if an employer does not treat a boy in the manner the boy considers is his right, that boy would be better under some other employer. The only clause on which I wish to touch, a clause that is vital, is No. 27, paragraph (a) of which reads—

> Payment for such sickness shall not exceed a total of one month in each year.

I am informed that in most of the other awards the court has allowed one week in each year. The proposal in the regulations is not fair to the employer. I do not wish it to be thought that I have not a great deal of sympathy for the boys. Mr. Gray spoke of some of the hardships that he underwent as a boy. If I told him some of the hardships that I experienced when I was a boy, in all probability his would sink into insignificance. Whilst we must give boys every opportunity to learn their trade, discipline must be maintained at all costs. The regulations would probably result in a number of cases in boys being away for four successive working days without giving practically any excuse. It is in my opinion an inducement to cause a boy to deliberately stay away. That is not a fair position in regard to the employer. He may have important work on hand and if a boy is to be allowed the privilege of staying away on four working days without practically any excuse, that will not tend to the maintenance of the discipline which should exist. The Chief Secretary stated that many of the regulations were exact copies of sections of the Act. Clause 39 takes unto itself a tremendously wide power—

> The court may by its award in or relating to any particular industry, craft, occupation or calling modify, alter or extend the provisions of these regulations, and provide for matters not contained therein.

I quite agree that the court is the recognised authority for dealing with these matters, but Parliament has laid down certain rules and certain laws by which the court shall be governed. Under Clause 39 tremendous power is given to the court, power either to extend the provisions of the regulations, or to modify them, or even to alter them. In my opinion such a power is beyond anything that was in the minds of the legislators when framing the law dealing with apprentices. I shall listen with attention to remarks any other members may have to make; but as regards the provisions which I have enumerated, I feel that in some cases reasonable consideration is not given to the employer, whilst the latitude allowed to apprentices is too great to permit of what I should call reasonable discipline.

HON. J. NICHOLSON (Metropolitan)—in reply) [5.17]: I have listened with close attention to the various speakers who have addressed themselves to the motion, and I am glad of the discussion which has taken place. I feel that the motion has been productive of good, since it has brought forward with a prominence which otherwise would not have been attainable one of the most important subjects connected with our industrial life—the education and qualification of our boys. I share the view expressed by various hon. members as to the need for doing everything possible to assist in the qualification of our lads. We do not desire here an increase in the ranks of those nondescript individuals called ordinary labourers. We want to see lads trained as they should be, able to take their position in any part of the world, able to carry their trades with them wheresoever they may go and prove themselves capable craftsmen.

Hon. J. R. Brown: That is what the Act tries to do.

Hon. J. NICHOLSON: When moving the motion I endeavoured to show that there is reason to fear the regulations tabled are too restrictive, so that instead of bringing about the result we all desire, they will probably have an opposite effect.

Hon. E. H. Gray: Your opinion is not shared by school inspectors and teachers.

Hon. J. NICHOLSON: In reply to that interjection I can only say that in reading the regulations one must recognise they contain provisions not likely to result in an employer taking that degree of interest in his apprentice one wishes to see him take, with a view to qualifying the lad for his vocation in life. The question of discipline has been stressed by other members, notably by Sir William Lathlain. I have also referred to it. Mr. Dodd, who recognises the need for discipline, in the course of his interesting though brief narration of the history of apprenticeship, showed that in earlier days craftsmen were created by the rules of the period, very strict rules indeed. I have no wish to see imported into our regulations rules which are equally strict, nor do I wish to see apprentices suffer as they probably did suffer in the early days of craftsmanship guilds: but that those guilds produced good

and capable men is unquestionable. There were no finer craftsmen to be found in the world than those produced as the result of the training afforded in earlier days.

Hon. E. H. Gray: The boss then had to work as well.

Hon. J. NICHOLSON: The boss had to work then, and no doubt even to-day many bosses work.

Hon. E. H. Gray: No. They carry the whip now.

Hon. J. NICHOLSON: I think the hon. member is unjust to employers in making such a comment. No such thing as a whip is used in industry to-day. The hon. member would need to go to Russia to find the whip used; he will never find it used in the British Empire. I shall now deal with the very capable address delivered by the Leader of the House. When speaking in support of the regulations the hon. gentleman referred to the fact that some other members had followed the seconder of my motion before he, the Leader, had had the opportunity of presenting his side of the case. The Chief Secretary mentioned the practice previously obtaining, that when the mover and presumably the seconder of a motion for disallowance of regulations had spoken, members generally awaited the Minister's reply before addressing themselves to the subject. Whilst a good deal can be said in support of that practice, it must be admitted that the practice has not been closely followed in more recent years; and therefore the members who spoke may be pardoned. I am glad the Chief Secretary, in referring to the matter, recognised, with that spirit of fairness which characterises him in debate, that there was no improper motive on the part of the members who spoke, and that they probably did so in order to assist in further elucidating a complicated subject. For the hon. gentleman's information I may say that prior to moving the motion I did not ask any member other than my seconder to speak to it. The Chief Secretary will therefore recognise that other members who spoke did so of their own volition.

The Chief Secretary: I am aware of that.

Hon. J. NICHOLSON: In the course of his speech the Chief Secretary said that apparently it was thought by some members that the Arbitration Court could be checked, thwarted or hindered in the performance of its functions by some outside authority or through the disallowance of regulations. In concluding his speech he expressed the view that it was for the court, and not for this Legislature, to determine such matters as are contained in the regulations we are considering. Indeed, the hon. gentleman went so far as to say that no case had been made out for the motion. I shall leave it to hon. members to say, after hearing the various speeches and my reply, whether or not I have put forward facts sufficient to justify the motion. I certainly shall seek to combat some of the views advanced by the Minister. I fully agree that the court has statutory powers which cannot be taken from it even by the disallowance of regulations. It must be borne in mind that the court can function and discharge its duties in the future as it has done in the past, even if these regulations are wiped out.

Hon. E. H. Gray: What about the cost of printing awards if the regulations are disallowed?

Hon. J. NICHOLSON: The hon. member infers that the disallowance of the regulations will lead to increased cost in printing. At present any conditions relating to apprentices which the court desires to embody in an award can be embodied in that award. This may mean an extra page, or a couple of extra pages of printing; but that is neither here nor there.

Hon. E. H. Gray: I wish to save expense.

Hon. J. NICHOLSON: The hon. member surely has a wider vision of these matters than that which is bounded by the consideration of mere expense. I am sorry if the hon. member is actuated merely by motives of expense. In moving the motion I have not been actuated by any such motive, but by a higher motive, which is to see a most important problem settled on a satisfactory basis.

Hon. E. H. Gray: You will not accomplish anything by disallowing these regulations.

Hon. J. NICHOLSON: The hon. member is saying something that is unworthy of him and unworthy of me. If I thought for one moment that in the event of these regulations being disallowed the court would not be able to function and discharge its duties, I would ask leave to withdraw the motion at once. But as I know that in the event of the regulations being disallowed the court will be able to do its work in the future as it has done that work in the past, I contend there is nothing in my motion which can be considered inimical to the court. I give the House and the court this definite assurance, that I have not moved the motion with

any such unworthy object as to check or thwart or hinder the court or even the Government. I hope that will satisfy Mr. Gray.

The PRESIDENT: Order! The debate must be interrupted under Standing Order 114 unless there is a motion for its continuance.

Resolved: That motions be continued.

Hon. J. NICHOLSON: The Minister laid great stress on the fact that Mr. Andrews, the representative of the employers, attended a conference on these regulations. I have never spoken to Mr. Andrews on the subject of these regulations. However, I have spoken to various people associated with the Employers' Federation, and also to others who are not members of that body. I am moving this motion, not only in the public interests, but also in the interests of the solution of the problem of apprenticeship in this State.

Hon. J. R. Brown: Which is paramount?

Hon. J. NICHOLSON: There should be paramount in the mind of every member the desire to establish this subject of apprenticeship on a harmonious and satisfactory basis.

Hon. J. Ewing: How is it that Mr. Andrews agrees with the regulations?

Hon. J. NICHOLSON: I will come to that. I have viewed this matter from a perfectly fair standpoint, and I do not think I can be accused of being a partisan. In consequence of what the Minister said, I made inquiries as to the conference and was shown the minutes. I find that Mr. Andrews did attend the conference and did agree to a number of the regulations. Briefly it may be taken for granted that what the Minister said in respect of Mr. Andrews was perfectly true.

Hon. E. H. Gray: Then that destroys your case.

Hon. J. NICHOLSON: The hon. member need not worry about that. Mr. Andrews' attendance at the conference has nothing to do with my case, which stands on a very much higher plane. Members have to consider, not only the claims and the rights of members of the Employers' Federation, but also those of the apprentices themselves and of other sections of the community. What I have done I conceived to be my duty as it is the right of any member to move a like motion. To justify this assertion it is only necessary to remind hon. members that regulations come into force when published in the "Gazette." They are thereafter required to be laid on the Table in each House of Parliament, and within a certain time a motion may be moved for their disallowance. If not disallowed, the regulations become as effective as an Act of Parliament. The only chance of questioning them, after they have laid their period on the Table of the House, is through the courts. It would then be necessary for those who considered the regulations ultra vires to move the courts for a decision. So the parties concerned would be put to unnecessary expense in testing the regulations. I desire to see established a thoroughly harmonious relationship between the two sides. That can be done only by overhauling the regulations. It is admitted that some amongst them are not all they should be. Parliament is given the right to challenge these regulations. The Minister has suggested that it is the function of the courts to decide the suitability or propriety of regulations. To my mind that would be transferring to the court the functions of Parliament. It could reasonably be argued that if the court is to be the determining factor in respect of the present regulations, then the various Government departments should likewise be entitled to decide on the regulations those departments require. I submit that I am taking the proper and only available course of protesting against the regulations before the House. The Minister has pointed out that, apart from these regulations, the court may embody, and has embodied, in awards conditions relating to apprentices. This shows that no inconvenience will be caused by the House disallowing the regulations. There is, however, a difference between regulations that have been passed by the House and conditions that might be embodied in awards. I think it was Mr. Cornell who, in the course of the previous discussion, interjected that the regulations when passed are fixed and have the force of law. But before conditions are embodied in an award they are the subject of discussion before the court, which embodies only conditions that seem to it desirable. Therefore where conditions are carried into an award, the court has had the benefit of hearing evidence. I do not propose to traverse the whole of the ground taken by the Minister, but will content myself with a brief reference to two or three

clauses to which he alluded. The first is Clause 1. I previously pointed out that Clause 1 provides that these regulations shall apply to the skilled industries, crafts, occupations and callings mentioned in Schedule 1. Clause 9, paragraph (j), provides that all existing agreements of apprenticeship made or entered into prior to these regulations coming into force shall continue to have full effect, subject to any modifications imposed by these regulations. If we read these two clauses together there can be no question that the effect will be that these regulations will apply with equal force to every existing agreement of apprenticeship. That was never intended. The Minister explained that the words following "effect" in the latter clause, were carried into the clause by mistake and should be deleted. I take it the court will see to the deletion of the words that give to the court power to apply the regulations to existing agreements. If these regulations are to apply to existing agreements, such agreements may be varied to an extent that no employer ever contemplated. That would be unjust. At present those words stand, but apart from their deletion it is questionable whether the regulations do not apply to existing agreements. That is a question which could be considered at the conference that I suggest should be held to decide these matters.

Hon. E. H. Harris: That is sufficient to warrant members supporting your motion.

Hon. J. NICHOLSON: Yes. It is admitted that one clause gives the court the power to apply the regulations to existing agreements, which is unfair and unjust.

Hon. J. Ewing: That might be altered.

Hon. J. NICHOLSON: Yes, but as the regulations stand, there is an admitted fault.

Hon. J. E. Dodd: It might be wrong t make them apply retrospectively.

Hon. J. NICHOLSON: Yes; I appreciate Mr. Dodd's remarks about making the regulations retrospective. As they stand, they certainly are retrospective.

Hon. G. W. Miles: The Chief Secretary admitted that in his speech.

Hon. J. NICHOLSON: Yes.

Hon. J. J. Holmes: There is also the power to extend them.

Hon. J. NICHOLSON: There is power to amend, modify or extend them, which is a very wide power indeed.

Hon. J. Ewing: We cannot interfere too much with the court.

Hon. J. NICHOLSON: I am not seeking to do that, but we want regulations prepared on a fair and just basis.

Hon. J. Ewing: Then you doubt the court.

Hon. J. NICHOLSON: The hon. member does me an injustice by saying that. I always seek to respect the court. We are trying to assist the court by pointing out these mistakes. When regulations are tabled in this House and attention is directed to matters that are not correct, it is our duty to take the step that I have taken in connection with these regulations. One can easily see what would result if we allowed these regulations to stand. A lad might be three or four years on the way towards qualifying in his particular trade, and if the regulations were applied to him, we do not know what extra burdens would be added that were not contemplated. There is the question of technical education which applies to agreements made after the passing of the Act. No provision for technical education is embodied in existing agreemen All those things need to be considered. Let me refer to Clause 3 dealing with the employment of minors. Mr. Dodd did r agree with that and I share the views expressed by him. If a minor cannot be employed, as is stipulated in the regulation, without the sanction of the court, it wi mean that many lads who otherwise would receive an opportunity to earn a living w be deprived of employment. They will be thrown on the market and will be more or less thrown from pillar to post, which is good for neither the boys nor the community. Instead of adopting a restrictive regulation of that kind, it is our duty to embody in the regulations conditions that will make as simple as possible the employment of lads who cannot readily be apprenticed. The more restrictions we place in the way of employment, the more difficult it is to provide employment. Clause 8 is one to which I object and, after the explanation of the Minister, I think I am more justified than ever in objecting to it. It begins—

> No employer shall refuse employment to any person, or dismiss any employee from his employment, or injure him in his employment or alter his position to his prejudice by reason merely of the fact that the employee is a member of any advisory committee.

As the Leader of the House pointed out, that is intended to prevent the victimisation of men who may happen to be mem-

bers of advisory committees. I object to the inclusion of such a power as that. When it is read in conjunction with the following clause, it will be seen that there is grave reason for objecting to it. The Minister told us that Section 132 of the Act made certain provision of this kind, but there is a great difference between Section 132 and the provision in this regulation. Section 132 is a general provision reading as follows:—

> No employer shall dismiss any worker from his employment—

It does not state that no employer shall refuse employment.

> —or injure him in his employment or alter his position to his prejudice by reason merely of the fact that the worker is an officer or member of an industrial union or association or of a society or other body that has applied to be registered as a union or association or is entitled to the benefit of an industrial agreement or award.

The regulation states, among other things, that no employer shall refuse employment. If three or four men approached an employer and asked for employment, and he refused to employ a particular man who happened to be a member of an advisory committee under the regulation, the onus would be on the employer to prove that he had not refused the man employment for the reasons set out. The remaining portion of Clause 8 of the regulations reads—

> In any proceeding for any contravention of this regulation, it shall lie upon the employer to show that any person proved to have been refused employment, or any employee proved to have been dismissed or injured in his employment, or prejudiced whilst acting as such member, was refused employment or dismissed or injured in his employment or prejudiced for some reason other than that mentioned in this regulation.

The importing into the regulations of those two paragraphs is unjust. The Act provides all that is required, and there was no need to carry such a provision into the apprenticeship regulations. There is ample provision in the Act to safeguard any man from victimisation, and those two paragraphs should be struck out. I appreciate the views Mr. Dodd expressed on Clause 10, which gives power to industrial unions of employers or employees to employ apprentices. I welcome his remarks on the need for a training farm for our boys. It would be an excellent means to employ much of our surplus youthful labour that cannot usefully be absorbed in the secondary industries. The idea is well worth developing. Perhaps Sir Edward Wittenoom, who previously suggested the scheme, with his wide knowledge, could assist materially to develop such a scheme. We want our lads to find avenues other than those open to them at present. Still, I cannot share Mr. Dodd's view that unions should be permitted to employ apprentices. That would result in grave confusion. Clause 26 (g) of the regulations states, in regard to the examination of apprentices, that the employer shall provide such necessary material and machinery as may be required by the examiners and shall in all ways facilitate the conduct of the examination. If that regulation were enforced in conjunction with Clause 10, the outcome would be confusion. The unions would not have the machinery——

Hon. E. H. Gray: What machinery would be required by a bricklayer?

Hon. J. NICHOLSON: If machinery is not needed why include the regulation?

Hon. E. H. Gray: That is intended for the building trade—carpentering, plastering, etc.—in which there are no apprentices now.

Hon. J. NICHOLSON: The regulation does not state that it is restricted to the building trade, it applies to every trade.

Hon. E. H. Harris: Even to the watchmaker.

Hon. J. NICHOLSON: It applies to every calling and vocation. The hon. member, in interjecting as he did, has merely emphasised the weakness of the regulations to which I am objecting.

Hon. J. E. Dodd: It would be necessary to establish some societies or something of the kind.

Hon. J. NICHOLSON: That is so. Suppose a lad happened to be the apprentice of an association of employers, as he might be under this paragraph. He might be with one employer to-day under this association, and with another employer next week, and with another on the following week. Who is to be responsible for his training?

Hon. E. H. Gray: The head of the association.

Hon. J. NICHOLSON: I do not know where the responsibility begins or ends.

Hon. E. H. Gray: He may be six months with one bricklayer on a contract and 12 months with another.

Hon. J. NICHOLSON: I am afraid the hon. member would make confusion worse confounded. By having a power such as this embodied in these regulations, instead of the apprenticeship regulations being work-

able they would be quite the reverse. Clause 18 is that which the hon. member says was agreed to by Mr. Andrews, amongst others. I repeat my objection to this clause. I have nothing to do with whether Mr. Andrews agreed to it or not. I have examined these clauses carefully myself.

Hon. J. Ewing: It must show the feeling of the employers towards them.

Hon. J. NICHOLSON: It is stated in the minutes of the conference that Mr. Andrews went there without a full knowledge of the subject he was called upon to discuss.

Hon. J. Ewing: He should not have gone.

Hon. E. H. Gray: He had a wide knowledge of it.

Hon. J. NICHOLSON: I was informed that he had been engaged in some other work, and had undertaken this duty without having a full knowledge of the position. I have seen some words to that effect in the minutes.

Hon. E. H. Gray: His position as representative of the employers gives him a wide experience and knowledge of the subject.

Hon. J. NICHOLSON: Clause 20 provides that no apprentice employed under a registered agreement shall be discharged for irregular conduct, except under certain conditions. There is a provision to this effect in Subsection 7 of Section 127 of the Act, and a proviso is added to the regulation to modify it, as stated by the Chief Secretary. I believe the proviso was added by the court with the best of intentions, but I doubt its efficacy. The fact that it was added shows that the court recognised that the Act should be amended. The sooner it is amended the better it will be for the proper working of the scheme. I hope before long some amendment will be made so that this matter can be put right. I agree with what has been said with regard to discipline. If such clauses as these, and others alluded to by Sir William Lathlain, are allowed to stand, discipline will be out of the question. Members have asked what remedy an apprentice would have if he were dismissed. He could sue his employer for damages, just as any person can sue another for breach of contract. If an employer wrongfully dismissed a lad, the lad would have a claim against him for damages.

Hon. E. H. Gray: What chance would the son of a working man have of fighting that in the court?

Hon. J. NICHOLSON: He would have the union behind him to see that his claim was made good. If he had a just claim there would be no question about its being enforced.

Hon. J. E. Dodd: Would it not be better to allow the Arbitration Court to decide it rather than a law court?

Hon. J. NICHOLSON: No. Unfortunately, there are lads who take advantage of the provision, unless they know that the authority who can dismiss them is their employer. The court should not be made the deciding factor on every occasion before an employer can say whether or not a lad has been guilty of misconduct.

Hon. Sir William Lathlain: That is the position.

Hon. J. NICHOLSON: I regard the regulations as imperfect. I have said sufficient to justify the motion. Members have only to ask themselves whether these regulations as they stand tend to harmony and the smooth working of the apprenticeship problem, or whether they would have the opposite result. If members think they would have the opposite result, I ask them to vote for the motion. If the regulations are disallowed I suggest there should be a round table conference of persons concerned in this matter, so that it may be discussed in the light that has been thrown upon it during this debate. I think the debate here will be productive of good, and will result in regulations being framed that will tend probably to produce a better condition of affairs and establish a better relationship in regard to apprentices, such as we all desire to see.

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

Ayes	14
Noes	7
Majority for	7

AYES.

Hon. E. H. Harris	Hon. H. Seddon
Hon. J. J. Holmes	Hon. H. A. Stephenson
Hon. G. A. Kempton	Hon. H. Stewart
Hon. Sir W. Lathlain	Hon. Sir E. H. Wittenoom
Hon. G. W. Miles	Hon. H. J. Yelland
Hon. J. Nicholson	Hon. A. Burvill
Hon. G. Potter	(*Teller.*)
Hon. E. Rose	

NOES.

Hon. J. Cornell	Hon. E. H. Gray
Hon. J. E. Dodd	Hon. J. W. Hickey
Hon. J. M. Drew	Hon. J. R. Brown
Hon. J. Ewing	(*Teller.*)

Question thus passed.

BILLS (2)—FIRST READING.

1, Land Tax and Income Tax.

2, Stamp Act Amendment.

Received from the Assembly.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—INSPECTION OF SCAFFOLDING ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [7.30] in moving the second reading said: The Inspection of Scaffolding Act, 1924, became operative on the 16th January, 1925. In June of that year the necessary organisation for the administration of the Act was completed, and the enforcement of its provisions may be said to have commenced from that time. Thus hon. members will see the Act has been actually in operation for just over 12 months. It was soon realised that owing to the omission of a definition of the term "horizontal base" and the inadequacy of the definition of the term "scaffolding," the Act did not afford to all workmen engaged upon building construction that measure of protection it was intended to provide. Some builders early conceived the idea, and acted accordingly, that the provisions of the Act and the intentions of Parliament could be evaded easily. They discovered they could get over the provisions of the Act and refrain from using scaffolding exceeding eight feet from the horizontal base, by erecting walls overhand from inside the buildings. They could do that by using open flooring and ceiling joists for the support of the scaffolding boards. It is on record that in at least one instance a building of two storeys was erected and completed without being subjected to the provisions of the Act. The Crown Law authorities advised that in such cases the flooring or ceiling joists constituted the "horizontal base" of the structure and as the scaffolding did not exceed eight feet in height from that base, the Act was inapplicable. In more than one instance inspectors have seen defective ceiling joists that were positively dangerous, used for the support of workmen, but they have been powerless to take any action to secure safe working conditions. It is not uncommon, according to the experience of the officers of the department, for some building contractors to instruct their workmen to see that the scaffolding they erected did not exceed eight feet in height. The existing conditions also tend to create much dissatisfaction amongst builders, for the reason that those who comply with the spirit and the intention of the law are called upon to pay inspection fees, while others who take greater risks and fewer precautions to secure the safety of their workmen escape the liability to pay such fees. Section 1 of the Act which limits its application to buildings exceeding one storey in height in districts outside the metropolitan area, is also not a good one. At the present time there are several buildings of more than one storey in course of erection in country districts, but the Act does not apply to them because scaffolding, as defined in the Act, has not been used. The second storeys of the buildings are being erected overhand with the ceiling joists as the base for the scaffolding. That has occurred in various parts of the country districts here.

Hon. A. Burvill: They used no scaffolding at all outside the building.

The CHIEF SECRETARY: No. They erect scaffolding inside and the ceiling joists are regarded as the horizontal base. There is no doubt that Parliament intended that ordinary dwellings and single storey buildings in the country districts should be exempted from the operations of the Act. In making that provision, however, Parliament also exempted other classes of structures or buildings such as wheat elevators, silos, chimney stacks, churches and other buildings of that description, which, although not exceeding one storey in height, might necessitate the use of scaffolding to a considerable height for their erection. The effect of the present amendment, whilst exempting ordinary single storey buildings, will render the Act applicable to structures for which it may be necessary to erect scaffolding to a greater height than 15 feet. Clause 2 seeks to amend Subsection 2 of Section 1 of the Act by removing the restriction regarding the application of the Act to buildings exceeding one storey in height in the country districts and applying it to scaffolding exceeding 15 feet in height used in connection with any class of structure. As an illustration of the desirability of this amendment, a case has been quoted regarding a large wheat bin that was in course of erection at Northam. The inspector noticed that wooden brackets were merely nailed to the bin at a height of approximately 30 feet from the ground,

and a plank, 9 inches wide by 1½ inches thick, was being laid across the brackets as a platform for the use of the carpenters. It was positively dangerous, yet the inspector had no power to make the working conditions safe. Had he possessed the necessary power he would have immediately condemned it and prevented the further use of the scaffolding under those circumstances. Clause 3 deals with the definition of "horizontal base." The proposed definition is similar to that contained in the New South Wales Act and is regarded as a very good one. I think everyone will admit that the erection of scaffolding from open ceiling joists is a dangerous practice and does not afford sufficient protection to the workmen. Should a man fall from such scaffolding, which might be at a height of a few feet only from the joists, he could easily be precipitated to the floor or joists some 12 or 15 feet below, and, of course, suffer serious injuries. Then again the joists that carry the scaffolding may comprise defective timber. Because, under the existing Act, they constitute the horizontal base of the scaffolding erected on those joists, they are not subject to inspection. As a matter of fact a building was in course of erection at Nedlands. The ceiling joists were being used as supports for the workmen and one of the joists, which was of jarrah, 3 inches by 2 inches, had two big gum holes in it at a vital point where the strength was most needed. It was found that with the weight imposed upon it, one of the beams that was 14 feet long, had a deflection of about 6 inches. Although the inspector had no power to order the joist to be strengthened, he induced the owner to strengthen it by placing a strut under the centre of that particular beam. A further illustration of the dangers to which workmen may be subjected under the existing Act, and of how the inspectors are powerless to act, is to be gained from operations in connection with a building that was being erected in Hay-street some time ago. Men were demolishing a verandah and a man ascended to the roof, the iron of which gave way. The man fell to the footpath 14 feet below. He sustained a fractured skull and subsequently died. In that instance, the roof of the verandah, although used for the support of workmen, was not subject to inspection under the Act. The proposed definition is designed to cover timbers used for the support or protection of workmen employed in wells or other excavations. Clause 3, Subclause 2, provides for the amendment of the dennition of the term "scaffolding" so that it will apply to structures used not only for the support, but also for the protection, not only of workmen, but also "of any person using them," by making it apply to ladders exceeding 25 feet in length and to excavations other than wells. It is also thought advisable to use the words "any person" to avoid misunderstandings that may arise when the working partners of a firm use scaffolding, but actually have no workmen in their employ. They will be covered as well. It has been found frequently that men who embark upon small partnerships and take on minor contracts are liable to take undue risks regarding scaffolding and therefore it is necessary to protect such people against themselves. As an instance of the advisability of using the words "or other excavations" after "wells" at the end of the definition, it was reported that while workmen were engaged upon excavating a site for the basement of a two-storey building, the earth at the sides was supported by pickets from an old fence. Although the inspector was powerless to enforce the use of heavier timber, he made representations to the contractor. Before his recommendation could be given effect to, however, the support collapsed. Fortunately no one was in the excavation at the time, otherwise a serious accident would probably have occurred. The effect of the proposed definition will, therefore, be to provide for the protection of workmen in circumstances such as I have just outlined, as well as to help to ensure the safety of structures used for that purpose. Clause 4 proposes a new subsection that will have the effect of making the Act applicable in cases where it is found that men are working at a dangerous height without the use of proper scaffolding for their support. Cases have come under the notice of the department where painters have been working from narrow window sills and ornamental projections from which a slip would have meant a fall of from 40 to 50 feet to the pavement below, with possibly fatal results. Dangerous risks are also frequently taken by plumbers and other tradesmen effecting repairs to roofs, gutterings and buildings. In fact, within the last two or three weeks a plumber was seen to descend from the apex of a building with a highly

pitched roof—I may say that it was a four-storey building—without the use of a duck board or rope to secure his safety. If a slip had occurred it would have resulted in his death. The proposed subsection would empower an inspector to order the provision of suitable means to ensure the safety of workmen in such cases, whilst the owner or builder would be secured against the undue or unreasonable exercise of this authority because he would have the right of appeal to a police or resident magistrate against the order of an inspector. Clause 5 (c1) empowers the Governor to make regulations to provide for the protection of workmen employed on scaffolding erected so near to electric wires as to be a source of danger. The clause has for its object the prevention of accidents of a like nature to one that happened some months ago when a workman who was carrying an iron pipe on his shoulder was ascending a ladder to get on the roof of a building. The pipe came into contact with a live wire and the man got a shock which caused him to fall to the ground. His skull was fractured and he subsequently died in hospital. Clause 5 (c2) requires a municipal council or road board to notify the chief inspector of the receipt by the council or board, of a notice under any building by-laws of the intention of any person to conduct building operations. In effect the clause means that it will be necessary for a municipal council or road board that has adopted building by-laws to notify the department of the issue of a permit. This will afford the department an opportunity to conduct an inspection of the scaffolding. The adoption of this proposal is considered to be of very great value to the department in that it will enable the officers to keep in touch with building operations. The information supplied by the local authorities would be official and reliable and would tend to render the activities of the Scaffolding Department much more effective than is the case at present.

Hon. Sir William Lathlain: Is provision made for buildings over one storey in height?

The CHIEF SECRETARY: In some instances the Bill will apply to buildings of more than one storey. The requisite information is not being supplied by the courtesy of a number of local authorities, but in most cases it is necessary for an officer to call on the local authority to secure that information. It is considered necessary that there should be a statutory obligation on the local authority to supply that information. Clause 6 is self-explanatory. Regulation 19 requires the inspector to mark all scaffolding and gear that he condemns as being unsafe for use. At the present time no provision is made to prohibit the defacement or obliteration of such marks. I move—

That the Bill be now read a second time.

HON. J. CORNELL (South) [7.55]: I support the second reading of the Bill. I have compared it very carefully with the parent Act and find that the amendments provide for a reasonable protection for workmen or persons engaged in the erection or demolition of buildings. In this direction experience has shown us that there are some defects in the Act. It is better that there should be a provision in existence in relation to scaffolding, that it should be 15 feet from the horizontal base rather than the provision relating to one storey, because what may be construed as being one storey may prove to be a silo 40 feet in height. I do not think anyone would countenance a man working on the construction of a silo going above 12 feet without scaffolding or without proper supervision over that scaffolding. I also support the provision applying to scaffolding that may go down as well as up. In a city like Perth it is just as necessary that that should receive consideration knowing, as we do, the nature of the country into which foundations are put. If people are to engage in sinking, it is just as reasonable that they too should be afforded protection. The Minister quoted the case of a man who was killed by falling from a height while a verandah was being demolished. In that particular case it was my duty to have to fix up the compensation for the widow. That was an accident that could have been prevented because the conditions existing should not have been tolerated for a moment. It demonstrated that there were defects in the legislation. That is one of the things that the Bill proposes to remedy. There are not many debatable features in the Bill except the question of ladders and the protection of individuals against themselves. It might be said that we have no right to prevent an individual taking what risks he likes. The law does not prevent a man committing suicide, but it does provide that action may be taken against him if he tries to do so. The provision of 25 feet is reasonable and fair. There is nothing objectionable in the Bill and I give it my hearty support.

Question put and passed.

Bill read a second time.

BILL—NAVIGATION ACT AMENDMENT.

In Committee.

Resumed from the 5th October; Hon. J. Cornell in the Chair, the Honorary Minister in charge of the Bill.

Clause 14—Citation of principal Act and amendments (partly considered):

Clause put and passed.

Title—agreed to.

Bill reported with amendments.

Recommittal.

On motion by Hon. E. H. Harris, Bill recommitted for the purpose of further considering Clause 12; Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill:

Clause 12—Insertion of new section after Section 55; special provision relating to harbour and river ships:

Hon. E. H. HARRIS: When this Bill was in Committee previously, the following proviso was added to Subclause 7 at my instance:—

Provided that on payment of the prescribed fee, and on proof that the applicant is a person of good repute, and on the production of satisfactory testimonials that he has been in charge of and driven a marine motor engine for not less than a year within a period of five years prior to the passing of this Act, the Chief Harbour Master may grant without examination a marine motor engine driver's certificate of competency.

As a result of a conference with departmental officers, it has been decided to omit from that proviso the words "on payment of a prescribed fee," as there is a doubt whether it is competent for this Chamber to insert them. The same object can be achieved by a further amendment which the Crown Law Department advise me will be perfectly in order. I now move an amendment—

That the words "on payment of the prescribed fee, and," in lines 3 and 4 of the proviso to Subclause 7, be struck out.

Amendment put and passed.

Hon. E. H. HARRIS: I move a further amendment—

That the following new proviso be added to Subclause 7:—"Provided also that the prescribed fee for a third class engineer's certificate shall be payable for a certificate of competency under this section."

The Crown Law Department advise me that this new proviso will meet all requirements.

Amendment put and passed.

Bill reported with further amendments.

Further Recommittal.

On motion by the Honorary Minister, Bill again recommitted for the purpose of further considering Clause 3; Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clause 3—Repeal of Section 30 and substitution of new section; application of Part IV.:

The HONORARY MINISTER: When the Bill was in Committee before, Mr. Harris and I made a mistake regarding this clause. We agreed that Part III. should be struck out and Part II. substituted. The original figure is the right one. Accordingly I move an amendment—

That in paragraph (a) of proposed Section 30 the figure "II." be struck out and "III." inserted in lieu.

Hon. E. H. HARRIS: After conferring with the department, the Honorary Minister and I discovered that the proposed section as originally drawn up was quite in order.

Amendment put and passed.

Bill reported with a further amendment.

BILL—JETTIES.

In Committee.

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

Clauses 1, 2, 3—agreed to.

Clause 4—Power to make regulations:

Hon. G. W. MILES: On the second reading I referred to Subclause 10 of Clause 4, which subclause proposes to empower the Government to make regulations defining and limiting their liability in respect of goods landed, discharged, etc. I am informed that the Railway Department and the Fremantle Harbour Trust now have such regulations in force, but I consider that the subclause would give the Government altogether too much power, enabling them to divest themselves of all liability. The Government ought to take more precautions in handling cargo.

Hon. E. H. Gray: And everybody else should have a free leg.

Hon. G. W. MILES: Not at all. Such a regulation as contemplated by the subclause would mean that the men in charge of wharves would not carry out their duties adequately. I move an amendment—

That Subclause 10 be struck out.

The HONORARY MINISTER: The provision is exactly the same as one contained in the Fremantle Harbour Trust Act. It is certainly not proposed by the Government that they should frame regulations contracting themselves out of due liability, but it is necessary that the Government should be exempt from certain liability. Every care is taken with the goods. The Government are now carrying sufficient responsibility. The whole Bill is framed with a view to placing a little more responsibility on those who should be carrying more. I hope the Committee will not entertain the amendment, for it could serve no good purpose.

Hon. E. H. GRAY: If Mr. Miles can say where he has seen in any other part of the world a port authority without a provision such as this, I should lie to hear of it. The amendment would mean that the people of the North-West could bring in merchandise at any hour of the night, throw it on the wharf and let the Government take responsibility for it. It would be very dangerous to strike out the subclause.

Hon. E. H. Harris: Is there not some such provision in the Navigation Act?

Hon. E. H. GRAY: It is necessary to have it here as well.

Hon. H. STEWART: I support Mr. Gray, for unless there is some limiting power people of the North-West might deliver goods on the wharf at half past four, and so cause the men on the wharf to work a few minutes overtime; or they might bring in something on the Monday when, as a mater of fact, wharf employees will not be there till Tuesday. The people who should be inconvenienced are those who produce the stuff, and bring it along for shipment. Even now the Railway Department will not allow people to deliver sheepskins except on one day a week.

Hon. G. W. Miles: Do you believe in that?

Hon. H. STEWART: Well, the convenience of the department must be considered. Mr. Gray is quite right—from his own point of view.

Hon. G. W. MILES: This Bill applies to the North-West only.

Hon. H. Stewart: Delivery once a month instead of once a week should suit up there.

Hon. G. W. MILES: Perhaps we should do better without any deliveries at all from the south. What suits at Fremantle does not suit in the North-West, where the sheds might be half a mile from the ship's sides. It is the duty of the department to accept the responsibility.

Hon. E. H. Gray: They ask only that it be defined.

Hon. G. W. MILES: They say now that they take no responsibility for goods landed in the trucks after five o'clock. Somebody ought to be responsible. If somebody were made responsible, there would be not be so many ullages as there have been.

Hon. A. BURVILL: If it would stop ullages, I would agree to throw responsibility on the Government. But Mr. Miles wants to put unlimited responsibility on the Government. I am not in favour of that. The responsibility should be defined and delimited.

Hon. E. H. HARRIS: I agree with Mr. Burvill. But this subclause gives power to make regulations, and we shall not know until the regulations are framed and laid on the Table of the House what are the powers sought. Members might be inclined to pass the provision if they knew the regulations would be here before the session closes. If the regulations are not framed until after that time, it will be a long while before we can review them.

The HONORARY MINISTER: Hon. members have nothing to fear, since this subclause is a copy of a subsection in the Fremantle Harbour Trust Act. I thought members representing the North-West were au fait with the position and agreed that some regulations should be framed in order that we might have better control of the operations on the jetties.

Hon. J. J. HOLMES: Mr. Miles would be well advised if he sought relief under Subclause 11. Subclause 10 merely empowers the Government to make regulations defining and delimiting the liability, whereas Subclause 11 exempts the Government from liability. Against that subclause Mr. Miles reasonably might protest. Members are here to represent the State as a whole. The North has here only three representatives out of 30, and so, without the assistance of other members, the North cannot hope to get a fair deal.

Hon. H. A. STEPHENSON: The provision refers, not only to goods landed from

ships, but also to goods brought down from the back country. I agree with Mr. Holmes that we might allow Subclause 10 to pass, and then deal with Subclause 11.

Amendment put and negatived.

Hon. J. J. HOLMES: Paragraph (c) of Subclause 11 will empower the Government to exempt themselves from liability for or in respect of damage to or loss of any goods discharged, landed, loaded or handled in wet weather. Assuming that this paragraph applies to Fremantle, and I am not sure that it does——

Hon. E. H. Gray: It does.

Hon. J. J. HOLMES: What would apply to Fremantle would not apply to the ports in the North.

Hon. E. H. Gray: Give the reason why it should not.

Hon. J. J. HOLMES: At Fremantle ships come to the wharf and in wet weather the goods are put into a shed, or the ship ceases discharging until the rain stops. In the North ships run to schedule at intervals of perhaps four weeks and have to enter ports at all hours of the day and night according to the tide, and if the Government are exempted from liability, there will be no responsibility on the ship for damage done. A ship may at any hour of the day or night, in rain, hail or storm, throw its cargo on to the jetty.

Hon. E. H. Gray: The ship would have to pay for the damage.

The Honorary Minister: That would be the ship's responsibility.

Hon. J. J. HOLMES: Why?

Hon. E. H. Gray: If the ship took the risk it would have to pay.

Hon. J. R. Brown: How many ships run to schedule time?

Hon. J. J. HOLMES: All except the State ships.

Hon. Sir WILLIAM LATHLAIN: I think the whole of these provisions are covered by the common carriers' liability. Though trusts and shipping companies have tried to evade their responsibilities as common carriers they are compeled to take ordinary precautions for the care of the merchandise they handle. The Government cannot legislate themselves out of such liability.

Hon. H. A. Stephenson: The Fremantle harbour trust did. That was proved in the sugar case.

Hon. A. Burvill: Is not that done on the principle of bluff?

Hon. Sir WILLIAM LATHLAIN: There should be no bluff on the part of a Government concern. We should define the responsibility. In the North-West the responsibility is greater than in other parts of the State, as goods must be discharged at inconvenient hours.

Hon. E. H. Gray: And make the public pay for the convenience of the shipowners?

Hon. Sir WILLIAM LATHLAIN: Ships have to travel when the Almighty allows the water to rise. That is even taken out of the hands of the trade unions. The responsibility should be clearly defined, and the Government should accept their just liability.

Hon. H. A. STEPHENSON: During the war the Commonwealth imported a shipment of sugar, a considerable quantity of which was landed at Fremantle. The harbour trust would not allow the consignees to take delivery at the ship's side, but tallied it out into their own shed. Some days afterwards, when giving delivery to the owners, the trust were several hundred bags short, and they refused to make good the loss. The matter was taken to court, and the court decided that the regulation of the harbour trust relieved that body of all liability. These regulations are taken from the Fremantle harbour trust regulations, and so we can judge what the position of the ships will be if this measure becomes law.

Hon. G. W. MILES: Notwithstanding the arguments that these regulations are based on those of the Fremantle Harbour Trust and the Railway Department, they are not what they should be. The public do not get fair treatment from the Government departments. When goods are lost who will be responsible? If ships trading to the North were held up unreasonably, shippers would have to face the payment of double or treble the present freights. If the Government exempt themselves from liability, who is going to accept it? The burden will fall on the producer and the consumer.

Hon. E. H. Gray: They would have to bear it if the Government paid.

Hon. G. W. MILES: If the officials were treated as common carriers they would exercise greater care. I move an amendment—

That paragraph (c) of Subclause 11 be struck out.

Hon. E. H. GRAY: I can imagine what a nice time the shipping companies would have if a paragraph of this sort were deleted from the regulations. If shipping

masters wish to get their vessels out of port at a certain time, they should carry the liability. One would think that all Government employees required to be brought up with a round turn. Cargo that requires to be covered is always placed under some sort of sheeting. If the goods are damaged, the companies should be made to pay. The harbour authorities must be protected.

Hon. J. J. HOLMES: The deep jetties in the North-West are controlled by the Government, who also aim at controlling the whole of the trade of the North-West. A Government ship may arrive at a Government jetty with the cargo in good order. If the weather is bad and the master wants to get out quickly, the goods may be landed on the jetty, and no one will be responsible for them, if this paragraph is allowed to remain in.

Hon. E. H. HARRIS: The Fremantle Harbour Trust are already vested by statute with power to cover the very things members are objecting to here. The trust is exempt from liability for loss of or damage to goods from any cause whatever. These paragraphs are not as objectionable as Mr. Miles would suggest.

Hon. H. STEWART: When the regulations are framed, they must be laid on the Table of the House, when members may move for their disallowance.

Hon. J. J. Holmes: Are they not already in force?

Hon. H. STEWART: If an amendment is sought to the paragraph, it might be made by striking out the words "damage to or loss of." Possibly Subclause 10 already covers the whole position. It would be dangerous to leave in paragraph 3.

Hon. G. W. MILES: I admit that some protection should be afforded to the Government in case of wet weather. In the North, however, goods have to travel long distances before they reach shelter. I do not like the wording of the paragraph.

Hon. E. H. Gray: Some of the goods would be lost completely if they got wet.

Hon. G. W. MILES: These clauses should be so worded that there is no ambiguity about them.

Hon. E. H. GRAY: Is it conceivable that there would be a conspiracy on the part of Government ships and the officers in charge of Government wharves, in conjunction with the Minister in charge of the department to rob individuals in the North-West in a wholesale manner? A business man would not take delivery of goods that had been affected by wet weather as has been suggested. A similar provision applies in every port in the world I should say, for it is necessary to afford that protection against the shrewd ship owners.

Hon. Sir William Lathlain: There are a lot of things in connection with the Fremantle harbour that do not apply in other ports of Australia.

Hon. E. H. GRAY: It would be exceedingly dangerous for the Committee to decide upon innovations.

Hon. J. EWING: The clause provides power for the Government to make regulations for certain purposes. Those regulations will apply elsewhere and not merely to the North-West. The position was clearly defined by Mr. Stewart. The House will have an opportunity to revise the regulations and, if thought necessary, to disallow them. I do not think the Government would apply any regulations to the North-West ports that would be unfair or unreasonable.

The HONORARY MINISTER: The Bill applies to all ports and not to North-West ports only.

Hon. J. J. Holmes: It applies to all ports except those controlled by harbour trusts or the Commissioner of Railways.

Hon. J. Ewing: And there are a good many ports to which it will apply.

The HONORARY MINISTER: It should not be necessary to assure Mr. Holmes and Mr. Miles that I would not agree to any arrangement that would work an injustice to the North-West. When we come to deal with paragraph (e), I will move an amendment that should meet the objections of Mr. Miles.

Hon. J. NICHOLSON: There is much to be said regarding the argument advanced by Mr. Stewart that we should give the power to the Government to frame the regulations seeing that we could review them when they were tabled later on. As we have already given the Government power under Subclause 10, we could not reasonably object to regulations framed under the clause, but in Subclause 11 the Government propose to go further by making regulations that will exempt them from all liability.

The Honorary Minister: A similar provision applies to every port and yet you did not object to that regulation.

Hon. J. NICHOLSON: If we pass the subclause as it stands, we will give authority to the Government to frame regulations exempting them from liability respecting all

damage occasioned in wet weather. Why should total and absolute exemption be given to the Government under those conditions? It would be placing a premium on carelessness.

Hon. E. H. GRAY: I have a copy of the regulations for ports other than Bunbury and Fremantle. They were proclaimed on the 14th November, 1917, and amended in June, 1920.

Hon. G. W. Miles: Yes, illegally in force because there is no authority for framing those regulations.

Hon. E. H. GRAY: This House had an opportunity to disallow those regulations but did not do so. Clause 16 of the regulations reads as follows:—

> No goods shall be landed or shipped in wet weather without the permission, in writing, of the wharfinger at the request of the master or agent of the discharging or loading vessel, but the giving of such permission shall not throw on the department any liability for damage to such goods caused by being so landed or shipped or handled in wet weather. The determination of the wharfinger that the weather is wet shall be conclusive.

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

Ayes	10
Noes	7
Majority for	3

AYES.

Hon. E. H. Harris	Hon. J. Nicholson
Hon. J. J. Holmes	Hon. E. Rose
Hon. G. A. Kempton	Hon. H. Seddon
Hon. Sir W. Lathlain	Hon. H. A. Stephenson
Hon. G. W. Miles	Hon. H. Stewart
	(Teller.)

NOES.

Hon. J. R. Brown	Hon. E. H. Gray
Hon. A. Burvill	Hon. J. W. Hickey
Hon. J. M. Drew	Hon. H. J. Yelland
Hon. J. Ewing	*(Teller.)*

Amendment thus passed.

Hon. G. W. MILES: Paragraph (e) should also come out; in fact it is more necessary to delete this than the one we have just struck out. It is too stringent; the Government should be responsible for goods landed after 5 o'clock. When goods are landed from the ship and put into trucks after that hour who is to take the responsibility? The departmental officers should be responsible for ullages or loss after the goods get into their possession. I would like an assurance from the Minister that the regulations to be framed under the Bill will be laid on the Table so that we may have a chance to peruse them. I move—

That paragraph (e) be struck out.

The HONORARY MINISTER: I assure Mr. Miles that the regulations will be laid on the Table as soon as they are framed. Everything that Mr. Miles has suggested tonight will mean increased expenditure.

Hon. G. W. Miles: There is no need for further expenditure; you can make the departmental officers responsible.

The HONORARY MINISTER: Outside working hours there must be increased supervision and therefore someone must pay for it.

Hon. G. W. Miles: The officers take delivery of goods after working hours.

The HONORARY MINISTER: If you are going to make the Government responsible, it will be necessary to employ more men.

Hon. G. W. Miles: Employ honest men. I know of men who had no business to be engaged; men who had been in gaol.

The HONORARY MINISTER: I have known of men employed in stores who are not honest; even in Parliament there have been dishonest men. It will not be in the best interests of the North to delete the paragraph. I think Mr. Miles might accept an amendment I propose to move in substitution for paragraph (e).

Hon. E. H. GRAY: If the northern ports were served by white crews everything would be all right. What Mr. Miles suggests is probably the work of niggers. I recognise the difficulty of sheeting home the ullaging of cargo, but it is no doubt the work of the black crews when goods are landed after dark. Those natives are past masters at the art of opening up cases and closing them up again.

Hon. G. W. Miles: That can be done on white ships as well as the coloured.

Hon. E. H. GRAY: If we strike out the clause, it will mean that losses will have to be paid for by the Government and that will not be a fair thing.

Hon. G. W. MILES: The Honorary Minister's remarks about increasing the burden on the people of the North or other residents of the State are without foundation. With proper supervision, there need not be any extra cost. If the ship gets a clean receipt, the Government should be responsible. I have known men who have been in gaol

for robbery, known thieves, to be employed by the Government on the wharves and jetties—men to whom no private employer would give any responsible position. Generally speaking, where there is no responsibility nobody cares.

Hon. H. STEWART: Under the Minister's amendment there appears to be an elimination of the Government's liability for damage or loss relating to condition of goods discharged, landed or loaded outside the working hours prescribed for any jetty. It really should not trouble the Minister greatly whether the paragraph remains or is struck out. By making use of Subclause 10 the Government would be able to frame a regulation limiting their liability to such a degree as would mean practical exemption, and it would be highly difficult to take exception to such a regulation. Still, there would be a responsibility on the Government to frame such a regulation as would appeal to the common sense of Parliament.

Amendment put and passed.

Hon. J. J. HOLMES: The Committee should also strike out Subclause 13, which empowers the Government to make regulations—

> Precluding any person from disputing as against the Government or the department that the particulars, weights, and measurement of any goods discharged, landed, or unloaded on any jetty are different from that stated in the relative manifest or other shipping document.

That is not a reasonable provision. If there is a wrong measurement and the consignee is asked to pay 50 per cent. more than he ought to pay, he should have some means of redress upon proving the measurement to be wrong. I move an amendment—

That Subclause 13 be struck out.

Hon. H. A. STEPHENSON: I support Mr. Holmes's amendment. A shipper should not be made responsible for an error in the ship's manifest, with which he has nothing to do. The only shipping document he holds is the receipt for the goods he has shipped.

The HONORARY MINISTER: There must be some basis for calculating freight. If a mistake is made, the shipper has a copy of the erroneous document and should have the mistake rectified in the manifest. Are the Government which means the taxpayers, to be made responsible for everything? The shipper has the bill of lading.

Hon. H. A. Stephenson: Not always.

The HONORARY MINISTER: If he has not, someone is side-stepping his obligations. The Government should not be burdened with responsibility for the errors of shipping agents. There is no reason whatever for the deletion of the subclause, but there are weighty reasons for its retention.

Hon. J. J. HOLMES: I fail to follow the Honorary Minister's reasoning. He has told us that the regulations made under this measure will apply to the jetties of the North-West, with the exception of the Port Hedland jetty, which is controlled by the Railway Department. Now, at the eleventh hour, he suggests that every bill will have to be footed by the Government. What has been said on other provisions as to dishonest consignors or consignees getting the better of the Government cannot apply here, because the Government would get the wharfage over the jetty to which they are entitled. But if this be allowed to stand and, through wrong measurement, packages are charged 50 per cent. more than they ought to be charged, the consignee will be precluded from putting up a claim for rebate. We ask that the injured party should have some redress.

The Honorary Minister: But this is operating in other parts of the State.

Hon. J. J. HOLMES: The conditions up North, where charges are so high, are very different from those at Fremantle. The laws of the South are not appropriate to the North, where exemption is granted from the White Australia policy, where the closing hours under the Licensing Act are very different from those down here, and where the Vermin Act operates in quite a different way from that in which it operates in the South.

Hon. E. H. GRAY: There is no political principle involved in this. If a mistake be made in a ship's manifest, it is altogether unreasonable that the responsibility should be placed on the port authority.

Hon. H. A. STEPHENSON: If I consigned 20 packages, and the ship's manifest showed only 15, the Government would deliver only 15, and I would have no redress.

The HONORARY MINISTER: I see a difficulty in this. I should like to consider it further.

Progress reported.

BILL—RESERVES.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [9.53] in moving the second reading said: For the information of hon. members I have placed on the Table lithos showing each of the reserves covered by the Bill. The trustees of the Perenjori Agricultural Hall Society hold Crown Grant Lot 43 for an agricultural hall. A hall has been erected and mortgaged to the Western Australian Bank for an advance up to £100. The trustees desire to sell the site and the building, and apply the proceeds to the erection of a hall on a more appropriate site adjoining the recreation ground. Parliamentary sanction is necessary to enable this to be done. Yealering Town Lot 27 is vested in trustees for an agricultural hall site. The trustees wish to remove the hall to a new site, part of the recreation reserve on Yealering Lake which is under the control of a board under the Parks and Reserves Act. The trustees desire to sell the present site, together with the building on it, and devote the proceeds to the building of a hall on a new site that has been reserved for the purpose. Kulin Lot 15 is held under 999 years' lease by trustees for an agricultural hall. Lot 14 is reserved for an addition to that block. Lots 35 and 36 are reserved for a road board office site. The road board and the local residents wish to erect a new building for the combined purpose of a hall and road board office on Lots 85 and 86, which are being purchased by the board for that purpose. In order to assist in financing this new building the road board desires power to sell the four lots first referred to, and apply the proceeds towards the erection of the new building. To do this it will be necessary to empower the trustees of Lot 15 to surrender, and to issue the Crown Grant of the four lots to the road board with power to sell. All interested parties have agreed to the proposal. Reserve 17534 containing over 16 acres, Reserve 15215 containing about 125 acres at Dumbleyung, and Reserve 6000 containing 205 acres, are reserved respectively for recreation, show ground and racecourse, and water. The road board is desirous of acquiring the block coloured green (160 acres) for a combined sports ground, show ground and racecourse. In order to do this, permission is required to sell the three reserves mentioned and devote the proceeds towards the purchase and improvement of the new ground. Reserve 6000 is not suitable for water as there is little, if any, water in it. The local people state that the two reserves in the town site are unsuitable. The Crown Grant of Cue Lot 14 is held by trustees of the Cue Miners' Institution on trust for the purpose. They desire to give up their trust and transfer the land and buildings to the Cue-Day Dawn Road Board to hold for the same purpose. The ratepayers of the district have petitioned that this transfer be effected. Parliamentary sanction is necessary to empower the trustees to surrender the trust, in order that the land can be granted to the road board in trust for the same purpose. Fremantle Lots 1511 and 1512 are held by the Fremantle and District Trades Hall Industrial Association of Workers in trust for the purposes of the association. Owing to changes in recent years the Trades Hall on this site has become quite unsuitable for the purpose. A block of land has been acquired in William-street near the Fremantle Town Hall, and it is proposed to erect a modern building thereon. The association desires power to sell the present site and apply the proceeds towards the erection of the new building. As the land is subject to a trust, Parliamentary sanction to the sale is necessary. The Victoria District Agricultural Society Incorporated hold Victoria location 5950 under a 999 years lease for a show ground. The society wish to mortgage this land for £1,500 in order to pay off an overdraft and erect new buildings on the property. In view of the trust, Parliamentary sanction is necessary before permission to mortgage can be granted. If permission to mortgage is given, it follows that power to vest in the mortgagee, free from any trust, would be required in the event of foreclosure. The Manjimup Road Board office is at present erected on lot 6. The board desire permission to sell this lot together with the building on it and apply the proceeds towards the erection of a new road board office and hall on lots 140 and 141. These lots have been reserved for the purpose and are vested in the board. This proposal met with the approval of a meeting of ratepayers. There is an old hall on lot 140 which is to be utilised in conjunction with the new building. Parliamentary sanction is required to empower the board to sell lot 6. Settlers in the vicinity of Waddington and Marbro wish to erect a public hall on reserve A569 for which they require two acres to be excised, set apart for a hall site and vested in trustees. Reserve 569

is classed A for recreation under the Permanent Reserves Act, 1899, and it is necessary to obtain Parliamentary sanction to enable the two acres to be excised and set apart for a hall site in a position to be approved by the Minister for Lands. Reserve 5183 is vested in the Subiaco Council for recreation purposes. Reserve 5690 is set apart for police quarters. Both these reserves are classed A under the Permanent Reserves Act. In order to improve the utility of the recreation reserve, it is desired that portion be excluded from the police reserve and added to the recreation reserve. To this proposal the Commissioner of Police has agreed and Parliamentary sanction is required in order that the reserve may be amended accordingly. Lake Grace lot 116 was granted to the Presbyterian Church Commissioners for hospital purposes. Owing to a mistake the hospital buildings have been erected on lot 117 and it is desired that lot 116 be surrendered and lot 117 granted in lieu. In view of the trust there is no power to surrender without Parliamentary authority. There is no objection to the proposed exchange. Reserve 5574 at Labouchere-road, South Perth, is set apart and classed A for botanical gardens. It has not been utilised for that purpose and it is desired to set it apart as a recreation ground, which is said to be badly needed in that locality. There are also two reserves adjoining, which are set apart for Zoological Gardens caretaker's quarters and municipal purposes respectively. They are not required for those purposes and it is proposed to set apart the whole block for recreation generally, exclusive, however, of a strip along Labouchere-road frontage which it is proposed to declare a Class A reserve for a parking ground for cars. This parking ground would meet the requirements of the Zoo, golf links and other recreation grounds. A strip is to be left as a road access to the recreation reserve. The area of the proposed recreation reserve will be about 19 acres 19 perches. The area of the proposed parking reserve will be about one acre, one rood, 22 perches. I move—

That the Bill be now read a second time.

HON. H. STEWART (South-East) [10.7]: I am acquainted with a number of reserves for which Parliamentary sanction is sought to achieve a distinct advance in the social life of the country. Clauses 3, 4, 5 and 12 provide specific instances in the South-East Province. At Dumbleyung a reserve was set apart for a picnic ground and for water, but it was not suitable for either purpose. There are also a racecourse on a town block and an agricultural show ground on another block. The whole tendency in the country districts nowadays is to combine the various recreation grounds and concentrate the improvements on one ground situated conveniently for the whole of the people. This is a sounder policy than having several grounds for different purposes. Wagin has also moved in this direction. That town had a recreation ground, a race course that was used only twice a year and was quite unsuitable for trotting, which took place on the agricultural show ground. The Agricultural Society, Trotting Association and sports clubs would be able to accomplish more if they combined to improve one ground, as has been done at Narrogin. Knowing how jealous Ministers are to safeguard the rights of the people before bringing forward legislation of this kind, I have pleasure in supporting the Bill, feeling convinced there is ample justification for granting the authority requested.

On motion by Hon. Sir William Lathlain, debate adjourned.

House adjourned at 10.11 p.m.

Legislative Assembly.

Tuesday, 12th October, 1926.

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

ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the undermentioned Bills:—

1, Forests Act Amendment.

2, Government Savings Bank Act Amendment

3, Soldier Land Settlement.