The Premier: I am open to receive an offer.

Mr. ANGELO: The Premier can depend on my support if he seeks to amend the Constitution to enable him to have another Minister, or even two, provided that one is to look after the North-West. We want a Minister for the North-West exclusively, one who will travel through the North, acquire knowledge of the North, and look after the North. Of course, if we hand over the North to the Commonwealth, the appointment of such a Minister will not be necessary.

Mr. A. Wansbrough: Are you in favour of handing over the North?

Mr. ANGELO: Yes, but not on the conditions proposed by the Federal Government.

I am glad the Premier and others recognise that the interest taken in Western Australia by the Eastern States is being greatly enhanced. When visiting the East, I have noticed that people are becoming increasingly interested in this State. The publication of that little pamphlet entitled "The State's Activities" is a big factor in making the State known. I get a dozen copies of each issue and send them, some to the Eastern States and some to England, and in consequence I get many inquiries for further information. It is the duty of every Minister, every member of Parliament, and indeed every citizen, when he goes abroad, to act as ambassador for the State. We cannot do too much to bring before outsiders the great possibilities of Western Australia. It cannot be long before our wheat export will be larger than that of any other State in the Commonwealth, and within 15 or 20 years we should be exporting more wheat than all the other States together. I only hope that our other productions will increase in like manner.

Progress reported.

House adjourned at 10.38 p.m.

Legislative Council.

Tuesday, 19th October, 1926.

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

BILLS (3)—THIRD READING.

1, Inspection of Scaffolding Act Amendment.

2, Justices Act Amendment.

Returned to Assembly with an amendment.

3, Broome Loan Validation.

Passed.

BILL—NAVIGATION ACT AMENDMENT.

Report of Committee adopted.

BILL—ROAD DISTRICTS ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—LAND TAX AND INCOME TAX.

Second Reading.

Debate resumed from the 13th October.

HON. SIR EDWARD WITTENOOM (North) [4.38]: I have pleasure in congratulating the Government on having recognised the necessity for taking the very important step of reducing the income tax. A reduction of 33⅓ per cent. is a substantial one that must have an advantageous effect on financial arrangements in this State, particularly as it follows the abolition of the 15 per cent. super tax that hitherto was imposed. A great deal of harm has been done to Western Australia on account of the maximum rate of tax charged on high incomes. I happen to be in a position to know that it has led

to some people investing their money outside of Western Australia because they were able to get better returns elsewhere. Of course it is unfortunate that people should do that, but there are many men in Western Australia with a little money to invest and they naturally invest it where they can obtain the best returns. People in receipt of large incomes and free to invest their money where they like may go outside the State for investments. They may feel patriotic and prefer to lose a little by investing within the State and submittting to the maximum rate of income tax charged here, but there are many people who have invested large sums outside the State. Therefore it is a matter for congratulation that the Government have recognised the need for this reduction. I should like to point out the difficulty that confronts some institutions. I happen to be associated with a trustee company, who have a large amount of funds to invest. While a man is living he can invest his money where he likes. He can invest it within the State and pay the rate of 4s. in the pound, or he may invest it elsewhere, as many have done, where his income is subject to a lower rate of tax, perhaps 6d. in the pound. The trustee company, however, are in a different position. Once the money is placed in their hands they have to see that it is invested most advantageously for the beneficiaries. Consequently, it would not be right for them to invest it in a State that charged a rate of 4s. if it were possible to invest it in another State where the income tax maximum was 6d. Another point of view is this: By making the income tax a reasonable one, people will begin to invest their money in industries, which will afford employment to a large number of hands and probably do away with the difficulty of unemployment. The great obstacle to the development of industries is the Arbitration Court. I will not say that the awards of the court are absurd, but people who wish to invest their money in industries often find themselves considerably hampered by the awards of the court. Sometimes the awards do not take into consideration what the industries can pay so much as what they ought to pay. The manner in which provision is made for the reduction is very insidious and certainly very clever inasmuch as the Bill is still framed on the lines to which we have been accustomed, save that to give effect to the Government's proposal an addendum has been inserted providing that 33⅓ per cent. be deducted from the amount of income tax. This, of course, will leave it open to the Government, if things are not as good next year to cut out the addendum and leave the rate at the previous level. Let us hope that next year, if the Labour Government be returned——

Hon. E. H. Gray: As is certain.

Hon. Sir EDWARD WITTENOOM: The hon. member appears to know all about it. Let us hope that if they are returned to office, they will not cut out the proviso for the 33⅓ per cent. reduction and return to the original rate. With these few remarks I have much pleasure in again congratulating the Government on recognising the necessity for meeting the position as they have done. I have every confidence that as long as financial people feel assured that the Government will continue the view they have now taken, much benefit must result to Western Australia.

On motion by Hon. H. Stewart, debate adjourned.

BILL—STATE INSURANCE.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [4.47] in moving the second reading said: This is a Bill to give effect to certain sections of the amendments of the Workers' Compensation Act passed in 1924. Under that Act every employer is under an obligation to insure his workmen. He is not permitted to exercise any choice or discretion in the matter. He is bound to insure his men, and if he fails to do so he is liable to severe penalties. It was intended by Parliament—indeed it was specifically expressed by Parliament—that the insurance should be with an incorporated insurance office approved by the Minister; and there would be no pressing necessity for this legislation if the insurance companies had recognised their obligation and made a sincere effort to cope with the position as they found it. It was recognised by the Minister for Labour from the very outset that the fixing of a premium for that part of the Workers' Compensation Act which deals with miners' diseases constituted a problem by no means easy to solve; and in order that the problem could be studied from all viewpoints and considered in all its bearings he held numerous conferences with representatives of the in

surance companies, conferences extending over many months. At an early stage the rates for ordinary workers' compensation were agreed to after full discussion; and it was stipulated that upon its being decided to proclaim the Third Schedule to the Act, the schedule dealing with miners' diseases, the insurance companies should be given a month's notice of the intention. Meanwhile the Government undertook to collect all possible information necessary to enable the fixing of a premium rate which would be fair to all parties. A committee consisting of men specially fitted for the work were appointed. The members of the committee were Mr. Bennett, the Government Actuary, as chairman, Mr. Calanchini, the Under Secretary for Mines, and Mr. L. J. Grealy, of the State Insurance Office of Queensland. The committee were appointed not only for the purpose of collecting information, but also for the purpose of recommending what would be an equitable premium to cover miners' diseases in the light of their investigations. The committee, after availing themselves of every source at their command for the purpose of arriving at a sound conclusion, recommended a premium of £4 10s. per cent.

Hon. J. Cornell: The premium is a matter that can only be determined by the light of experience.

The CHIEF SECRETARY: I may state that the committee's report was dated the 2nd June, 1925. This was before any medical examinations had been made. Indeed, the medical examinations have not yet been definitely completed, nor has a final report yet been submitted to the Government. The committee could only deal with the facts then available, but their investigation was exhaustive. The Queensland and Broken Hill experiences were considered—particularly those of Queensland. It was known to the committee that if the present rate of premium had been charged throughout the whole of the period in Queensland, the total of the premiums would have substantially exceeded the total of the claims. Thus the Queensland experience, which is held up by the insurance companies as something in their favour, is really against them. An experimental rate only was charged in the early years of the establishment of State insurance in Queensland. The committee naturally placed more reliance on the experience of the Mine Workers' Relief Fund at Kalgoorlie. That was the organisation which had been handling the situation for many years. The committee examined the records of every claim made from the 1st February, 1915, to the 31st January, 1925—practically the whole period of operation. This experience dealt with the very men whom the present system of insurance covers.

Hon. J. Cornell: It only dealt with the men who applied for assistance.

The CHIEF SECRETARY: The committee considered 1,111 cases, but of these only 541 could possibly have come within the provisions of the Workers' Compensation Act. Judging from the actual ten years' experience, the committee came to the conclusion that about 90 men suffering from tuberculosis would have to be excluded from the mines. This deduction was based on the experience of the fund, but it is now known that probably 1,000 miners were not connected with the fund. Taking this fact into consideration, it is clear that the estimate was reasonably close, seeing that about 130 miners have been excluded on account of tuberculosis. It can therefore be claimed that the committee's estimate has been fairly well vindicated by results.

Hon. J. J. Holmes: What results?

The CHIEF SECRETARY: Taking the experience of the Mine Workers' Relief Fund year by year, the committee considered that the claims for all that period would have been about £308,000. A premium of £4 10s. per cent. charged on the estimated wages paid during that period would have amounted to nearly £500,000; but as the mining industry has been declining, the income for the future would be substantially reduced. Even so, however, the premium of £4 10s. per cent. seemed to show a reasonably ample margin on the experience for the last year that was investigated, the year 1924. Shortly after the committee reported, the Minister for Labour had another conference with the insurance companies both in Perth and in Melbourne. He told them what the Government proposed to do in order to minimise the spread of miners' disease. He assured them that when the result of the medical examination being carried out at the Commonwealth laboratory at Kalgoorlie was known, the mines would be thoroughly cleaned up; that not only would tubercular cases be removed, but that every effort would be made to induce men with symptoms of the disease to leave the mines and take work which the Government would endeavour to find them—a course which has

been adopted by the Government, as anyone interested in the goldfields must know. The whole of the information secured by the committee was made available to the insurance companies, who made no effort themselves to collect substantial data.

Hon. H. Seddon: On what date was that information made available to them?

The CHIEF SECRETARY: From the earliest stages of the committee's reports to the Government. I am given to understand that as soon as the Government had information, it was placed at the disposal of the insurance companies.

Hon. C. F. Baxter: I do not think that is correct.

Hon. J. Cornell: In justice to the companies——

The CHIEF SECRETARY: It is impossible for me to reply to half a dozen interjections at once. I want to put my position before the House, and I trust hon. members will listen and not try to divert my thoughts. The Minister for Labour, having supplied the companies with all the information gathered by the committee, asked them to quote. They said that they had not sufficient data on which to estimate their liability, and that they would not form a pool to undertake the risk, as recommended by the committee, unless the Government guaranteed them against loss. The Minister could not agree to this proposal. It was a proposal that no Government would be justified in entertaining for a single moment. It meant that the companies could conduct the business in any manner they thought fit, and that finally the Government would be called upon to foot the bill. That was the kind of proposition submitted to the Government by the insurance companies.

Hon. J. Cornell: It amounts to that now, if the Government show a loss.

The CHIEF SECRETARY: While the Minister for Labour was not prepared to guarantee the companies against loss, he did not wish them to undertake business which would be unprofitable, and minutes taken by a representative of the companies at the conference when the matter was discussed, a copy of which minutes was subsequently supplied to the Minister by the companies, clearly show that the Minister had no such thought in his mind. Here is an extract from the minutes in question—

While Mr. McCallum did not definitely state how the companies' pool would be reimbursed for any such deficiency, he implied that the Government would make provision in some form for that contingency. He expected that companies would accept this business under a pool, and foreshadowed that the Government policy would be in the direction of helping the mining companies if the premium had proved too heavy for the industry.

Even this offer did not move the companies into definite action in the direction the Minister desired. The Minister left no stone unturned to induce them to do business. Their leading representatives paid a visit to Perth, and Mr. McCallum interviewed them; and they then sent a direct representative from this State to a conference in Melbourne. The Premier was in Melbourne at the time the conference was held and a desire was expressed that the Council of the Fire and Accident Underwriters' Association should meet Mr. Collier to discuss the question, but they resolutely refused to do so. This was at the end of May. They would not meet the Premier, and it was manifest beyond doubt that they were not meditating business but were bent on breaking down the legislative structure which had been erected for the benefit of the unfortunate victims of industry on the goldfields. At this period the medical examination of the miners was proceeding under the Miners' Phthisis Act, and when Mr. McCallum pressed the companies for a quote, they asked him for the results. Now it must be remembered that this medical examination had nothing whatever to do with the Workers' Compensation Act. In the first place it was held under a statute passed during the term of the Mitchell Government, and it would have been conducted even if no such measure as the Workers' Compensation Act had been enacted. The point I wish to make here is that if there had been no medical examination—and there would have been no medical examination if there had been no Miners' Phthisis Act—the companies, by their own admission and by the attitude they have adopted, would have refused to insure for miners' diseases, would have refused to function in regard to that part of the Workers' Compensation Act, and would have trampled under foot the beneficent legislation passed by Parliament two years ago. In the second place, as I have already indicated, the medical examination was not completed when the companies asked for the information. Only one or two of the very worst mines had been tested creating no reliable standard for com-

putation of risk. Besides that, if the figures had been disclosed at that stage a panic would have been prematurely created among the men and their wives and families, inasmuch as many of the miners would be under the suspicion and would feel that they were victims of the fell diseases. For a very good reason the spirit of the provision in the Miners' Phthisis Act relating to examinations is secrecy, and if the figures affecting one or two mines were given publicity there would be a feeling of awful suspense among the men working on those mines as to whether they had contracted the fearful malady. Later, however, the Minister for Labour, alarmed at the prospect of the insurance companies withdrawing from the negotiations, asked them whether they would guarantee to quote if the figures were supplied to them. That was a reasonable request. It was a fair request, because they were not restricted as to the amount they would quote. They were not limited in any way. They were allowed perfect freedom to quote the highest figure they thought would protect them against risk. But the Minister required an assurance in writing that a quote of some kind would be forthcoming if he furnished them with the figures. They refused to give such an innocent thing as a quote and by that refusal they set the final seal of hypocrisy on all their negotiations with the Minister for Labour.

Hon. E. H. Harris: Can you tell us the date on which they refused?

The CHIEF SECRETARY: The hon. member will get full information later on. He will have an opportunity to reply to me, and I am pleased to say that I shall have an opportunity to reply to him also. The companies then adopted a bold course. Without the slightest consideration for the interests of an important group of their policyholders, they gave three days notice to terminate the general accident insurances. Not only the mining companies, but the miners were left unprotected. The Government have proof that the wholesale termination of the policies was the result of concerted action by the insurance companies. They thought they had the Government at their mercy, and that they could by this flanking movement destroy the new workers' compensation legislation. I have just stated that the insurance companies gave three days' notice of cancellation of policies held by their clients, and I can prove my words. We have a copy of a letter from one of the insurance companies giving three days' notice to terminate the policy of a mining company. It has been said publicly that the insurance companies adopted this course only after the Minister for Labour withdrew his approval. That is a gross misstatement of fact. The letter of cancellation by the insurance company is dated June 5th, whereas the Minister for Labour withdrew his approval on June 10th. It appears that the insurance companies sent out their communications on various dates, but in the same wording. And the date of the letter, to which I have referred, shows definitely that, working in concert as they have been doing all along, the companies, as a body, decided on this form of action well before the date of the Minister's notification. The insurance companies abandoned the field of general accident insurance, and we were faced with two alternatives—either to deny the workers, including the large body of miners on the field, the protection and the benefits that Parliament determined should be theirs, or provide the employers with the means of insurance by the State. It may be said that the employers could have been left to carry their own risks. That, however, would have defeated the primary object of compulsory insurance as sanctioned by Parliament. It would have left the workers at the mercy of employers who would be unable to meet their obligations under the Act, and some of whom were in a notoriously shaky financial condition. That was not what either House of Parliament intended. What both Houses of Parliament intended was that every employer of labour should be compelled to insure his men in order that the compensation due to victims of accident or industrial disease should be duly met. But here was a development which threatened to make the most important principle in an Act of Parliament a dead letter. And what was the remedy which would suggest itself to any reasonable mind? The remedy was that the Government, which represents Parliament, should step into the breach and make effective the law of the land. Fortunately, we had all the machinery at hand for meeting the situation. In August, 1913, the Labour Ministry then in power, established an insurance office under the administration of the Government Actuary for the purpose of paying to Government workers the benefits provided by the Workers' Compensation Act, 1912. We had the advantage of the experience gained through the operation of that scheme. That experience left no room for doubt that the business could be safely

handled by the Government Actuary. The State Insurance Department opened 13 years ago has a splendid record of success. No advance was made from the Treasury for the establishment of the fund, which had to rely solely on the premiums paid by the various departments. The rates of premium charged were in the majority of cases one-half of those chargeable by the insurance companies, as shown by the tariff of rates published by the Accident Underwriters' Association, and in operation in 1913. Since that year the tariff rates have been increased on at least two occasions, while the rates charged by the Government Workers' Compensation Fund were increased once only. A few years prior to this increase, an all-round reduction of approximately 30 per cent. was made in the fund's rates, and at the present time many of the rates charged to Government departments are only one-third of the underwriters' rates for the same class of risk. Up to the 30th June, 1925, the fund has received in premiums £211,490, while the Government Actuary has paid in claims £150,627. Commencing with no reserve or Treasury advance, a fund of £50,000 was built up, and at the end of each year any balance above this sum has been paid into revenue. Altogether revenue has benefited to the extent of £12,300. Until the passing of the 1924 amendment to the Act, the clerical work of the fund occupied only part of the time of the two officers, and though no administration expenses beyond those relating to printing have been charged against the fund, they would have represented only a small percentage of the premium income if they had been so charged. The administration of the fund has given the Government Actuary a very valuable experience of this class of insurance, so that we feel we are justified in taking the action we did in the direction of preventing the most important portion of the Workers' Compensation Act becoming a dead letter when the insurance companies combined to block the operation of that legislation. We are told we started a new trading concern without the consent of Parliament. What we did was the only thing which, in the circumstances, could have been done to ensure that the will of Parliament was carried into effect. If it was not the will of Parliament that the means for compulsory insurance should be provided, and if it was the will of Parliament that the insurance companies should have the final say in the matter, then the Government have grossly misinterpreted the words and actions of the Legislature. Government insurance exists in most of the Eastern States. A State Government Insurance Office has just been established in New South Wales, but sufficient time has not elapsed to enable any idea to be gained as to the results of its operations. By a Bill in 1924 the South Australian Government sought to establish a State insurance office, but it did not receive the sanction of the Legislative Council. The office was, however, established on the legal advice that it was a proper executive function for the Government to carry out. New Zealand has a comprehensive insurance office, in life, fire, and accident insurance. The life insurance was commenced in 1869, while accident and fire insurance commenced in 1901 and 1903 respectively. The office has no monopoly in the insurance business and operates in competition with 35 companies. From 1901 to 1924 the office had collected £591,123 in premiums, and had paid £304,565 in claims. In 1923 the fire office declared a rebate to policy holders of 15 per cent. on the premiums, and another rebate of 10 per cent. was made in the following year. With regard to the workers' compensation side of the business, the fund at the end of 1924 had amounted to £38,538 and the reserve fund to £115,020. For the five years 1920 to 1924 inclusive the premiums totalled £176,731, and the claims to £99,257, leaving a surplus of £77,000. In 1916 the Government of Queensland established a Government Insurance Office, which has a monopoly of the insurance business. Every worker was covered without increasing the existing rates; on the other hand, bonuses have been paid to employers. Up to 30th June, 1925, that is for the nine years, the total profit under workers' compensation amounted to £440,131. Provision was made for the payment of compensation to those suffering from miners' diseases at a rate of 40s. This proved to be inadequate, and has been increased to 80s. The miners' phthisis fund continues to show a loss, but the loss is made good from the general profit of the Workers' Compensation Department. Payment of compensation to sufferers from miners' diseases in Queensland is not strictly comparable with the procedure adopted in Western Australia. In Queensland, the State office assumed liability for compassionate payments being made to

the persons who were incapacitated as a result of mining prior to the Workers' Compensation Act of 1916 coming into operation. In Western Australia compensation is payable only to those who were incapacitated after the date of the proclamation of the Third Schedule. The conservative Upper Chamber of Victoria found no difficulty in approving of an Act which was passed in 1914 for the purpose of establishing a State Insurance Office. The office competes with the companies. Despite several reductions in the rates charged, the office after six years distributed bonuses to employers amounting to £17,586 and still retains a reserve of £40,545. The premium income for the six years was £172,022, while the outgoings, that is claims and expenses, totalled £113,891. It will be seen what immense profits have been derived by the State mentioned through the existence of State insurance. But the desire for profits has nothing to do with the action of the Government in embarking upon general workers' compensation insurance. Dire necessity for intervention is responsible for the step taken. There was no other course open to the Government except the path they pursued. The Bill was originally intended to provide for a monopoly of workers' compensation insurance for the State. That intention was departed from for two reasons: in the first place because there was a strong minority in another place who were opposed to a monopoly, and the Government felt that in a matter of this kind some respect should be shown for their wishes. In the second place it might be urged that the Government were anxious to be free of competition in order that they might charge whatever rates they liked. The Bill was, therefore, amended so that the insurance companies would have perfect freedom to come into the whole field of workers' compensation insurance if they so desired. They do not desire, however, to touch miners' diseases even now, when they know all that it is possible to know for the present as to the extent of the malady which has attacked the men on the goldfields. They are not insuring and will not insure these men. Could a stronger case be made out in favour of this Bill than by the statement of that one undeniable fact? It is positively certain that if the Government did not offer this means of insurance to the mining industry, the companies would have dismissed every man who had a trace of dust, and that in the end all the mines would have closed down. The opponents of this Bill are expected to offer something more than destructive criticism. We have had a surfeit of that class of controversy during the past three months. We have had the columns of a section of the metropolitan Press thrown open to the insurance companies, who have commanded more space than has been devoted to some important questions of general public interest. A visitor would be inclined to conclude from these persistent outpourings that the destinies of the country had been marred or perverted because the lockout perpetrated by the insurance companies had failed owing to the action of the Government.

Hon. J. Nicholson: Were not the views of the Government published by the newspapers?

The CHIEF SECRETARY: A desperate effort has been made by these insurance companies to create an atmosphere of public sympathy in their favour. But the people have remained icily cold, and no wonder. For the sympathy of the people is not with those who injure but with those who help suffering humanity. Let me repeat: something more than destructive criticism should come from those who seek to criticise the action of the Government. They should be able to propose some decent alternative. They should be able to show what would better take the place of the scheme that the Government have propounded. The mining companies must have protection. That is undeniable. It is still more vitally necessary in the interests of humanity that the present and future welfare of the miners must be safeguarded. These men, and thousands before them, have gone to an early grave to give many people in Western Australia the wealth that they own to-day. Are the benefits of the Workers' Compensation Act to be denied to these men, or are they to be robbed of their rights? The insurance companies will not insure them against industrial diseases. What can be done apart from the action that has been taken by the Government in establishing a State Insurance Office? That is the question involved in the presentation of this Bill. It is a question which every member should ask himself in dealing with the matter. It is the only question for consideration by this House or any other House, which sincerely wishes that its legislation should not be nullified by the action or the inaction, the groundless fears or the deliberate designs, of any organisa-

tion which may by reason of the special privileges extended to it be in a position to exercise that power. I move—

That the Bill be now read a second time.

On motion by Hon. H. A. Stephenson, debate adjourned.

BILL—TRAFFIC ACT AMENDMENT.

Second Reading.

Debate resumed from 13th October.

HON. SIR EDWARD WITTENOOM (North) [5.28]: After the eloquent address from the Chief Secretary, to which we have just listened, I feel some diffidence about addressing the House. He has brought forward so much eloquence that it makes me feel a little weak in putting up a case as strongly as I might otherwise have done. Before addressing myself to this Bill and taking any points in connection with it, I should like to congratulate the Government upon having taken steps to regulate the competition that exists between those who are running motor vehicles and the State railways. That, I understand, is part and parcel of the Bill, namely, to regulate these motor vehicles. We must not overlook the fact that our State railways are the people's property, and that they represent a considerable State asset. They have been constructed out of loan money. That money is lent on the understanding that it is spent on reproductive public works. Gradually, the use of motor vehicles has increased to such an extent that it has effectively worked against the interests of the railways. The motor traffic has turned the profit that was shown on the operations of the State railways into a deficit. Therefore, a serious position has arisen. In achieving such a result, the motor traffic has used roads that were constructed by the Government and, beyond the payment of some small fees, has been faced with practically no expense. Yet their operations have been so successful that the competition with the railways has turned a profit into a loss! Hon. members should consider how that has been done. The Government have practically built and maintained the roads that have enabled the motor vehicles to engage in the successful competition against the State-owned railways.

Hon. W. T. Glasheen: The railways have been made more efficient as a result.

Hon. Sir EDWARD WITTENOOM: It is argued that the motor traffic has proved entirely to the public convenience, as a result of which those engaged in the motor industry have reaped the profits that formerly went to the railways. It must not be forgotten, however, that the people own the railways, and if loss is occasioned because of the added convenience provided for some of the people, the loss belongs to those people as well as to the rest of the community. Unfortunately, a large percentage of the people who take advantage of the motor traffic pay *no* taxes whatever. Mr. Gray may laugh but I assert that the large majority of the people do not pay any taxes.

Hon. E. H. Gray: They do indirectly.

Hon. Sir EDWARD WITTENOOM: They pay taxation, neither directly nor indirectly, except to the extent of 25s. per year. A man who has a wife, and three children under 16 years of age and is earning £8 a week, pays nothing in taxation beyond the 25s. that come back to us from the Federal Government. There are thousands of people who do not pay a cent. of taxation imposed by the State; that statement cannot be contradicted. Therefore, many of the people who are using the motors, and have helped to convert the railway profits into losses, are not assisting to bear the burden which has to be shouldered by a minority who are the taxpayers. For that reason I congratulate the Government on including some clauses in the Bill that will enable them to regulate the motor traffic. When we consider the position confronting us, and find that motors can run successfully in competition with our railways, the question arises as to whether we should build any more railways. I understand that the Government intend to submit Bills to authorise the extension of some existing railways and the construction of others. If we have regard to the existing position, we should ask ourselves whether it would not be better to construct roads in the first instance. I can give members a case in point to illustrate how competition has been created through the provision of good roads by the Government, who also own the railways that have to suffer because of the motor traffic. Not long ago an extension of a railway was authorised. I am familiar with that proposition. It cost the Government a considerable sum of money and it operated in connection with certain places. At one of the centres there was a man who had between 80 and 100 bales of wool

that he wished to send to the metropolis. He had to cart the wool five or 10 miles to the railway siding. The owner of a motor lorry came to him and said, "Look here, Sir, if you will give me your wool to cart, I will come to your wool shed and deliver the bales at Fremantle." I will not say that this would have cost the grower much less than if he had had the wool railed to Fremantle, but it would have saved him the cartage from the wool shed to the train. Fortunately, the grower I refer to was patriotic enough to say, "No; that train was provided for our convenience and I will send my wool down by rail." That illustrates my point. If we are to build railways and yet provide roads that enable the motor lorries to compete successfully with our railways, the Minister should consider whether it would not be better to construct roads and let the motors have the traffic.

Hon. W. T. Glasheen: Would you advocate the wheat and wool from the back country being transported by motor?

Hon. Sir EDWARD WITTENOOM: I am not suggesting anything of the sort, but am pointing out that the motors are in competition with the railways to such an extent that the operations of the latter have become unprofitable. If the motor traffic is able to compete so successfully with the railways, we might do away with the railways altogether!

Hon. G. W. Miles: The trouble is that the growers send their high class freights by motor and want the Government to carry their wheat at a loss.

Hon. E. H. Gray: That is so.

Hon. H. Stewart: Never!

Hon. Sir EDWARD WITTENOOM: Under some of the provisions of the Bill the Minister will be able to regulate the motor traffic and thus prevent the railways from making too appreciable a loss. I would remind hon. members that our railways have been built by the expenditure of money borrowed from British people, to whom it was guaranteed that the money would be spent on reproductive works. I do not say that it has been altogether the competition of the motors that has accounted for the entire loss in railway working. I admit that the Government administration may have contributed towards the losses, but I shall not go into that aspect at this stage. It is the duty of the Government to see that the railways are made to pay, and the Government should not contribute towards the successful efforts of the motor traffic, particularly as the State has constructed the roads that enable the motors to compete. The Railway Department has to build the lines and incur great expense in maintaining the railroads in proper condition. The motor traffic uses the roads made by the Government and pays nothing towards the upkeep of the roads, beyond a small tax.

Hon. W. T. Glasheen: What about the petrol tax?

Hon. Sir EDWARD WITTENOOM: I do not know about that tax; it may help a little. If we are to have this competition, the motor people should keep the roads in good order at their own expense. The railways have to do the same thing, and if that were done—the motor people building and maintaining the roads, and the Railway Department building and maintaining the lines—we would see which was the more profitable. About £20,000,000 has been invested in our railways and we should see that they are made to pay; we should not assist the motor traffic in preventing the railways from paying by enabling the motors to use Government facilities. The first clause in the Bill to which I take exception is Clause 13, which limits the age of drivers to 18 years. That is far too young an age for anyone to drive a motor car in the metropolitan area. No one who is less than 21 years of age should be allowed to do so in the city.

Hon. E. H. Gray: That would penalise a lot of good people.

Hon. Sir EDWARD WITTENOOM: Nerve as well as skill and experience is necessary for driving cars in the metropolitan area. Any young fellow could drive a car along the Perth-Fremantle-road, but it is a different proposition in the mixed traffic in the heart of the city. Life and limb have to be considered, and the age at which a person should be permitted to drive a car in the city should be not less than 21 years. Let me ask Mr. Gray if he would be prepared to put a young fellow 18 years of age on an engine and allow him to drive it, despite the fact that the train is able to run on two rails? Yet he would be prepared to allow such a young man to drive a motor car in the city and expect him to get through without accident

Hon. H. Stewart: What about motor cycles: are they not worse?

Hon. Sir EDWARD WITTENOOM: They are beyond my comprehension. I hope hon. members will agree with me in my contention. Outside the metropolitan area, however, there is no objection that I can see to a person 18 years of age being permitted to drive a motor. I do not think there would be any difficulty in discriminating between the licenses, particularly if extremely severe penalties were provided to deter a person licensed to drive outside the metropolitan area from driving a car within the city boundaries.

Hon H. Stewart: At what age would you permit ladies to drive cars?

Hon. Sir EDWARD WITTENOOM: I would not allow a lady to drive a car at all.

Hon. H. A. Stephenson: A lady will not tell her age in any case!

Hon. Sir EDWARD WITTENOOM: Clause 21 also requires attention. In some ways it presents difficulties, particularly in its application to the country areas. I am in accord with the contention that it is necessary to take precautions regarding the limitation upon loadings, but that limitation should not extend to the country areas. The other day I was outback and saw two wagons, each laden with 150 bales of wool. The consignment projected beyond the sides of the wagons for a matter of feet. Some provision should be made to exclude the country areas from the operation of the clauses that may be made to apply to the metropolitan area. I am sure the House will be able to overcome the difficulty. The amendment suggested by Mr. Stephenson might work satisfactorily in the metropolitan area, but I am inclined to prefer that suggested by the Chief Secretary, provided we get a good man at the head of affairs. The Minister suggests that the loading shall be "as prescribed." Thus, if we get a good officer who is capable of dealing with the subject, the latter amendment should overcome the difficulty. The difficulty is how to prescribe a foot for the metropolitan area and still consider a man who loads a lorry with wool at York and wants to take it right through to Fremantle. He must pass through the metropolitan area, where the load must not extend more than a foot beyond the side of the vehicle. The only way would be to make a provision that this part of the Bill shall not apply to any vehicle loaded outside the metropolitan area. However, we can deal with that in Committee. I propose that Clause 28, respecting insurance, be struck out. It is another effort on the part of the Government to enter into insurance through this new department of theirs, which has been so eloquently spoken of this afternoon by the Minister. Actually the being insured may make drivers more careless than ever; for the driver would say, "I am insured, and so I do not care whether or not I run over anybody, for if I do the insurance people will have to pay the cost." My idea is to make the owner of the car liable for the injury. However, the clause as printed refers only to passengers, saying *nothing* whatever about *injured* persons. No doubt the Minister will be able to explain why. I cannot understand whether or not it is intended to apply only to passengers.

The Chief Secretary: Yes, it is.

Hon. Sir EDWARD WITTENOOM: Suppose a driver with a load of passengers runs over somebody, but does not injure his passengers. Apparently he must take out another policy for those whom he injures. That is all I have to say about the Bill for the time being. I will support the second reading, but when in Committee I will take exception to the provisions I have indicated.

HON. E. H. HARRIS (North-East) [5.48]: If ever we had a Bill that entailed extensive searching of other Acts to find out what it means, it is this Traffic Bill. The Government, when having this printed, might well have interleaved it with information showing how the clauses would affect the provisions in the existing Act. Then members and scores of other people interested would have been able to understand the suggested amendments. The Minister said the object of the Bill was to remove anomalies that had arisen, and he invited those members who desired information to ask for it on the second reading. My object in rising is to secure information. I wish to refer to heavy traffic, such as traction engines. In the existing Act there is a provision setting out the fees payable at so much per ton per wheel; but it does not say the wheel in contact with the ground. That point cropped up during the week, when I was looking at a big tractor for which very heavy fees are required, a tractor that is but infrequently used. Such tractors are to be seen on the goldfields, where there are very few made roads. This type of tractor is used chiefly

for the purpose of removing buildings from one place to another, or for lifting heavy machinery, or for hauling a boiler from one mine to another, or for removing cyanide vats. Local authorities on the goldfields are anxious that some provision should be made under which those vehicles could be licensed at a nominal fee. They are but infrequently used, and they do no damage whatever to the roads. Yet at present mining companies and others in need of the services of such vehicles are deprived of them. Under the existing statute the charge for such a vehicle is, exceeding seven tons £3 per ton per wheel. Assuming that that relates to the wheels in contact with the ground, it means £84. Then if the vehicle be fitted with iron tyres there is 40 per cent. extra to pay, or £33 12s. Again, if the fuel used be other than petrol there is a further payment of £16 16s., or a total of £134. The owner of such a vehicle remarked that if he used Yankee petrol he would be exempt to the extent of £16, but that if he used crude kerosene he would still have to pay the higher rate. I understood that the object in providing a higher rate for iron tyres was to prevent the use of vehicles that would cut up the roads. The tractors in Kalgoorlie have 2ft. tyres on their back wheels, with flat cleats 3 inches wide and an inch thick. The owner of one of them by way of comparison told me that his motor truck can travel 20 miles an hour with a ton load, whereas his big tractor running empty has a maximum speed of five miles, and when loaded travels at only two miles per hour. Yet he is asked to pay an exorbitant fee for the vehicle, although it does no damage whatever to the road.

Hon. J. Cornell. It does the road good.

Hon. E. H. HARRIS: Yes, it is frequently used as a road roller. The tyres on the front wheels of the tractor are 10 inches wide, whilst those on the driving wheel are 24 inches. It would be as well if we could have some provision in the Bill under which the local authority, by regulation authorised by the Governor-in-Council, could be empowered to strike a special fee for that type of vehicle. The existing fees are prohibitive, and no good purpose is served by compelling the owners of such vehicles to keep them in their back yards. The matter has been brought under the notice of the Public Work Department. Mr. Munt, the Under Secretary, on the 27th of September, 1926, replying to the owner of a vehicle and, subsequently, to the local authority said—

> I regret to have to inform you it is not considered practicable to provide in an Act of Parliament for special exemptions or concessions to one particular vehicle.

I have made inquiries and am informed that similar vehicles are to be found at Norseman, Grasspatch, Kalgoorlie, Bruce Rock, Corrigin, Babbakin, and Katanning, and are also used by the Public Works Department per contractors whom they employ. Those I have seen have not the diagonal cleats on the driving wheels. On Friday last I made it my business to inspect one operating vehicles in use in Perry's circus. It had diagonal cleats, and the department refused to issue a license until rims 3 inches wide had been shrunk over the wheels. I ask that this matter be given consideration with a view to the insertion in this measure of a provision that will give the local authority the power they desire. I will support the second reading.

HON. H. A. STEPHENSON (Metropolitan-Suburban) [5.58]: Like Sir William Lathlain, I have received letters of protest from various bodies such as the Perth Chamber of Commerce, the Perth City Council, Subiaco Municipal Council, the Warehousemen's Association and the Transport Association. They all protest against various clauses in the Bill, to several of which I will move amendments when in Committee. The City Council complain bitterly of the treatment they have received in respect of the Bill. I am of opinion that they have cause to complain. I agree with my colleague when he said that we should give all possible consideration to the Perth City Council as well as to other local authorities dealing with road matters. The devote considerable time and thought to the work and, as a rule, do it well. We have had many years experience of local governing bodies, and it is difficult to suggest any system under which the work could be done more efficiently or more cheaply than they do it. The Perth City Council feel particularly aggrieved about Clause 8 which refers to the traffic fees of the metropolitan area being employed to keep in repair portion of the Perth-Fremantle-road, the roadway or decking of the North Fremantle bridge and the roadway or decking of the Causeway. They consider the Causeway a national work that should be maintained by the Government. I agree with them. The Causeway is the main gateway to Perth from the country, and it is not fair

that portion of the fees collected in the metropolitan area should be devoted to the maintenance of that roadway. On the other hand, Mounts Bay-road, from Crawley to the city, is not included in the schedule of roads benefiting from the traffic fees and the Perth City Council have to provide for its maintenance. Nearly everybody owning a motor vehicle uses that road, and the Perth City Council obtain no rates whatever from the section I have named because it is bounded on the one side by King's Park and on the other side by the river.

Hon. Sir William Lathlain: And the brewery.

Hon. H. A. STEPHENSON: Yes. I intend to move for the inclusion of that section of the Mounts Bay-road in the schedule of main roads. There are several other clauses that I shall seek to get amended in Committee. I have some amendments on the Notice Paper and I intend to add several others. I shall support the second reading.

HON. H. STEWART (South-East) [6.3]: There is one aspect to which I wish particularly to direct attention. In 1924 the Road Boards Conference carried a motion in favour of the traffic fees being collected by the Commissioner of Police. When the Main Roads Bill came before Parliament, first in 1924 and again last session, provision was made to give effect to that proposal. The select committee of this House that inquired into the Main Roads Bill recommended that the method of collecting the traffic fees should remain as it was, except that in the area defined as the metropolitan area the traffic fees should be collected by the Commissioner of Police. Thus the local authorities outside the metropolitan area would continue to collect their traffic fees and retain them for road-making. The form in which the measure was finally passed imposed such responsibilities upon the local authorities that it was necessary to safeguard this source of revenue to that extent, at any rate pending further investigation. The select committee's inquiries showed that in general the traffic fees were thoroughly and economically collected. I have a copy of a communication forwarded by the executive of the Road Board Association showing that the conference, after further considering the matter, arrived at a different decision. At the latest conference a motion was carried as follows:—

> That the resolution passed at the previous Roads Boards Conference in 1924, "that motor licenses be pooled and administered by the Main Roads Board" be rescinded, and that fees for all licenses form part of the general revenue of the local authorities collecting the same.

The Road Boards Association at their latest conference passed a number of motions bearing on the Traffic Act Amendment Bill, and when the measure reaches the Committee stage, I shall move amendments dealing with some of those matters. The association fully agreed with the principle enunciated by Sir Edward Wittenoom that the railways should not be subject to the competition of motor vehicles on roads to whose upkeep such vehicles contributed little revenue, but they expressed the opinion that settlers, who were distant from railways and had adopted motor vehicles to cart their produce to the railways, should be entitled to a concession similar to that granted to the owner of a horse-drawn vehicle engaged in prospecting, sandalwood-getting, or agricultural pastoral pursuits, who receives a license for one quarter the fee charged to a man engaged in carrying as a business.

Hon. V. Hamersley: Those settlers assist the railways.

Hon. H. STEWART: That is so.

Hon. Sir Edward Wittenoom: And they should be encouraged, not penalised.

Hon H. STEWART: Undoubtedly. Motor trucks are being largely used by people, who have settled in agricultural areas ahead of railway facilities, in order to overcome the handicap of distance from railway communication, pending the construction of lines to the recognised limit for profitable wheat growing namely, 12 miles. In Clause 22, Subclause 3, paragraph (g), the following provision is made—

> The Governor may by regulations under this Act prescribe that a permit under a special service license shall be granted unless the local authority is satisfied that there are not other sufficient facilities for the conveyance of passengers.

It appears to me that the word "not" should be inserted after "shall." I support the second reading.

HON. V. HAMERSLEY (East) [6.13]: There seems to be an impression that the motor vehicles on our roads are unduly competing with the railways and that therefore

we should come down upon them with a heavy hand. I take the contrary view. Motor traffic is of immense advantage to the whole of the State, and is certainly helping the settlers to bring more traffic to the railways. It is also assisting the railways by dealing with traffic that they would be incapable of carrying.

Hon. E. H. Harris: Some of the motor vehicles are not competing with the railways.

Hon. V. HAMERSLEY: Some are competing to the advantage of the settlers.

Hon. Sir Edward Wittenoom: Would you do away with the railways?

Hon. V. HAMERSLEY: No, the railways can carry heavy loads much more cheaply than can motor vehicles.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. V. HAMERSLEY: At the tea adjournment I was about to mention instances in which motor vehicles have proved of the utmost use to settlers. One instance which came under my personal notice was where the motor vehicle greatly assisted the Railway Department in carrying out a job which they had been paid to carry out. The railways had been very slow indeed in making delivery of a tractor which was put on the trucks in Perth on the 1st May for delivery to a settler at a distance of 80 miles. The settler was waiting with his other machinery for this tractor in order to put his crop in, and it took the Railway Department almost three weeks to get the tractor to a point 20 miles from its ultimate destination. The purchaser of the tractor was making frantic appeals to the Railway Department to deliver the machine. He even was obliged to approach the firm who sold him the tractor and threaten to cancel the deal. Eventually the difficulty was overcome by the despatch of a motor lorry to the siding at which the Railway Department had left the tractor. The lorry removed the tractor from that siding to its ultimate destination about three weeks after its original despatch from Perth. That is one of many similar instances. The Railway Department start the traffic, but one never knows when it will reach its destination. On the other hand, the motor lorry at least delivers the goods. As a rule, by reason of the competition of motor lorries with one another as well as with the Railway Department, the lorry, when it undertakes to do a thing, does it in good time. That is one of the causes which have induced people to use motor trucks for the conveyance of their wool to Fremantle, especially during this season. Laterly the use of motor lorries for this purpose has been due partly to the washing away of the Fremantle railway bridge and the consequent diversion of railway traffic round Armadale. In that way local circumstances often enable motor lorries to deprive the Railway Department of a certain portion of the traffic. I have heard of many people who delight in using the motor vehicle because it is so much more reliable than the railway. If the motors serve the community in that manner, they deserve every encouragement. It is recognised by country residents that the motor lorry will deliver the goods, the drivers living up to their responsibility in that respect. This applies especially to small parcels and packages, which the railways have a knack of not delivering. Frequently the train overcarries such goods. The motor lorry caters for the convenience of the community, and thus causes the Railway Department to wake up in order to meet competition.

Hon. J. M. Macfarlane: The motor lorries do not quibble in regard to their responsibility as common carriers, either.

Hon. V. HAMERSLEY: That is so. To my own township of Toodyay the railway passenger service now is a great deal worse than it was 25 or 30 years ago, although the traffic has increased hugely. As a consequence there is a regular motor passenger service with Toodyay. One marvels that the Railway Department have not stood up to their job better. They seem to have the idea that larger and larger trains and bigger and bigger loads are necessary to make the system pay. Thus the community is robbed of rapid service by small trains. It is ridiculous that the department does not provide a service more equal to public requirements. That is the explanation of why the motors thrive. In view of the circumstances it is hard that the Government should bring forward a Bill of this kind, and that there should be a general feeling, to which expression has been given even by Sir Edward Wittenoom, that we should come down on the motors since they use the roads in competition with the Railway Department. The motors give the community a wonderful service, and it is that service we must consider rather than the amount of money spent in railway construction

Hon. Sir Edward Wittenoom: Shall we do away with the railways?

Hon. V. HAMERSLEY: We cannot do away with the railways. Everyone recognises that the motors cannot compete satisfactorily with the Railway Department if only the department will carry out their job. As regards large weights moved at cheap rates, heavy traffic and big business, the Railway Department functions satisfactorily; but their passenger service is not as good as the motor passenger service. Moreover, as regards the most expensive class of freightage on the railways, the small packages and parcels, the motors give a better service. Again, on the railways luggage sometimes disappears, whereupon the department disclaim responsibility. There is no such question as that with the motor service, which recognises its responsibility for articles entrusted to it. I greatly regret the tendency to tax motors off the roads. The contention is that as the Government have invested so much money in railways, the motors should be blocked unless they pay very heavy license fees. Those fees, however, would be passed on to the public; and it is our duty to relieve the public of such charges as far as possible. Though it is claimed that the Government have spent much on country roads, I contend that the local governing bodies have spent infinitely more. In recent years the Government have given the country road boards nothing like adequate assistance.

Hon. H. Stewart: They subsidise the road boards, though.

Hon. V. HAMERSLEY: The subsidies have been practically cut off for a considerable time. Although various Governments have preached about the subsidies paid to road boards, the amounts have been too paltry to be worthy of mention. A few districts have been favoured in this respect. Large sums have been spent in one or two places which have been able to use the necessary persuasion on the Government that happened to be in power. Districts with which I am associated have received the merest pittance by way of subsidy. The road boards work economically, and the local people rate themselves, and many good natural roads are to be found. With judicious handling of small resources, the average road board has done excellent work. Quite close to my residence there is a road which I advise the Minister for Works and the chairman of the Main Roads Board to inspect. For £2 5s. per chain a beautifully gravelled road has been constructed over a sand plain. I defy the Minister and the Main Roads Board to produce anything like the same work at anything like the same cost. Recently the Minister for Works quoted figures of the cost of work done at Greenough, which cost was £40 per chain. I know of another district where the same class of road work has been done on the same system: no less than £250 was spent before even a sod was turned. If the Government claim that on account of the money spent on roads the motor traffic must be charged heavy fees, my reply is that the money should be spent more judiciously, so that both motor owners and the community generally may be relieved of heavy charges. We have made provision for certain exemptions to those who pay license fees, but I endorse the remarks of Mr. Harris in respect of the vehicles that he mentioned. Certain discretion requires to be used regarding the vehicles that are used for special purposes. Sometimes it is necessary for very long poles to be carted over roads. These poles may be required to carry telegraph lines and a special vehicle is brought into use, a vehicle that perhaps has been lying idle for 12 or 18 months, or even a couple of years. That and other classes of vehicles that may seldom be used should be specially considered under the heading of exemptions. It would be ridiculous to impose ordinary fees for vehicles of that class. I have also been asked to secure exemption for vehicles that are used for the conveyance of children to school. There is already provision whereby vehicles used by ministers of religion are exempted from the payment of licenses, and it would be wise to make similar provision regarding those vehicles that are used to convey children long distances to school. The Government may regard this as only a small matter, but I assure the Minister that the costs on the owners are fairly heavy.

Hon. J. Cornell: Are those vehicles used only for that purpose?

Hon. V. HAMERSLEY: I do not think they are used for much else. If the distance to the school be long, the vehicles remain there for the day and they convey the children back again in the afternoon. These vehicles perhaps remain in the broiling sun and it is necessary, oftener than in the case of other vehicles, to send them to the wheelwright. I know that in my own case

I never get clear of costs under £3 or £4 yearly in this respect alone. What with wet weather in the winter and the heat of the summer, the tyres demand more than ordinary attention at the hands of the wheelwright. In regard to motor vehicles, I consider they are serving a good purpose in this country. We should consider them not only from the point of view of competitors of the railways, but also because of the wonderful help they are in outlying parts of the State and in creating traffic for the railways.

Hon. Sir Edward Wittenoom: That is all right so long as they do not enter into competition with the railways.

Hon. V. HAMERSLEY: We must take one with the other. They help the railways and help settlement that is far away from a railway line. We should consider them also from the point of view that a little healthy competition will keep the railways in order. I have every sympathy for the owners of motor vehicles because of the heavy charges that fall upon their shoulders and the high price of petrol. When the Bill is in Committee I intend to refer to the question of licenses in the case of an owner who perhaps has a tractor, a lorry and a car. The driving license held for the lorry may not be of service for the car or the tractor. It frequently happens that one driver is employed for the three vehicles. The present Act stipulates that the class of vehicle for which the license is issued must be set out in that license. I understand it is permissible to name three or four vehicles on the one license, but I have not yet seen a license drawn up in that way.

Hon. W. T. Glasbeen: In any case, a license costs only 5s.

Hon. V. HAMERSLEY: It is not the question of the cost; it is the inconvenience of having to get the separate licenses. The position would be simplified if one person were appointed to issue all licenses. It becomes very annoying to have to go to various people and places for the different licenses.

Hon. J. Nicholson: It all helps you to learn something of the geography of the place.

Hon. V. HAMERSLEY: I am not keenly concerned about the geography of the city. I trust that in Committee the question of the issuing of licenses will be considered. The Minister might look into the matter and inform us as to whether one license cannot be issued for the driving of a truck, a lorry and a car. It happens sometimes that the tractor driver has to go to a siding with the lorry to pick up petrol for the tractor on the farm, and next he may have to drive the car to the siding to pick up passengers. Must that man take out three separate licenses so that he might drive the three vehicles? I consider that one license should be sufficient for all purposes. I support the second reading and will suggest certain amendments to the Bill in Committee.

HON. J. M. MACFARLANE (Metropolitan) [7.57]: I do not desire to prolong the discussion on the Bill, recognising that the Committee stage will be fairly long, as many amendments have been spoken of, amendments that will be necessary. The point I desire to ventilate relates to motor bus traffic in the metropolitan area and the disabilities that are caused to road boards and proprietors of buses by reason of the fact that the board controlling the buses, so I am advised, are out of sympathy with that class of traffic. With other members, I have been requested to assist to bring about an alteration in the form of control. It is suggested that the metropolitan road boards should have better representation, and that the board as it stands should be abolished and a trust appointed composed of the people vitally concerned in the development of the metropolitan area outside the districts served by the tramways. There are one or two other points that I intend to deal with when the Bill is in Committee. The first refers to limiting the load to the width of the vehicle. I shall support an amendment that will ask for more generous conditions. I realise that there is a variation of loads in connection with merchandise that to limit the load to the width of an ordinary motor vehicle would be creating a disability not only to the carrying trade but to the individual Mr. Hamersley has dealt with the question of drivers' licenses. I sympathise with him in the experience he has had and I think it is wrong that when a driver is licensed, and has undergone an examination proving that he can drive one type of motor car, when he drives a motor lorry he should have to take out another license. Sir William Lathlain says it costs only 5s. It is not the one 5s. that concerns the individual. Usually the driver, the employee, obtains his own license and pays the extra 5s. He finds this a burden. If this is

persisted in I am afraid drivers' licenses will have to be found by the firms employing the men. Another point in connection with the buses, which is something in the nature of a hardship, has been cited by my friend Mr. Molloy. He went to great expense in bringing motor buses here in the early stages of the bus traffic, and in opening up the districts.

Hon. J. Nicholson: I think he pioneered the business.

Hon. J. M. MACFARLANE: Yes. He has had a rough spin in his pioneering work. He tells me that he has a motor bus license to travel between Perth and Cottesloe, but is not permitted to go to the beach. His license would be cancelled if he went there.

Hon. Sir Edward Wittenoom: Would the Ocean Beach Hotel be classed as the beach?

Hon. J. M. MACFARLANE: I am referring to the sea beach. He cannot run on that road. There is no provision made for a substitute bus. A bus cannot run unless it is in good repair. It must be overhauled and attended to, and then owing to wear and tear and rough handling, as well as to accidents, a bus has to be laid up at times. The license fee is about £60 a year. If a man has to place his bus in a garage he is unable to put on a substitute bus without re-registering and paying a fee for 12 months. That amounts to hampering industry and preventing the development of the outlying districts. It shows there is something in the claim of the local governing association which declares that the board is not in sympathy with the traffic, and is hardly suitable to control and regulate this business. The board hampers sports to some extent. A football club in the metropolitan area may desire to have a friendly game with another football team some distance away.

Hon. H. Stewart: It is a most important aspect of life in Australia to-day.

Hon. J. M. MACFARLANE: This football team may have obtained the use of a motor lorry, but would be unable to run it unless a license was taken out. That is a hardship to the people concerned. Other members have touched upon the more serious amendments that are required, and I will reserve any further remarks I may have to make until the Committee stage.

On motion by Hon. W. T. Glasheen, debate adjourned.

BILL—WEIGHTS AND MEASURES ACT AMENDMENT.

Second Reading.

Debate resumed from 13th October.

HON. J. M. MACFARLANE (Metropolitan) [8.5]: The Bill has been brought down in unique circumstances. The Act of 1915 has never been put into operation; nevertheless it is about to be amended. I am glad the Government have given an assurance that the Bill will be proclaimed immediately. This is very desirable. Because the Act has not been in operation there has been a certain amount of looseness throughout the State in regard to the control of weights and measures. This is inexcusable, because there was no reason why the Act should not have been proclaimed. When I was a member of the City Council attempts were made to induce the Commissioner of Police to take over the work at once, and relieve the council of the work it had been doing for several years. The first excuse was that there were no standard weights. The council offered to lend its own standard weights, but the offer was not accepted. Another excuse was that there was no proper place in which to carry on the work, much as the authorities might desire to do that. Both of those were flimsy excuses. They showed that the police were not anxious to have the work thrust upon them as part of their duty. There could have been no other reason for their inaction. The council at last decided to rearrange the town hall, and practicallly delivered an ultimatum to the department that if the work were not taken over it would relinquish it, and the city would be left without any organised control of weights and measures. No one will welcome this Bill more heartily than the honest trader. He has looked upon the proper carrying out of the Act as a protection in his trade. He realises that the unscrupulous man, whose scales are out of order, or who wishes to manipulate them, can trade to the disadvantage of the man who is dealing honestly, but with whom he is in competition. When the new Act is brought into force I hope it will not be done too precipitately, or with excessive zeal. Many of the scales which will be declared obsolete will have been purchased by traders because of the delay that has ensued in the proclamation of the original Act. The Bill deals with the question of standardising what is the full weight of 16 ounces

to the pound or its proportion. It further says that the nominal weight to be declared on the package shall be considered to be the legal weight. Purchasers very often find they cannot buy the full pound of the commodity, because they are only being given 13 or 14 ounces in weight. I refer to jams and fruits, and liquids such as essences. This is an undesirable form of cutting in trade, and if it were eliminated it would be to the advantage of traders generally. The Bill tries to remedy this defect in the Act, but I do not think it goes the whole way. Another clause says it shall be a good defence to have a written guarantee that the weight, number and measure are correct as issued by the manufacturer. That is a good provision. Nowadays many packages are bought by storekeepers in this form, and are passed on to customers. It will be a good thing to have a written guarantee as a defence, if it is found that the package does not come up to its true weight. The responsibility will then be thrown back upon the person who puts up the package in that form. There is no provision for serial numbering. This is a number that has been used by the manufacturer or packer to register with the department so as to comply with the requirements of large firms who decline to advertise, but who wish to have their own names associated with their own goods. It would facilitate matters if the serial number were provided. Clause 7 (21, A1) is rather peculiarly worded, although I have the assurance of the Minister that it is all right. Clause 10 reads:—

A section is inserted in the principal Act as follows:—

23A. When any article is purchased by weight, measure, or number, and the weight, measure, or number thereof is determined by the purchaser, any such purchaser or person on his behalf making a false representation to the seller or his agent, either directly or indirectly, of the weight, measure, or number of such article, shall be guilty of an offence against this Act.

I cannot see how it comes about that the purchaser could make false representations to the seller. It is contrary to my practice and experience in connection with trade. I discussed the matter with the Leader of the House and he assures me that there have been instances of misrepresentation by the purchasers. When we deal with Clause 17, which seeks to insert a new paragraph in Section 51, to stand as paragraph (q2), I will move an amendment. The paragraph reads—

Providing for the examination and licensing of scale repairers, and generally for their supervision and control, including prohibition of the use of the designation "scale adjuster," or any like designation by persons other than those licensed under the regulations.

It could be held under that paragraph that the person who did the adjusting would be the person who would be licensed. No such provision appeals to me. I have a number of scales and for years I have retained a firm to keep my scales in order. It is the job of that firm to look after the scales and to keep them in good order. It would be most unsatisfactory if people had to go beyond the proprietor of that firm in order to deal with the man who was licensed. I propose to move an amendment that will make the position more clear.

The Chief Secretary: I propose to move an amendment to that clause myself.

Hon. J. M. MACFARLANE: Then I will defer to the Leader of the House if his amendment will achieve what I desire. I hope the Bill will operate against the Railway Department. If the railways are brought within the scope of the legislation, I presume the examination of their scales and weighbridges will be undertaken. Much unpleasantness has been occasioned by the railway scales being out of order. The weights taken by the senders of the goods do not agree with the weights registered by my scales when their goods are received at the factory.

Hon. E. H. Harris: Do you suggest that they were lost durng transit?

Hon. J. M. MACFARLANE: No. The scales at the other end did not register correctly.

Hon. J. Cornell: Were your scales underweight?

Hon. J. M. MACFARLANE: I am able to prove that the railway scales are out of order. One firm I retained for work of this description has since gone out of business so I can mention the instance without doing the firm an injury. They were sent out to examine the scales at long intervals, and according to the information given to me by them, some of the platform scales at railway stations were out to the extent of a quarter of a cwt. Frequently, they were out from 5lbs. to 10lbs. The information I gleaned from that source, together with my own experience, confirms me in my belief that the railway scales are very much out of order,

and that if they were brought within the scope of this legislation, it would be good for the people concerned. It would obviate a lot of unpleasantness. I trust the Bill will be given effect to immediately, because it will do good, not only for the purchasers, but it will be in the interests of the honest traders.

HON. H. A. STEPHENSON (Metropolitan-Suburban) [8.20]: I support the second reading of the Bill, but I would like to have some information regarding the railway weighbridges. I mentioned that matter some little time ago and was informed that the Railway Department would be exempt from the scope of this Bill. I hope that will not be so. It is necessary, indeed, to bring the railway weighbridges within the scope of the Weights and Measures Act so that they may be adjusted at short and regular intervals. Mr. Stewart will no doubt not agree with me when I express my opinion regarding railway weighbridges, but I am not new to that game. I have had 30 years experience in Western Australia and many years experience in another State. I can say positively that we frequently find weighbridges in various parts of the State that are not adjusted very often. It is no infrequent thing for some of the weighbridges at country stations to go six months without being adjusted.

Hon. H. Stewart: I will not disagree with you.

Hon. H. A. STEPHENSON: Clause 12 of the Bill reads—

> A section is added to Section 25 of the principal Act as follows:—(3) For the purpose of this and the next three succeeding sections, each weighing or measuring instrument open for use by the public or for the use of which a charge is made, shall be deemed to be in use for trade.

If the provisions of that clause are carried out, doubtless the railways will be included, seeing that they make a charge for the use of their weighbridges.

Hon. H. Stewart: The railways are specially exempted.

Hon. H. A. STEPHENSON: Then they should not be. Although a charge of 3d. or 6d. is made for a ticket, the railway officials very often do not issue them. It is left to the carter who brings in the load to put it over the weighbridge, weigh it, and write out his own ticket. That is not the proper way to do the business. Hon. members will realise how easy it is, even if the weighbridges were in order, to register weights that are not correct. In a district, for instance, there may have been no rain for a fortnight or six months and the carter's tare is a certain figure. When the carter goes to the weighbridge later on, there may have been two inches of rain, with the result that about two cwt. of mud is attached to his lorry. Despite that fact, the carter takes his tare as being the same. In that case there is the possibility of the goods consigned being two cwt. short one way or the other. It is common for railway weighbridges not to register correctly within two or three cwt. I know a firm that purchased 120 tons of goods from a siding not 60 miles away from the city. The goods were bought on railway weights at the sending station. Although the goods arrived in trucks at Fremantle within 24 hours of the time they had been weighed at the sending station, the difference between the weight registered there and that registered over the Fremantle municipal weighbridge was 10 tons. That is to say, the firm had to pay for 10 tons of goods more than they received.

Hon. Sir Edward Wittenoom: Ten tons!

Hon. H. A. STEPHENSON: Yes, and the goods cost £10 10s. per ton on rails. Hon. members can reckon what the loss amounted to.

Hon. Sir Edward Wittenoom: What about the weighbridge at Fremantle?

Hn. H. A. STEPHENSON: It is one of the best in the State. To my knowledge during the past 30 years it has been most reliable. The farmers who sent the goods were absolutely above suspicion; I am satisfied it was not their fault. It was the fault of the weighbridges that had not been correctly adjusted. It is a common thing to have goods sent from Grass Valley 70 or 80 miles away. Chaff sent away from there arrives on the following day and one can expect at least 2 cwt. or 4 cwt. short in weight. That is a serious thing. Years ago farm produce was sent to Perth and re-weighed. To-day that position is altered and the bulk of the produce is consigned from the sending stations to centres in the South-West, including the group settlements, the timber mills and so forth. There is continual trouble in connection with weights. In fact, some firms such as Millars' Timber and Trading Company will not accept weighbridge weights, and if one desires to do business with such firms, the latter must be allowed to do their own weighing. I know that those firms have satisfactory weighbridges and there is no

trouble from that standpoint, but the fact remains that there is always an argument when it comes to adjusting matters as between the weights from the sending station and those registered at the receiving station. I have said enough to indicate to the Chief Secretary how necessary it is to bring Government weighbridges and railway weighbridges within the scope of the Bill. It is only fair to everyone that fair weights should be received either by the buyers or the sellers. There is only one way to do that and that is by having weighbridges adjusted regularly and often. On one occasion I complained of a certain weighbridge. The reply came back that the weighbridge was all right. I motored up to that place, 70 miles from Perth, and told the station master of the trouble I had had. He said he thought the weighbridge was all right. I then got him to weigh me on the bridge, and the weight proved to be exactly a stone out. I asked him if he had any other scales, whereupon he took me to the Avery platform scales. Before stepping on to the machine I told him my exact weight. Those scales proved correct. I then asked him, if his weighbridge was out 15 lbs. in 15 stone, how much would it be out in five tons? He could not tell me. I hope that Government weighbridges, and all other weighbridges where a charge is made, will be brought under the Act.

HON. J. NICHOLSON (Metropolitan) [8.32]: Those members who have spoken are able to deal authoritatively with this subject. The Bill is an important one and we may assume that it heralds the long-delayed proclamation of the Act of 1915. Undoubtedly there is crying need for the proclamation of that Act. I have listened with attention to what Mr. Macfarlane and Mr. Stephenson have said, and I feel sure the Minister will give consideration to their suggestions. There is one clause to which I will refer, namely Clause 6, which proposes to amend Section 20 of the existing Act. Two subsections included in the section to be amended are not carried into the amendment in the Bill before us. Subsection 5 deals with Excise or Customs duties and prescribes that the measures set forth should be held to satisfy the requirements of the section.

The Chief Secretary: I am giving attention to that.

Hon. J. NICHOLSON: Very well; I will not deal further with it. Then there is the subsection prescribing the period of one year from the commencement of the Act.

The Chief Secretary: I am making it six months.

Hon. J. NICHOLSON: I think it is only reasonable to give to those who will be affected by the passing of the Bill an opportunity to make the necessary adjustment, so that they shall not be guilty of an offence. I support Mr. Macfarlane's proposed proviso to Clause 17. The Minister has told us he is dealing with that. I will vote for the second reading.

HON. H. STEWART (South-East) [8.35]: I agree with Mr. Macfarlane and Mr. Stephenson that if we are to have a proper weights and measures department, it should function, not only in respect of private citizens, but also in respect of Government departments and anybody else who proposes to make use of weighing facilities. I can see in the Bill no exception made in the interests of the Railways.

The Chief Secretary: It is in the original Act.

Hon. H. STEWART: In Section 7 of the original Act it is laid down that the Commissioner of Police may, by arrangement with the Commissioner of Railways, from time to time examine and test any weighing instruments on the Government Railways. It would be only sound if this House were to insert in the Bill a new clause eliminating from that section "by arrangement with the Commissioner of Railways."

Hon. J. Nicholson: And substituting "shall" for "may."

Hon. H. STEWART: Yes. It might be contended that the Commissioner of Police should study the convenience of the Commissioner of Railways. I expect the Commissioner of Police will give just as much consideration to the Commissioner of Railways as he will to any of the municipal authorities or any large corporation putting in weighbridges. The Westralian Farmers Ltd. have put in something like a score of weighbridges at railway sidings for weighing wheat, and they have on order a number of others that will bring the total up to about 30. Those bridges have been purchased for the weighing of heavy loads of wheat. When a private corporation going to the expense of putting in those weighbridges by the dozen is to be subject to the control of the Commissioner of Police, I fail to see how similar control can seriously inconvenience

the Commissioner of Railways. I will support the second reading.

Question put and passed.

Bill read a second time.

BILL—COAL MINES REGULATION ACT AMENDMENT.

In Committee.

Resumed from 7th October. Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Postponed Clause 12—Amendment of Section 21:

The CHAIRMAN: When progress was reported an amendment had been moved to delete Subclause 2.

Hon. H. STEWART: I should like to withdraw my amendment and substitute another.

Amendment by leave withdrawn.

Hon. H. STEWART: I move an amendment—

That after "only," in line eight, the following proviso be inserted:—"Provided that nothing in this subsection shall prevent any person acting as general manager of two or more mines, if each of such mines has in charge thereof (subject to the control of the general manager) a certificated manager who is not engaged in the management of any other mine."

My amendment is necessary to make the provision clear. While it will ensure that every coal mine will be in charge of a manager holding a first class certificate, it will be possible to have a general manager over several mines.

Hon. J. R. Brown: That is understood.

Hon. H. STEWART: It might not be understood by some people.

The HONORARY MINISTER: I hope the amendment will not be carried. All the Bill requires is that each mine shall have a certificated man in charge. When Mr. Stewart raised the point on the second reading I thought there might be something in his contention and I consulted the State Mining Engineer, who writes—

The Hon. Mr. Stewart's proposed amendment is well-intentioned, but quite unnecessary inasmuch as the position of general manager to which it refers is not recognised by the Act at all. The Act requires (Section 21) that one man, the manager, "shall have the control, management, and direction of the mine," etc., and that the owner "shall nominate himself or some other person to be the manager of such mine," and that such manager shall be the holder of a first-class certificate. Under Section 4 the "manager" by definition "means the manager or mining manager having the control and daily supervision of the mine." Section 22 of the Act allows "daily personal supervision" to be exercised either by the manager or by a qualified certificated under-manager. It is quite open to an owner to have some other person, whom he may call "general manager" or "superintendent" or by any other title he likes, who may exercise for him such functions of direction as an employer may possess over an employee, and it is for the parties concerned to arrange as to their respective spheres of work and responsibility, and as to how far one may control and direct another. But the Act recognises only one person as responsible, and any others having actual authority over the mine operations must work through him and cannot take responsibility from him. He is the one immediately responsible representative of the owner in the mine, and should be always there. When he goes away from the mine Section 22 gives an alternative that he may be represented by another qualified person duly nominated by him or the owner, who then takes over the responsibility in his absence. The control as between a general manager or superintendent and the registered manager is a matter to be arranged between them and the owner when they accept service with the latter, and one general manager may in fact have general control over several mines, but he has to act through the registered manager and on his responsibility. The Act concerns itself only with the one responsible person, and there is therefore no need to provide for another person in the capacity of a general manager. The proposed amendment is not necessary, and not an improvement.

This Bill would not prevent one man from acting as general manager of the whole of the coalfields. In the circumstances, I hope the amendment will be withdrawn.

Hon. H. STEWART: Is the statement of the State Mining Engineer a reply to the proposal contained in the amendment that has been withdrawn or to the proviso that I am now moving?

The Honorary Minister: There is no necessity for the proviso.

Hon. H. STEWART: If it related to the amendment that has been withdrawn, I could understand it. The amendment I have moved will make the position clear.

Hon. J. R. Brown: It will make the position ridiculous.

Hon. J. EWING: The Act allows a general manager to control several mines.

Hon. H. Stewart: It says nothing about a general manager.

Hon. J. EWING: There is a general superintendent in charge of the Amalgamated Collieries, and he is not a certificated man.

Hon. J. R. Brown: This measure would not apply to him.

Hon. J. EWING: No. My fear is that if a man without mining knowledge were appointed general manager, he might exercise control over the certificated man.

Hon. V. Hamersley: He might be a good business man.

Hon. J. EWING: Influence might be brought to bear on the man who is responsible. If the mover of the amendment will explain to me where I am wrong, I shall be very glad. However, there does seem to me to be a danger.

Hon. H. STEWART: The matter is not exactly vital. I daresay half the large dependencies of the British Empire possessing similar measures for the regulation of coal and metal mining have inserted provisions which make their legislation more feasible. Mr. Ewing says that already there is in Collie a general manager controlling several mines.

Hon. J. Ewing: A superintendent.

Hon. H. STEWART: Let him be called superintendent or general manager or boss. It is argued that if the existing Act is validated by this proviso, the man who has no authority will tell the man who has authority, to do what is wrong. Mr. Ewing suggested that whereas at present, without any recognition, a general manager can act for a group of mines, the proviso should not specify "a qualified person." But unless it is provided that a person may act in the capacity of a general manager, the Mines Department can at any time object to a person acting as general manager.

Hon. J. Ewing: No.

Hon. H. STEWART: I make that assertion in the light of the experience of other places. Probably no exception would be taken, but the danger is there unless the measure provides authority for the qualified person.

Hon. J. R. Brown: Who would object?

Hon. H. STEWART: Whoever happened to be administering the measure—either the Mines Department or the Minister. No reason for excluding the proviso was given by the Honorary Minister. Let the proviso be altered to read "any qualified person" instead of "any person." The Honorary Minister said the fundamental principles of this legislation were that every mine should be under the care of a certified manager, and that no certified manager should have charge of more than one mine; but that is no reason for the withdrawal of the amendment, which merely safeguards the position of the department while recognising that a general manager may control more mines than one. The proviso will prevent the creation of an anomaly. Without the proviso, a certificated man might be prevented from holding the position of general manager for two or more mines, each of them having its own certificated manager.

Hon. J. EWING: I suggest to Mr. Stewart that the position would be met by the deletion of the words "subject to the control of the general manager" from the proviso.

Hon. H. STEWART: I accept Mr. Ewing's suggestion.

Hon. J. EWING: I move an amendment on the amendment—

That the words "subject to the control of the general manager," lines four and five, be struck out.

Amendment on the amendment put and passed.

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

Postponed Clause 14—agreed to.

Title—agreed to.

Bill reported with amendments.

Recommittal.

On motion by the Honorary Minister Bill recommitted for the purpose of further considering Clauses 8 and 19; Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clause 8—Amendment of Section 15:

Hon. E. H. HARRIS: When the Bill was previously in Committee the words "accredited representative of any employees' union engaged in the coal mining industry" were inserted in the proposed subsection. During the debate it was pointed out that perhaps some other union or unionists engaged in coal mining who did not have their wages paid on a tonnage basis, might be interfered with inasmuch as the clause provided for the weighing of coal. To further meet the wishes of the Coal Miners' Union I suggest that we strike out the words that were inserted and substitute those appearing on the Notice Paper in my name. I move an amendment—

That the words "the accredited representative of an employees' union engaged in the coal mining industry" be struck out and the following inserted in lieu:—"the accredited representative of any industrial union of workers who are engaged in the coal mining industry, and whose wages are determined on the basis of the tonnage of coal raised."

Only the union paid on the tonnage basis of coal raised will be entitled to be represented or to have anything to do with the weighing of coal.

The HONORARY MINISTER: After reviewing the clause and Mr. Harris's amendment I suggest to him that an amendment I intend to submit may fill the bill. The words I propose to insert are "or accredited representative of the Coal Miners' Industrial Union of Workers as defined in districts by the Industrial Court of Arbitration of Western Australia." That would be more to the point than the amendment the hon. member suggests.

Hon. E. H. HARRIS: There is no sense in that amendment. I framed my amendment in case there were coal miners paid on other than the tonnage basis. The words "as defined in districts by the Industrial Court of Arbitration" cannot possibly be read sensibly into the statute. The Court of Arbitration defines districts for the purpose of granting industrial awards; it does not define districts of accredited representatives of coal miners or other unions. Anyhow, what is the correct name of the union at Collie?

Hon. J. Ewing: Collie River Union of Workers, I think.

Hon. E. H. HARRIS: The Bill we have before us gives the union two different names, whilst in the "Industrial Gazette" the name is given as "Collie River District Union." I have been informed that they have since altered their name.

Hon. J. EWING: I think the initial mistake was made by cutting out the original words in the Bill. Those words "the general secretary of the Miners' Union" covered the whole position. It would be better to defeat both amendments and restore the original words.

The HONORARY MINISTER: I can see no reason for Mr. Harris's amendment. On the other hand, mine should appeal to him.

Hon. E. H. Harris: It does not.

The HONORARY MINISTER: He has had a lot of experience of arbitration, and ought to know that a law of this kind applies only to the particular district concerned.

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

Ayes	11
Noes	5
Majority for ..	6

Ayes.	
Hon. W. T. Glasheen	Hon. J. Nicholson
Hon. V. Hamersley	Hon. G. Potter
Hon. E. H. Harris	Hon. H. A. Stephenson
Hon. J. J. Holmes	Hon. H. Stewart
Hon. G. A. Kempton	Hon. Sir E. H. Wittenoom
Hon. Sir W. Lathlain	(*Teller.*)

Noes.	
Hon. J. M. Drew	Hon. W. J. Mann
Hon. E. H. Gray	Hon. J. Ewing
Hon. J. W. Hickey	(*Teller.*)

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

Clause 19—Prohibition of Sunday labour:

The HONORARY MINISTER: I hope members will reconsider this clause. It was copied word for word from the Mines Regulation Act, 1906. It operates in the gold-mining industry, and it would be a drastic action to prevent it from operating in the coal mining industry. It is in operation in Collie to-day, is the custom there, and has been accepted by the Coal Miners' Union and the mine owners. I move—

That the clause be reinstated.

Hon. J. Ewing: It must have been due to a mistake that it was cut out.

The HONORARY MINISTER: I think it occurred through a mistake of mine.

Hon. Sir WILLIAM LATHLAIN: On a previous occasion Mr. Harris called attention to Subclause 2, which imposes a penalty in the case of a person doing work on a Sunday contrary to the Act. He asked for an explanation, but as no satisfactory answer was forthcoming, the whole clause was struck out. No one can say from the wording of the subclause exactly what the penalty is.

Hon. E. H. HARRIS: We did not divide on the clause. I asked what Subclause 2 meant, and the Honorary Minister said it was copied from the Mines Regulation Act. This fact does not make it any the more desirable. Certainly such a provision exists in the Mines Regulation Act, but I do not know that we should continue to perpetuate something that may have been wrong.

The HONORARY MINISTER: The point raised by Mr. Harris and by Sir William Lathlain is pertinent. Someone is always liable and has to be made responsible. I assure hon. members that only one individual can and will be made responsible, and they need have no diffidence about accepting the clause.

Hon. J. NICHOLSON: I desire to assist the Honorary Minister. Obviously, a mis-

take was made in the Mines Regulation Act and because of that we should not continue it in this Bill. I shall move to recommit the Bill in order to further reconsider the clause.

Question put and passed; the clause reinstated.

Bill again reported with further amendments.

Further Recommittal.

On motion by Hon. J. Nicholson, Bill further recommitted for the purpose of reconsidering Clause 19; Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clause 19--Prohibition of Sunday labour:

Hon. J. NICHOLSON: I move an amendment—

That in line one of Subclause (2) the word "every" be struck out with a view to inserting another word.

Amendment put and passed.

Hon. J. NICHOLSON: I move—

That in lieu of the word struck out "any" be inserted in lieu.

The HONORARY MINISTER: I hope the Committee will not accept the amendment. The vote taken a few minutes ago naturally reflected the decision on this question. I shall be surprised if the Committee follow Mr. Nicholson. The question of Sunday work does not enter into the matter but merely the question of fixing the responsibility for the employment of men on Sundays. As the clause stands there will be some chance of fixing the liability but with the amendment the position will be made very difficult to pin someone down.

Hon. Sir WILLIAM LATHLAIN: Last week this question was raised in order to get a definite statement from the Minister as to whether one, or three or four individuals were to be liable. We have received a definite statement that one person only is to be made liable. I am content with that.

Hon. J. NICHOLSON: All I desire is to make the clause clear. I have opened the Mines Regulation Act at random and I notice that Section 12 commences with the words "any person." That is what I suggest regarding the clause under discussion. In Section 31 again we get the same phrase, "shall be guilty of an offence against this Act." So I am not suggesting what is not to be found in other Acts of Parliament. I hope the Honorary Minister will accept the amendment, which I am offering in a perfectly friendly spirit. All I am seeking to do is to fix the liability on the person who employs the individual.

The HONORARY MINISTER: We are all in accord with Mr. Nicholson in his proposal to fix the liability on the person who may be responsible. However, there seems to be some shadow of doubt in the minds of hon. members, and in order that it may be cleared up I will report progress and, when we resume, I will produce the authority of the Crown Solicitor to back up my assertion that this thing is quite correct.

Progress reported.

House adjourned at 10.4 p.m.

Legislative Assembly,

Tuesday, 19th October, 1926.

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

BILL—ROAD DISTRICTS ACT AMENDMENT.

Read a third time and transmitted to the Council.

BILL—TIMBER INDUSTRY REGULATION.

Second Reading.

Debate resumed from the 14th October.

HON. SIR JAMES MITCHELL (Northam) [4.35]: We all recognise the magnitude of the timber industry, and its value to the State. We know the dangers of the