any other Government workers should be treated in that manner. A great deal in the way of public works could be carried out at Fremantle. If something is not done there in the near future, the port may be like one of those abandoned cities one reads about in novels. I hope something will be done to save the town from extinction. If you, Mr. Speaker, were to visit Fremantle as you used to do, I am sure you would not know the place. Three of the largest stores, which used to compare favourably with anything in the city of Perth, have now closed their doors and outside is the sign "To let." It is a pitiful sight. I sincerely trust the Government will do something to bring about a better state of affairs in the chief port of the State.

Question put and passed; the Address adopted.

BILLS (8)—FIRST READING.

1, Judges' Retirement.

2, Tenants, Purchasers, and Mortgagors' Relief Act Amendment.
Introduced by the Minister for Justice.

3, Northern Australia Survey Agreement.

4, Rural Relief Fund.

5, Trustees' Powers Amendment.
Introduced by the Minister for Lands.

6, Droving Act Amendment.

7, Brands Act Amendment.
Introduced by the Minister for Agriculture.

8, Fremantle (Skinner street) Disused Cemetery Amendment.
Introduced by Mr. Sleeman.

House adjourned at 10.7 p.m.

Legislative Council,

Tuesday, 27th August, 1935.

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

QUESTION—SECESSION, COSTS.

Hon. J. CORNELL asked the Chief Secretary: Will he lay upon the Table of the House an itemised statement showing: 1, The cost of collecting information for, and the preparation, printing, and distribution of "The Case for Secession"? 2, The cost of properly preparing the Secession petitions and providing the necessary cabinets, etc., for presentation to His Majesty the King and both Houses of the Imperial Parliament? 3, The names of persons or firms, if any, who received cash considerations for any services rendered? 4, The approximate cost of the special session of Parliament held to implement the result of the Secession referendum, and to authorise the appointment of an appropriate delegation to present the Secession petitions?

The CHIEF SECRETARY replied: 1, Yes—Honoraria, £600 10s.; printing, £1,669 6s. 9d.; freight and charges, £20 14s. 3d.; cables, £13 12s. 5d. 2, Writing of petition, £18 6s. 6d.; caskets, £24. 3, M. L. Moss & Son.; J. L. Walker; E. C. Dudley; Hon. J. Lindsay; Executors of the Estate of the late J. Scaddan; W. H. Nairn; Miss Thomas; Miss Coleman; Miss Watson: J. H. Morgan, K. C.; P. E. Springman: J. E. Rose; G. E. F. Tebbutt; H. K. Watson. 4, The additional cost is inappreciable, and cannot very well be segregated as the regular Parliamentary services are maintained throughout the year.

QUESTIONS (4)—METROPOLITAN WATER SUPPLY.

Churchman's Brook Reservoir.

Hon. H. S. W. PARKER asked the Chief Secretary: 1, What was the total cost of the Churchman's Brook reservoir, including construction, land, buildings, and overhead charges? 2, What was the cost of the supply main from Kelmscott to the reservoir? 3, What is the capacity, in gallons, of the Churchman's Brook reservoir?

The CHIEF SECRETARY replied: 1, £369,697. 2, Cost of 16-inch main from 30-inch Canning main to reservoir was £10,189. 3, 480,000,000 gallons.

Canning Dam.

Hon. H. S. W. PARKER asked the Chief Secretary: 1, What is the estimated cost of the Canning dam? 2, What is the estimated capacity, in gallons, of the dam, when completed?

The CHIEF SECRETARY replied: 1, £1,260,000. 2, 20,500,000,000 gallons.

Upper Canning River Project.

Hon. H. S. W. PARKER asked the Chief Secretary: 1, Was a recommendation made in 1907 that the metropolitan area be supplied with water from the Upper Canning River? 2, If so, by whom? 3, Was a report made by a Mr. Ritchie in or about 1920 concerning the water supply for the metropolitan area? 4, If so, what were his recommendations?

The CHIEF SECRETARY replied: 1, Yes. 2, Board appointed by Cabinet—Chairman, W. C. Reynoldson, Esq.; Members, H. W. Hargrave, Esq., M.Inst.C.E.; Henry T. Haynes, Esq., A.M.Inst.C.E.; William Leslie, Esq., M.I.M.E., etc.; R. S. Newbold, Esq.; T. B. Barrett, Esq. (retired after sixth meeting); Secretary, J. Parr, Esq., B.Sc., M.E. 3, Yes. 4, Main recommendations were: (a) No expenditure be at present incurred on a new supply from Mundaring reservoir; (b) A contour survey be put in hand at once for the Canning-Perth open channel; (c) Site No. 1, Location 348, be definitely selected for the proposed large masonry dam on the Canning River, in preference to Site No. 2.

ASSENT TO BILL.

Message from the Lieut.-Governor received and read notifying assent to Supply Bill (No. 1), £2,200,000.

BILL—BUILDERS' REGISTRATION.

Reinstatement of Order.

Message from the Assembly requesting the Council, in accordance with the provisions of the Standing Orders adopted by both Houses, to resume the consideration of the Builders' Registration Bill, now considered.

HON. L. B. BOLTON (Metropolitan) [4.41]: I move—

That, as requested by the Legislative Assembly by Message, this House resume the consideration of the Builders' Registration Bill: and that, the Bill having been read a first time on the 27th November last, the second reading be made an Order of the Day for the next sitting of the House.

Question put and passed.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 21st August.

HON. R. G. MOORE (North-East) [4.42]: I support the second reading of the Bill. It does not contain anything to which I object, and if it will facilitate industrial matters and assist unions to reach the Arbitration Court easily and more quickly, I see no reason for opposing the proposal. As I do not object to the measure, I do not intend to speak at any greater length concerning it.

HON. A. THOMSON (South-East) [4.43]: Like Mr. R. G. Moore, I have no serious objection to raise to the Bill, but the presentation of the measure seems to me to provide an opportunity to give consideration to the operation of the parent Act. When the original measure was introduced about 36 years ago, I was a most enthusiastic supporter of the principle of arbitration. I well remember sitting on a building with some of my employees and extolling the merits of arbitration. I pointed out to them that in future there would not be any strikes or industrial troubles. I shall never forget an old employee who had been working for me for some time—he was a very good tradesman and, prior to coming to Western Australia, had worked in New Zealand—saying, "Well, boss, you seem to be pretty enthusiastic about arbitration, but

it will not do all you say or hope it will." He pointed out to me that the employers would not be in a position to compel men to work if they did not desire to do so, and added, "It is really a measure that will impose conditions upon employers that they will have to honour, but if there is a union comprising 400 or 500 men, what will you do if they refuse to work?" I do not intend to discuss the merits or demerits of the Kalgoorlie case, but if ever a man's judgment was borne out by subsequent happenings, certainly the opinion of that tradesman expressed 35 or 40 years ago was. The point I wish to stress regarding the Arbitration Act is the appalling condition in which the youth of Western Australia finds itself. I congratulate the "West Australian" newspaper on its endeavour to discover the best way to utilise the money being raised under the motherhood and youth appeal. I wish it clearly to be understood that I am not in any way antagonistic to union secretaries. They are paid to do certain work; they are appointed to see that the conditions of arbitration awards are observed in their entirety. No exception can be taken to those men discharging their duty to ensure that the terms and conditions prescribed by the court are carried out. I remember, when the arbitration measure was before another place, the then Minister for Works (Mr. McCallum), in moving the second reading, stated that the Bill went right into the homes of the workers, even into the kitchens. We have created a court which governs the whole of our industrial activities. We have been considering a Bill to amend the Constitution in order to ease conditions somewhat for members of Parliament, and it seems to me that the time is opportune to hold a conference, or appoint a select committee, to consider the working of the Arbitration Act, more particularly as it applies to the youth of the State. Newspaper reports day by day show that the industrial officers of unions are going into the highways and byways and haling employers before the court, true in strict accordance with the Act, while youths are being dismissed because employers cannot comply with the conditions of awards. I speak feelingly on this question. I should like any member of Parliament who has a boy of 17 or 18 to endeavour to get him a job in the city as a mechanic, unless he has been apprenticed. Such a boy would be regarded as a junior workman, and the reply of employers would be that they were very sorry they could not take him. One of the speakers at the Anglican Synod last week said it was a tragic fact that boys of 17 or 18 were being thrown on the scrapheap.

Hon. C. B. Williams: Why not join them up as ministers of religion? There is no restriction in that line, is there?

Hon. A. THOMSON: I know that a minister of religion does not come under the Arbitration Act. I wish to impress upon members the seriousness of this matter, and I should like the Government to afford an opportunity to amend the Act so that more liberal conditions might be framed and work might be provided for our boys. The Education Department authorities feel concerned about the inability of youths to become proficient tradesmen. Unless existing conditions are relaxed I am afraid we shall presently reach the unfortunate position of having no tradesmen of our own and of having to import them. Possibly that statement might be controverted, but I consider there is a great deal of truth in it. In the report of the Education Department for 1934 the following appeared:—

> Apprenticeships are declining steadily despite the great expansion in the building trades. The time appears to be rapidly approaching when apprenticeship, as we now know it, will cease to exist unless our apprenticeship laws are amended to meet the new conditions.

The suggestion embodied in the report of the department has been advocated by me for years. The number of apprentices in the building trades was shown as follows:—

	1933.	1934.
Carpentry	66	38
Plumbing	50	36
Bricklaying, plastering, masonry	11	—
	127	74

The position from the point of view of the workers is serious. I have had experience of employing apprentices. Let me speak of the country districts, because I am more conversant with them than with the city. In the country there is no continuity of work, and there is no guarantee that a country contractor will be able to engage to teach a boy the trade. If the conditions that apply in Victoria were adopted in this State, boys could be taught under what is termed the improvement system. I can speak with authority on the improvement

system because I am a product of it. Some people might say that I have not been a great sucess but I claim that I was able to learn my business. I was not apprenticed; I started to learn the trade under my father. A depression overtook the State of Victoria and I went out and worked here, there and everywhere. As a result of the experience gained by working with different types of tradesmen, I claim to have become a better tradesman than if I had remained under one man. One of the difficulties of the existing system is the condition prescribing one apprentice to three journeymen. No harm would result and beneficial effects would follow if the law were amended to allow one apprentice to each journeyman. I had a certain number of apprentices working for me. In one branch of the trade I found that a boy who was working with three journeymen was making little progress. He was nobody's boy. I directed the attention of the foreman to the fact, saying, "You are not giving that boy an opportunity. We have undertaken to teach him the trade, and we have to teach him." The foreman replied. "He is not my boy; he is nobody's boy." I said, "In future, he is to be your boy." That youth became an efficient tradesman. I admit that the existing Act gives the Court full power to prescribe how many apprentices shall be engaged, but I am fearful of the position in which our youths find themselves, and I maintain that if we had a select committee to review the whole working of the Arbitration Court, the investigation would prove useful. It is very much more important to the youth of the State to have an inquiry by select committee into the Arbitration Act than one to tinker with the Constitution. The Court has power to prescribe the conditions under which apprentices shall be indentured, but who is going to employ a boy under existing conditions? In view of the large amount of work going on in the metropolitan area, it would be interesting to know how many apprentices are being given an opportunity to learn the building trade. I should like the Minister when he replies, to inform us how many applications were received for apprenticeships at the Midland Junction Workshops. I heard that the number of applicants for the limited vacancies was well over a thousand, showing that there are scores of boys who are willing and anxious to learn a trade.

Hon. L. B. Bolton: You cannot get boys to go into the country.

Hon. A. THOMSON: I do not know that that is correct.

Hon. L. Craig: They will not go.

Hon. C. F. Baxter: We have all had that experience.

Hon. A. THOMSON: Mr. Bolton is referring to offers to boys to leave homes in the city and work on farms for about 10s. a week. There is not much incentive for boys to do that because such work opens up no future for them. I want to make sure that the boys of this State are given every opportunity to learn a trade and to see that they are not led into blind alleys. That is my only reason for speaking in the way I have done.

Hon. L. Craig: Everybody is with you; the learning of a trade is most desirable.

Hon. A. THOMSON: I feel confident that if a select committee were appointed we should be able to get the best evidence from trades union representatives and employers' organisations, and most important of all we should learn a good deal about parents who have made sacrifices to give their boys the opportunity of being as well educated as the means of those parents would allow. Unfortunately we are placed in the position of seeing that all that is offered to lads at the present time is the opportunity of earning 14s. or 15s. a week as farm employees. I realise the difficulty the farmers are up against, just as everybody else does, but I am not dealing with the position from that point of view. The suggested amendments as far as I can see are desirable, and if the inclusion of a new clause in the Bill will tend to remove the difficulties under which unions are working, I shall not oppose the measure. I realise the difficult position facing the youth of Western Australia. It is indeed the position all over the world, and if we find means by which we can ease that position, I shall be only too happy to support any steps taken in that direction. Quite a large number of boys could be given the opportunity to learn a trade, and then the work of one employer was completed, they could pass on, exactly as I did, to another employer. That employer may be applying better methods, and in that way, by the time a youth has reached the

age of 21, he will be a better tradesman by reason of his having had experience of the methods of different employers. I have not discussed with anyone the advisability of referring the Bill to a select committee, but I consider much good could be accomplished if we did have the whole matter investigated. Those who would benefit most by such an inquiry would be the sons of trade unionists. I intend to support the second reading.

HON. J. J. HOLMES (North) [5.5]: I find myself placed in a somewhat difficult position in connection with this Bill. Mr. Cornell told us that the Act itself was quite all right and that the amendments before us merely meant simplifying the registration of some union. He went on to say, however, that the court was at fault and not the Act because, he declared, the court had granted registration to one union and had refused registration to another, and that when a compulsory conference was called, the men would not go back to work. Now we have Mr. R. G. Moore favouring these amendments because, he says, they will simplify the procedure of getting the unions to the court. Mr. Thomson thinks that something might be done if a select committee were appointed. My viewpoint is that the whole position is a fallacy because we have no right to carry on a court that cannot enforce its judgments or awards. The cruellest thing of all is that the Honorary Minister when introducing the Bill tried to hold this House responsible for the strike on the eastern goldfields. The Honorary Minister said that the refusal of this House to pass the amending Bill last year was in a measure responsible for the strike on the Kalgoorlie mines.

The Honorary Minister: I cannot allow the hon. member to accuse me of having said such a thing.

The PRESIDENT: I am sure the hon. member addressing the House will accept the Minister's explanation.

The Honorary Minister: I did not refer to that strike at all, and I object and resent anyone attributing to me statements that I did not make.

The PRESIDENT: I am sure Mr. Holmes will accept the Honorary Minister's explanation.

Hon. J. J. HOLMES: I will accept it, realising that I am not able to refer to "Hansard" of the current season. The House threw out the Bill last session, primarily because it was brought in at the very end of the session and there was no time to consider it. The Bill now before us is different from that of last session. That Bill sought to amend Sections 14 and 97 of the Arbitration Act, whereas the Bill before us deals with Sections 6 and 21. As far as I can gather the object of the proposed amendments is to enable the unions to take up the position that the way to get what you want is to take what you can get in your own way, and defy everything and everybody. If I read the present Act correctly, without the proposed amendment, the position is made for the unions to register if they go about it the right way. To ask this House to amend the Act every time the Arbitration Court alters its opinion is nothing less than holding up to ridicule the legislation of the country. I know a good deal about the Arbitration Act, and so does the House. I was one who sat for 19 hours on end to solve the problem between the two Houses. Mr. McCallum, who I think knew as much about arbitration as most men in this country, said when the Bill was passed, that it was the best in the world. Now, because there has been some difference of opinion with the President of the court, it is proposed to rush in to amend the Act just as it is proposed to rush in and amend the Constitution Act when there is no need to do so. The big strike in February had nothing whatever to do with the rejection of last year's Bill by this House. The Bill last year had reference to the registration of a union, and the amendment of union rules, if I remember correctly. The strike occurred over a difference arising from the working of 44 hours as against 48 hours. My point is: Why should we establish and maintain a court of law that cannot enforce its judgments or awards? We are attempting to undermine British justice. I go further and say that in my opinion the law courts of the British Empire have done more than the army and the navy to keep the Empire together. I believe I am also right in saying that a foreigner would prefer to be tried by a British court of justice than by a court in his own country. So that if we allow people to undermine the Arbitration Court it will be only a step towards undermining the courts of justice throughout this country. If we cannot enforce judgments we have no right to amend the Act; the only thing to

do is to repeal the Act altogether. That the Arbitration Act was set at defiance was admitted by the Premier who is reported to have said that no previous Government had attempted to prosecute strikers. He did not, however, say that the present Government had taken steps to prevent penalties being enforced. That is what the present Government did. If I am wrong, I should be corrected. But what I have stated first appeared in the Press and was never denied, and on the motion to introduce this Bill I said that 140 men at Collie had been fined £2 each and when the other side tried to enforce the penalty the Clerk of Courts said that he could not issue judgment summonses because he had been so advised by the Crown Law Department. If that is not direct interference by the Government who are sworn and paid to enforce the laws of the county, I do not know what is. The Premier was reported to have said in effect that if fines were imposed and were not paid, the Government could not imprison thousands of men. If that is the position, why are we carrying on a court of justice? When a breach is made of an award of the court—which is virtually an Act of Parliament—why does the Premier tell the men of this country that if they do not do as the court tells them, if they go on strike, we cannot put them in gaol? The Premier is also reported to have said that it was optional whether the miners worked 44 hours a week or 40-48 hours a fortnight. The whole thing should be optional, every award of the court should be optional. I would not be a party to compelling any man to work for a rate of pay which he did not consider just. If he does not like his job no one should force him to work. But if he does not like the job he should get off the job and let someone else take his place. This law-and-order Government are sworn, and even paid, to see that every man prepared to work is allowed to work. Here is another complex position that has arisen. We argue before the court—or advocates do—as to the basic wage. No matter what an industry can or cannot pay, it has to pay a living wage, the basic wage, which includes reasonable comfort for the husband, his wife and their children. That has been advocated all along. But when we come to the mining industry a new condition is set up: that is, because the price of gold has reached a fabulous height the men have to participate in the increased value of gold. To that I would have no objection if, on the other hand, the struggling industries were allowed to pay a rate which they could afford.

The Honorary Minister: For years past the miners on the goldfields have accepted less than they are entitled to.

Hon. J. J. HOLMES: I am not raising any objection to that. My point is that you cannot have it both ways. If an industry is languishing we cannot force it to pay full rates. The full rates should not be awarded. On the other hand, if an industry is flourishing you can make it pay accordingly. Before I leave this question of law and order I may remark that the Premier is reported to have said that there are occasions when a breach of an award is justified. He admitted that a breach of the law had been committed, and he said that in similar circumstances he would make another breach. That is in defiance of an award of the court which, we are told, is a creature of the Government and consequently they are not prepared to do anything to imperil its position. He said that history seems to show that all progress is due to men who have the courage to defy the law. Fancy the Premier saying that! Yet we establish and maintain a law court which is not in a position to enforce its awards. We have had two strikes on the goldfields recently. Fortunately for the strikers the first took place before the selection ballot was held for Labour candidates for the next general elections. It was fortunate for those strikers, but unfortunate for this country, because they were able to apply the whip to the Ministers that went to the goldfields. In effect the miners on strike said to them, "If you do not stand up to us on this and defy the court you will not get the selection." Two of the principal Ministers found themselves in that position, namely, the Premier and the Minister for Mines. The Minister for Mines is now in London, or on his way back, and I have no hesitation in saying that his trip abroad, for which this country has paid, was undertaken for the purpose of trying to allay the damage caused by that strike on the eastern goldfields. Influential people in London woke up and began to think the mining industry under normal conditions was risky enough, but that mining in circumstances where the Government assisted the men to defy the law was even more risky still. I have no hesi-

tation in saying that the Minister for Mines was sent abroad to try to allay the damage done. In my opinion the foundry strikers were more or less sold a pup by the Government. The selection ballot was finished, and the foundry men were unfortunate in that they overlooked that fact. Remembering that the miners had come out on strike and had got all they wanted, that the Government had stood up to them, the foundry workers reasoned that the Government would stand up to them also. But they were overlooking the important fact that the selection ballot was completed.

Hon. C. B. Williams: They were only 100 strong, whereas the others numbered thousands.

Hon. J. J. HOLMES: I do not wonder at Mr. Williams, the advocate for the foundry men, being annoyed. He views it in much the same position as I do, namely, that the foundry workers were sold a pup.

Hon. C. B. Williams: And were taught a lesson.

Hon. J. J. HOLMES: Mr. Williams said the other day that he agreed with my views and was anxious to join my party. I think I have shown that arbitration as we know it in Western Australia is a fallacy. The only decent thing to do, unless we are going to have our Arbitration Court brought into disrepute, is to abolish the Arbitration Act and Arbitration Court altogether. I go further: I think there is money enough in the State to employ everybody decently—but for the Arbitration Court and the conditions the court imposes. That court has set up three sections of employment, an affluent section, a sustenance section, and an unemployed section. The affluent section is composed of the big strong unions that can name almost any wages and conditions and get those conditions if they set the law at defiance. That is the affluent section, who get more than they are entitled to under present conditions. The next section is the sustenance section, the members of which get just enough to scratch along with. Then there is the big section referred to this afternoon, that never get a chance in life. We have reached the stage where men could be paid what they earned, and so we would not have one section living in affluence and another in starvation. If we abolished the Arbitration Court we could employ every man in the country at a decent rate of wage. Let me give an illustration: According to the Federal Treasurer, one-third of the people of Australia are in the country, while two-thirds are in the towns and cities. Yet Australia is a country of primary production. Surely if one-third of the population are in the country, they are keeping the other two-thirds in the towns. That cannot continue. Yet we expect the man on the land to live and work seven days a week for about 30s. a week; and when he carts his wheat to the station he is not allowed to stack it himself, for a man at the siding is paid approximately 20s. per day to stack it; and if the farmer can get someone to shout him a beer, the barman behind the counter serving the beer is in receipt of £4 10s. a week.

Hon. C. B. Williams: The farmers should be organised and go on strike. Then they would get something.

Hon. J. J. HOLMES: The whole thing is wrong and should not be allowed to exist any longer.

Hon. C. F. Baxter: Not many wheatgrowers are getting 30s. a week.

Hon. J. J. HOLMES: In the city, boys are turned out of offices when they reach an age at which, under an award of the Court, they have to receive a man's pay. Of course they cannot earn a man's pay. Mothers have been known to wait upon employers in the city praying with tears in their eyes that their sons should be kept on. But the Arbitration Court will not allow it to be done. The question is how much longer this fallacy shall be allowed to continue. The whole thing must break down. Requests are being made for contributions to the Youth Appeal. I do not know what is going to be done with the money when they get it. There is no justification for this appeal for the youth, unless we have some idea of what is to be done with the money when collected. It is more or less a political stunt to get a lot of money together to be dealt with at the right time.

Hon. C. B. Williams: You do not insinuate that the Government are going to use it for election expenses, do you?

Hon. J. J. HOLMES: I do not know what the hon. member said. Judging from what I have heard from him he says a lot of very sensible things.

Hon. C. B. Williams: I will be suspicious of you now.

Hon. J. J. HOLMES: He says very sensible things to his constituents, and then says other sensible things that he thinks I have said. I do not propose to deal with

the matter any further, except to show that I am not prepared to tinker with the Arbitration Act any longer. I am not prepared to vote for the second reading of the Bill. I am, however, prepared to vote for the repeal of the Act, so that we may get back to where everyone can live under decent conditions, without one section living in affluence, one living on sustenance, and another without any work at all. If there can be a worse condition than the present one, I cannot imagine it. I lay a great portion of the blame upon the unreasonable awards and conditions imposed under the Industrial Arbitration Act by the Arbitration Court. I oppose the second reading of the Bill.

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

BILL—FACTORIES AND SHOPS ACT AMENDMENT.

Second Reading.

Debate resumed from the 21st August.

HON. A. THOMSON (South-East) [5.43]: Last year I opposed the second reading of a Bill like this, and, having studied this one very closely, I must vote against it also, because it is not in the interests of what I may term the underdog.

The Honorary Minister: You have not improved since then.

Hon. A. THOMSON: I am always suspicious of any measure that comes before the House where the employers and employees are putting their heads together to keep the other fellow out. It seems that this Bill is not going to afford the man, who wishes to help his family, an opportunity to establish a business and endeavour to improve his lot. The object of amending the Constitution Act is to enable members of Parliament to increase their earning activities. That is the liberal interpretation that may be placed on the proposed amendments to that Act. Although it will safeguard members of Parliament in certain directions, it will also afford them the opportunity to make better use of their spare time. The intention of the Bill to amend the Factories and Shops Act is to give increased powers to the Minister. The Government propose to amend interpretation (f) as contained in Section 4 of the Act. That interpretation reads as follows:—

> The term "factory" does not include any building, premises, or place in which any person not being of the Chinese or other Asiatic race, is engaged in any trade, operation or process mentioned in paragraphs 1 to 8 inclusive of this definition at home, that is to say, in private premises used as a dwelling or in any adjacent building or structure appropriated to the use of the household, and in which no steam or other mechanical power in excess of one horsepower is used in aid of the manufacturing process carried on there, and where the only persons engaged do not exceed four and are members of the same family and dwelling there.

To this it is proposed to add—

> And which the Governor, on the recommendation of the Minister, declares not to be a factory for the purpose of this Act.

Why should the Minister be able to override paragraph (f), and recommend to the Governor that it should not be effective? I listened carefully to the speech of the Honorary Minister. No doubt it would be an education to some members to see for themselves some of the cases quoted.

Hon. J. J. Holmes: He quoted only one.

Hon. A. THOMSON: I am not in favour of sweating being allowed, but I do not consider the Bill would overcome that trouble. What the Bill will do is to kill the small man. Scores of business premises were started at a time when the owners had to work much longer hours than they would be permitted to do by this measure. The Honorary Minister himself works more than the regulation 44 hours a week. I do not know whether we come under the Act, because we manufacture legislation. There are times when we would be committing every kind of breach of the Act in the matter of long hours.

Hon. C. B. Williams: And there are times when things are very easy.

Hon. A. THOMSON: The Bill gives power to the authorities to say that even a father and his three sons working together must comply with all the provisions laid down in the Factories and Shops Act. They must not be on their premises before 8 a.m., and must not continue working after 5 p.m. That is how the Bill appears to me.

The Honorary Minister: Not at all.

Hon. A. THOMSON: Men have been fined for working on the premises after hours. We should not prevent people because they

cannot afford modern machinery, and have to work hard themselves, from endeavouring to make a living by engaging in a longer period of work. I am afraid if the Bill is passed, that is the effect it will have. Clause 1 says—

This Act . . . . shall be read as one with the Factories and Shops Act, 1920.

The Act itself says—

"Factory" means and includes any building, premises or place in which four or more persons are engaged directly or indirectly in any handicraft, or in preparing or manufacturing goods for trade or sale, but does not include any building in course of erection nor any workshop or shed for workmen engaged in the erection of such building.

It is proposed to amend Section 4 of the Act, paragraph (a), by inserting the words "or any particular place or class of place in which less than four persons are so engaged, which particular place or class of place the Governor, on the recommendation of the Minister, declares to be a factory for the purpose of this Act." This gives too much power to the Minister. The Act, as printed, seems to cover everything possible. Before it was passed, I was a member of the select committee which investigated the Act, and took extensive evidence. It seemed that we had brought into being a measure that was almost perfect. It is now proposed to repeal Section 32 of the Act. This says that a woman shall not work more than 44 hours, and it also sets out the hours for boys. The proposed amendment in effect means that these people will have to be paid the basic wage. Perhaps the Honorary Minister will tell us whether Section 34 will prevent an employer from being compelled to pay industrial award rates. In a new section it is proposed to embody in the Act the following:—

No person shall conduct any school or give any tuition in hairdressing in any premises where the business of a hairdresser is being carried on, or in any building or part of a building in which such premises are situate (a) unless the person receiving instruction is an apprentice who is duly bound to the trade in accordance with any award operating in regard to the particular trade or vocation.

The proposed new section then proceeds to say "unless the person receiving tuition is under the provisions of a deed of apprenticeship." What is going to be the position? I know of women who have lost their husbands. They have gone to hairdressers to learn hairdressing. Are we going to say that these women must be apprenticed for two years? They would not be permitted to become apprentices under the provisions of the award, and would have to be paid full wages. I cannot see how that will benefit any individual. Whilst there may be a few anomalies, and it is possible that some hairdressers may be exploiting those who are learning the trade, I cannot see any justification for saying "where there is no award operating in relation to this trade, unless the person receiving tuition is under the provisions of a deed of apprenticeship, duly executed by the person conducting the said business entitled to receive such tuition for a period of not less than two years."

The Honorary Minister: That will not prevent a person from learning hairdressing except on those premises.

Hon. A. THOMSON: I do not approve of this provision. It will certainly make it more difficult for people to improve their lot, and is too narrow in scope.

The Honorary Minister: You are taking up an entirely different attitude now compared with what you did on the question of the tuition of youth. This permits the employment of youths, male and female, in the hairdressing industry.

Hon. A. THOMSON: That may be so, but why should we inflict hardship upon people who may desire to earn their living in this way and themselves become hairdressers?

The Honorary Minister: The Bill does not say that.

Hon. A. THOMSON: It says—

No person shall conduct any school or give any tuition in hairdressing in any premises where the business of a hairdresser is being carried on, or in any building or part of a building in which such premises are situated.

The Honorary Minister: This will force them to establish schools to train pupils.

Hon. A. THOMSON: But the Bill says that no person shall conduct any school.

The Honorary Minister: That is not the right interpretation of the meaning of the Bill.

Hon. A. THOMSON: It is my interpretation. If there happens to be a hairdressing saloon in the basement of a building, or on the second or third floor, it would not be legal to conduct a hairdressing school in the building. That is as the Bill reads, though it may not be the intention. In fact, I do not believe that the Honorary Minister intends what the measure pro-

vides. I have no desire to delay either the passing of the Bill or its defeat. Personally I cannot support it, as in the present parlous state of affairs we should not in any way debar any man or any woman from improving his or her position. I oppose the second reading of the Bill.

HON. R. G. MOORE (North-East) [5.47]: Speaking on last session's Bill I described it as a fifty-fifty measure, with as many good points as bad ones, and I said I was not particular whether it passed or not. I am inclined to support this year's Bill, subject to the making of one amendment in Committee. When conditions are laid down for the employment of labour, those conditions should apply to all persons who employ that class of labour, provided always that a man is not forbidden to work on for himself and thus obtain an opportunity to better his position. I do not know that the Bill aims at doing that.

Hon. A. Thomson: That is what I am afraid of.

Hon. R. G. MOORE: In my opinion the measure will allow a man to work on provided he does not work his employees longer than the stipulated hours. At present, if a man has one employee and a 1½-horsepower motor, his premises automatically become a factory, and he has to comply with all the conditions of the Factories and Shops Act. On the other hand, if he does not employ such motor power his premises are not a factory so long as he employs fewer than four persons. It is not my belief that the Bill would tend to wipe out the small man and put him on the dole. The man who has enough work to keep him going for eight hours a day all the year round will not give up that work and go on the dole simply because he cannot put in a little extra time. If such a prohibition drove him to the dole, he would be a pretty poor type of man. From personal experience I know that times do come when a man must work far more than the regulation hours if he is to get out of difficulties. I have had to do it myself. I see nothing in the Bill that will stop the employer himself from continuing to work beyond the recognised hours. I do not know whether that is the correct view. Naturally, the employer in question must comply with the same conditions as the owners of other factories; and that is quite right. One or two phases of the Bill I do not regard with favour. There is the point as to the employment of women and the number of hours overtime they may work. Section 37 of the Act, by Subsections 3 and 4, provides that a woman may not work overtime on more than two days in any week or for more than two hours on any day. Evidently that means that a woman cannot work more than four hours overtime in any one week. Such a provision must entail hardship in some instances. Various trades have periods which are looked upon as harvest times—showtime and racetime, for example. For three or four weeks prior to shows or races, people engaged in certain trades find great difficulty in coping with the volume of work if they are limited to working not more than four hours overtime per week. At other periods they may have to keep their employees on practically at a loss. In the trade with which I was connected, harvest time came in the hot weather; a man was kept on during the winter at a loss in order that he might be there when the harvest came in summer. That applies to dressmakers, milliners, and tailors employing tailoresses. If they are debarred from more than four hours per week overtime, hardship will result in many cases to both employer and employee. I desire to see the provision altered as regards women, though not as regards boys. In my opinion the overtime should be limited to a season instead of to the year. While the provisions of the Bill do not differ greatly from the corresponding provisions of the Act, their strict enforcement would entail the hardship I have indicated. Doubtless, like many other Acts this measure will be there to be made use of when occasion arises. As regards hairdressing, the object of the Bill seems to be to stop master hairdressers from taking any pupils to learn the trade with the idea of using them in the place of apprentices, thus obtaining cheap labour.

The Honorary Minister: Not only that, but also to get premiums.

Hon. R. G. MOORE: I do not object to the premium if value is given for it. If, however, the system is adopted for the purpose of obtaining cheap labour, it is objectionable. I trust that the Bill, if enacted, will not be made retrospective in regard to any hairdresser who has already accepted a premium. Pupils who have paid premiums should be permitted to complete the course. There is no reason why the master hairdresser should give a pupil the benefit of his experience for nothing The idea of the Bill is to prevent hairdressing schools from being conducted in build-

ings where there are hairdressing establishments.

Hon. V. Hamersley: Where will the pupils get dummies under those conditions?

The Honorary Minister: There will be plenty of opportunities.

Hon. V. Hamersley: The pupils will get no opportunities from me.

Hon. R. G. MOORE: I do not care whether pupils work on dummies or on wigs. The Bill will do good by putting employers on the same footing in regard to factory laws.

Hon. A. Thomson: If four persons are employed, the place is a factory under the existing law. The Bill enables a place employing one person to be declared a factory.

Hon. R. G. MOORE: At present there is injustice in the fact that conditions applying to places employing four persons do not apply to places employing three. However, upon experience restrictions often prove to be good. I remember well the time when hairdressers kept open until 11 o'clock on Saturday night and until 9 o'clock on other nights. When the Saturday closing hour was made 9 o'clock, many hairdressers thought they would no longer be able to carry on. However we find that more hands are employed now than previously, and that hairdressing establishments are doing well.

Hon. G. W. Miles: At double prices.

Hon. H. S. W. Parker: Hairdressers do not live on hairdressing in these days.

Hon. R. G. MOORE: The Bill does not touch bookmaking or any matter of that description. I support the second reading; but in Committee I shall move an amendment permitting women to be employed for more than four hours overtime weekly at certain seasons, provided they do not work overtime on more than 52 days in any one year.

HON. J. J. HOLMES (North) [5.59]: I wish to say a few words on this highly important measure. Mr. Thomson has told us that the Factories and Shops Act ran the gauntlet of a select committee. Having looked through the Act many times, and also recently, I consider that the committee did a good job. My objection to the Bill is that under it the Governor, on the advice of his Ministers, may set the Factories and Shops Act aside altogether. The Honorary Minister shakes his head. He corrected me on another Bill, but I do not think he can correct me in this instance. He said that the main feature of the Bill was the amending of the definition of "factory" so as to empower the Governor, on the recommendation of the Minister, to declare any place in which fewer than four persons—that means one person—were engaged on any handicraft or at preparing or manufacturing goods for sale, to be a factory for the purposes of this legislation. Despite all the conditions that are sought to be imposed and the restrictions embodied in the Factories Act, we are now asked to allow the Minister to decide what shall be a factory and, on his advice, the Governor must declare such premises to be a factory. I took the trouble to visit the library and to peruse a book in which Lord Chief Justice Hewart dealt with some problems under the title of "The New Despotism." That refers, of course, to Ministers and public servants usurping the functions of Parliament, whose functions have been undermined by way of regulations, restrictions and powers granted to Ministers of the Crown. The weakness of the whole thing is that the public do not know it. If they did, they would rebel.

The Honorary Minister: You should read to us what the author said.

Hon. J. J. HOLMES: I could do so, but I will leave that to the Honorary Minister. The Lord Chief Justice says that no doubt it has its humorous side, and I think I will let it go at that. If we agree to this legislation, it will mean that if in any premises used as a dwelling, not more than four persons, who are members of one family, are engaged—such an undertaking is now exempt from the operations of the Act—such premises shall be regarded as a factory for the purposes of the Act, unless specially exempted by the Governor, on the recommendation of the Minister. That means that they can declare anything to be a factory or not to be a factory.

Hon. J. Nicholson: Have you noticed the last clause in the Bill?

Hon. J. J. HOLMES: I will leave the hon. member to deal with any points that occur to him. The effect of any such proposal means goodbye to the Factories and Shops Act. We shall appoint the Minister to be the sole arbiter and what he tells the Governor to do, the Governor must do. Last session we were told in another place that the Governor had to act on the advice of his Ministers, failing which he would be

recalled and another Governor appointed in his place. Now we are asked to set up the Minister as a Pooh-Bah, who will advise the Governor to exercise the several functions and take the place of the Factories and Shops Act.

Hon. G. W. Miles: In any case, that statement was wrong, because a Governor should not always accept the advice of his Ministers.

Hon. J. J. HOLMES: The hon. member can debate that point later on; I am endeavouring to confine my remarks to the Factories and Shops Act. The Honorary Minister also said that it was intended to prevent evasion of the requirements of the Act by providing that any person who was employed in a factory would be deemed to be employed from the time he commenced work until he left the factory, meal times to be included within that period. That means that because of the mere fact that the man happens to be on the premises within that time, he must be deemed to be working during that period and, consequently, to be evading the provisions of the Act, and both the man and the employer will be subject to prosecution. The Honorary Minister went on to tell us it was intended to prohibit any person who was carrying on the business of a hairdresser from conducting a school in order to give tuition to young persons in hairdressing and so forth, if the school were conducted on the business premises. What the Government are aiming at there is not the man who desires a haircut or a shave, but the craze amongst women to have their hair set in varying modes and beauty spots put on where desired.

Hon. L. B. Bolton: You are treading on dangerous ground.

Hon. J. J. HOLMES: No, I am not. We have only to walk along the streets to see the number of young women who have paint on their cheeks, and also some solution on their lips.

Hon. E. H. Gray: That is to prevent sunburn.

Hon. J. J. HOLMES: If we were to require all the work that is desired by women in that respect to be undertaken on premises other than where the hairdressing business is conducted, we would not have a building large enough to accommodate the crowd waiting to be beautified. The whole thing seems to me quite ridiculous. If a mother desires to have her daughter's hair properly trimmed, and, in order that her daughter may learn how to do it for the rest of her family, is willing to pay someone £5 or so in order that her daughter may learn the work and so deal with the hair of her mother and her sisters subsequently, why should the law step in and say it must not be done?

The Honorary Minister: It does not do that.

Hon. J. J. HOLMES: It does. On the advice of the Minister, certain things will be permitted, and other things will not be allowed.

Hon. G. Fraser: Tell us what the law says.

Hon. J. J. HOLMES: I do not care what the hon. member says. The Honorary Minister told the House that all members knew, particularly during the years of the depression, that there had been much criticism about what were known as backyard factories. I have a letter from a factory owner in which he points out that the term "backyard factory" was one created at the Trades Hall for political purposes. That may or may not be so.

Hon. L. B. Bolton: And the Trades Hall is not the only place where that has been done.

Hon. J. J. HOLMES: The alternative to permitting these backyard factories to operate is the dole. If we do not allow these men, who know the work, to operate in their own time and in their own way, the only alternative for them is the dole. If they cannot secure the dole, then they must become members of an industrial union and pay union fees amounting to 25s. per annum. By that means we would transfer loan money to the union or party funds, and thus enable them to build up a big fund that would be used when desirable, and the community as a whole would have to pay interest on the money that the union would expend. The Minister said that, under existing conditions, where a father and four sons or brothers—of course he would not refer to a mother and three sisters, because it looks better to refer to a father and three sons or three brothers rather than to a mother and three sisters or three daughters—or any four members of the same family were engaged in manufacturing of clothing, furniture, etc.——

The Honorary Minister: How does that square with your previous statement?

Hon. J. J. HOLMES: —on a verandah or in a room in their dwelling, and so long as the machinery used in connection with their operations did not exceed one-horse power, the concern was free from any of the restrictions imposed by the Factories and Shops Act or by arbitration awards. Let us consider the position regarding dressmaking. A widowed mother and her two daughters may be carrying on business as dressmakers, and securing a living. Is the Honorary Minister to be placed in a position to tell the Governor that the business of those women is to be declared a factory, and made subject to the provision of the Factories and Shops Act?

The Honorary Minister: It may be that it should be, but not necessarily so.

Hon. J. J. HOLMES: Then it comes back to this: The Governor, on the recommendation of the Minister, can declare anything to be a factory. It may apply to any private house, to a kitchen, or to a dwelling house.

The Honorary Minister: You cannot justify that assertion at all.

Hon. J. J. HOLMES: The Honorary Minister added that he thought it was only right to point out that by the adoption of the proposed amendment such premises, unless declared by the Governor, on the recommendation of the Minister, not to be a factory, would automatically become a factory and be subject to the same conditions, including those relating to hygiene, sanitation, and safety of employees, as the factories of competitors. We have heard a good deal about "hands off the Arbitration Court." Here is an attempt to get behind Arbitration awards and industrial agreements that have been entered into between parties, and registered.

Hon. J. Cornell: It gets behind the Arbitration Act itself.

Hon. J. J. HOLMES: That is so. We have had experience of an amendment that was put up to us by the Government in which certain provisions were not to apply in certain parts of the State, but they did not succeed in their effort. Now we have had statements made by a responsible Minister about "hands off the Arbitration Court," and yet the Honorary Minister has told us that various awards and agreements provide for nominal rates of wages much below the basic wage rate. He further said that if we agreed to a clause that is included in the Bill, it would assure that no woman who was 21 years of age or over would be employed in a factory, shop or warehouse, unless she was paid the basic rate of wages.

Hon. J. M. Macfarlane: Whether the concern could afford the expense or not.

Hon. J. J. HOLMES: There again it is goodbye to agreements registered with the Arbitration Court, and goodbye to round table conferences at which such matters are settled! We are asked to provide that no woman shall be paid less than the basic rate of wages, no matter in what industry she may be employed, or whether the industry can afford the additional impost.

The Honorary Minister: You have misconstrued my remarks altogether.

Hon. J. J. HOLMES: The Honorary Minister cannot dispute what I said because that was his explanation when he moved the second reading of the Bill.

The Honorary Minister: My words did not bear the construction you have placed upon them.

Hon. J. J. HOLMES: I was pulled up on another matter, but I am right on the mark this time. I have quoted exactly what the Minister said. If he said one thing and meant something else, I cannot be blamed.

The Honorary Minister: That is not the position.

Hon. J. J. HOLMES: The Minister has a duty to perform and should tell us what he means.

The Honorary Minister: I did, but the hon. member cannot understand what is in the Bill, nor does he desire to do so.

Hon. J. J. HOLMES: I have pointed out the position to the Honorary Minister.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. J. HOLMES: The Minister, in moving the second reading of the Bill, said—

> There is another clause in the Bill that is essential if we agree to the amendment to which I have already referred. It is the clause that will empower the Governor, on the recommendation of the Minister, to revoke any declaration that he may have previously made declaring any premises in which not more than four persons, being members of the same family and working at home, are employed, not to be a factory.

Members can say whether they will give the Governor that power, on the recommendation of the Minister, to declare anything to be a factory or anything not to

be a factory. There can be only one object for all these amendments, and that is to prevent people in a small way from earning their living, and so forcing them to join some union and strengthen the ranks of unionism at the expense, I think, of the country. Under the Act a factory is defined as a place where four persons are employed. Under the amendment, apart from what the Minister can do, it is proposed that where less than four persons are engaged, it shall be a factory. It does not require much of a mathematician to say that less than four may be one, and from my experience I have no hesitation in saying that less than four persons can be and will be applied to one person. Hitherto the restriction to being on premises during working hours applied only to women and youths, but it is proposed that any adult person found on the premises is to be considered to be there for the purpose of work, and both he and the factory owner may be prosecuted if the person has already worked the fixed number of hours. There are a number of places in the bush that would be affected. Say a station or farm was 15 miles from a railway siding. A contractor might have a job at clearing, fencing or other work and it might not suit him to bake his bread in the bush. So he arranges with the owner to cook it and supply him with bread and meat. As soon as the small baker 15 miles away hears of this baking on the premises, he begins to squeal. Someone is doing the trade to which he considers himself entitled, and the Governor, on the advice of the Minister, may declare that farm or station to be a factory.

The Honorary Minister interjected.

Hon. J. J. HOLMES: I know that anything is possible. Let me tell the Minister what happened on my own premises. For the shearers we had one long dining table. An inspector came around and amongst other things he decreed that there should be two dining tables. The table had to be cut in two, and the policeman at Mingenew was instructed to see that that was done. The table was cut in two, but when the shearers' cook arrived, he decided to put the two tables together and cover the lot with one table cloth. The two dining tables have been used as one ever since. These inspectors travel around the country in Government motor cars and generally have an offsider with them for some purpose. I have heard that he is there for political purposes, but I do not know whether that is so. Such inspectors put people to all sorts of inconvenience. The floor of the lavatory accommodation on my holding has been condemned, a good jarrah floor, and we have had to rip it up and put down cement. It is idle for anyone to tell me that the Minister will not allow this or that to be done.

Hon. W. J. Mann: That is the tendency all along.

Hon. J. J. HOLMES: Yes. Once the Minister gets the authority from this House, we will never get it back again. I particularly want the House to remember that; it takes both Houses to repeal any section of an Act. I take it that any farm or station where a man was making furniture, making a dray, or making a wagon, or doing any other work of the kind could be declared a factory within the meaning of the Act, although only one person was engaged. It is equally idle to talk about the exemptions that the Minister would grant. The House has no right to give the Minister power to over-ride the Act, and in my opinion it is not within the province of the House to give him the right to grant exemptions. The policy of the Government, as I understand it, is to develop our secondary industries. That plank of their policy has been stressed a good deal. Yet we have awards that are set at defiance; we pass workers' compensation legislation that imposes restrictions on manufacturing; we pass numerous other Acts that impose restrictions and seek to magnify them, and then we ask people with money to embark on manufacturing. Men with money will not put it into anything that depends on labour for its profits, because they never know when there will be a strike or a lock-out, or when some new condition will be imposed that will harass them until there is no profit in production. Consequently men with capital are lending it to the Government at a rate of interest that I think is satisfactory to both parties, and thus we have production and manufacturing held up. How long that can continue is a matter about which I am greatly concerned. During the five years ended the 30th June, 1934, we increased the State public debt by £15,000,000. That sum, at 4½ per cent. interest, has increased our interest bill by £675,000 a year. During that period we have increased our taxation—emergency tax by at least £500,000. When I turn to the rev-

enue for that period, I find that it is £1,250,000 less than it was when we owed £70,000,000, and now we owe £85,000,000. I ask members to consider whether this can continue. Should not we be encouraging people to get out of Government employ, to obtain work for themselves and produce for this State the things we ought to produce instead of having them produced elsewhere and sent here? It is folly to tell me that the spirit of the Act will be enforced; it is the letter of the Act that will be enforced. If we give the Minister power to declare this to be a factory and that not to be a factory, it will be good-bye to industry. If the factories of this country are to succeed and if we are to have a manufacturing industry, we shall have to ease the restrictions. One has only to stand on the Fremantle wharf when an interstate vessel is discharging cargo to realise what a good customer Western Australia is to the Eastern States. It would break one's heart to see the quantities of goods manufactured in the Eastern States coming into this State. The only way to encourage local production is to relieve industries and factories from all these restrictions and encourage them to extend their operations in this State. If the Government would only give private enterprise a chance, instead of dabbling in this, that and the other, and imposing restrictions on people who want to do something for the country, we might get around the corner. If we continue as we are heading, we are bound to go from bad to worse. Holding those views, I propose to vote against the second reading of the Bill.

HON. H. S. W. PARKER (Metropolitan-Suburban) [7.45]: I am opposed to the Bill on the rather broader grounds that legislation is all tending to decrease the amount of work a person is permitted to do in the more populous areas of the country at the expense of the farming community. As pointed out earlier in the evening we are a primary producing State, and it is the primary producers who maintain the workers, and in fact everybody, in the towns. The legislation is tending more and more to lessen the hours of work of the city dweller, who has all the comforts of civilisation, though not reducing his remuneration. The time is fast approaching when we must bring the rural and city workers more into line because the rural workers will not much longer put up with the conditions under which they have to work, while their fellows are getting much better conditions in the cities.

Hon. G. Fraser: Do you believe in knocking the city worker out for the benefit of the country worker?

Hon. H. S. W. PARKER: There would not be any city worker if it were not for the country worker.

Hon. G. Fraser: Perhaps you believe in bringing the city worker down to the standard of the country worker.

Hon. H. S. W. PARKER: If we took the city worker into the country and made him do the work the country worker has to do, he would soon realise that he ought to have been satisfied with the conditions that exist in the city. At present, many restrictions are imposed for the benefit of the city worker, and no one would be more pleased than myself if we could maintain that standard. I feel, however, that we cannot, and I do not like the idea of the legislation tending to put a greater burden on the rural worker for the benefit of the worker in the city who has the opportunity of enjoying every comfort. The Bill before us goes further. At the present time the Act is very stringent and I cannot see any reason why we want to say that all men in a particular area, working for themselves in their own premises, should have those premises declared a factory unless the Governor declared it was not a factory. The Bill does not say the Governor shall declare it to be a factory; it says the Governor may exempt it from being a factory, which is a very different thing. I disagree also to the powers being given to an individual. We know, of course, that the Governor acts on the advice of Cabinet, that Cabinet acts on the advice of the responsible Minister, and that the Minister acts on the advice of his responsible officer. I am not going to suggest that the Minister always acts on the advice of an officer, nor that Cabinet always acts on the advice of one Minister, but on broad principles a Minister does act on the advice of his responsible officers. There is too much power left in the hands of a Minister to say what shall or shall not, under the Bill, be a factory. The Bill asks that all women who are employed shall be paid the basic wage ruling in that particular district. I have a very vivid recollection of the hardship of the Factories and Shops Act in certain cases.

Do not think I am suggesting that to rectify a hardship the law should be altered, because to make laws to meet a particular case of hardship invariably means bad laws. But there are many workers, especially female workers, who are not capable of doing a full day's work; that is to say, perhaps not capable of turning out the ordinary average output per day, say, for instance, a partially injured woman.

Hon. L. Craig: They are extraordinary cases.

Hon. H. S. W. PARKER: They are, but I remember well that one particular shop in Perth gave a woman part-time employment because she was unable to earn a full week's wage. Everybody was perfectly satisfied; the woman was satisfied that she was getting half wages because she was not doing more than half a week's work. Then came along the factories inspector, and the firm in question was prosecuted. It was a technical offence, and the unfortunate woman had to be thrown out of employment. There are many women employed by another woman who may be engaged in dressmaking in a small way. Thus two or three get together and carry on dressmaking, and so on. Those places will be declared factories unless the Minister exempts them. If people want to make their work a hobby, why should they not do so? There are a great many men employed on the basic wage, and when they leave their work, they desire perhaps to add to their income by engaging in other work. Why should they not do so? They are energetic and keen and perhaps it is their desire to uplift their families. I cannot see any objection to their engaging in other employment. The basic wage is based on a married man, his wife and two children. If a man has ten children, why should he not endeavour to earn something outside his regular employment to give the additional eight children a better chance in life? Again, say a widow wants to earn a little money by dressmaking and employs one or two women who are willing to work for the wage she is able to pay. Why should they not work for that wage? If those women working for that dressmaker are able to command a better wage, they certainly will go where they can get it. If they can command only what the dressmaker offers them, why should they be disturbed? It may be assumed that that would be a semi-sweating establishment; but is it not infinitely better for those women to be employed than to be idle? So it is better for them to command the wage offered than to be doing nothing. It is wrong to prevent people working for whatever wage they can get, if it is their wish to do that work. There is ample work for everyone if we can afford to provide the money with which to pay for it. But we cannot afford that, and it is proved by the wages the rural worker gets. Restriction after restriction is imposed against the employer and the employee. We will not let an individual work, and so we force him into idleness and the streets. Now we have before us another Bill to make the restrictions even greater. It is proposed by the Bill to prevent women being taught hairdressing in a hairdressing saloon. Why on earth should not some female hairdresser teach another woman in her shop? I admit that this kind of thing could be abused, but what real harm is done? A woman is learning something with a view, perhaps, to starting in business elsewhere. It may be contended there are going to be more hairdressers than are required, but I take it the more hairdressers there are, the greater will be the demand.

Hon. L. Craig: Would not there be a tendency for all hairdressers to employ pupils?

Hon. H. S. W. PARKER: And why not?

Hon. H. V. Piesse: The hairdressers would get premiums.

Hon. H. S. W. PARKER: If a person likes to pay a premium to learn a trade, why should not that person pay it? The hon. member knows well that many people pay a premium to learn something, that they get two or three lessons and then throw up the work. Why therefore should there be any restriction? Why should there be a hard and fast rule for women who desire to learn hairdressing? There are very few hairdressers who can undertake the responsibility of teaching an apprentice over a period of so many years. We are aware also that some women who run establishments of this description get married and go out of business. This legislation will probably discourage hairdressers from getting married.

Hon. C. F. Baxter: It will be drastic if it goes so far.

Hon. H. S. W. PARKER: If she has an apprentice it says, "You will not be able

to marry until your apprentice is out of her apprenticeship, or if you do, you must return to work after you are married to allow the apprentice to complete her time."

Hon. H. V. Piesse: Would there be any goodwill in such a business?

Hon. H. S. W. PARKER: There would not be goodwill unless you took the apprentice with the business. Really I see no danger, because women customers will not permit apprentices to dress their hair. The danger the Minister foresees is infinitesimal. I am told that one or two people have complained that some women would be employing one assistant. Are we going to alter the law for the sake of such people? I for one am very much against that and therefore I intend to vote against the second reading of the Bill, as I did in a previous session. I do not believe in carrying restrictions any farther. The Factories and Shops Act is stringent enough as it is.

HON. L. CRAIG (South-West) [8.0]: I am going to support the second reading of the Bill, but I am certainly not going to support it all in the Committee stage. I can see there is reason for the Bill, for I have no doubt that backyard factories, as they are called, are interfering a good deal with factories that have to work under Arbitration Court awards and certain other conditions laid down by the court.

Hon. H. S. W. Parker: Do you think they can compete with machinery?

Hon. L. CRAIG: There is no doubt they are competing.

Hon. W. J. Mann: But not getting the same return.

Hon. L. CRAIG: Probably it is necessary to restrict them to a certain extent, and to that extent I wish to say a little now. It appears to me the Bill has something in common with the Dairy Products Marketing Act, which went through the House very quickly and with only one dissentient voice. In that measure, Parliament decided who should be a manufacturer; it was not left to the Minister to say. I oppose the powers given to the Minister in this Bill, for I think that Parliament, not the Minister, should say what is to be a factory. In the Dairy Products Act a producer who makes more than 20 lbs. of butter per week automatically becomes a manufacturer. I think Parliament is quite competent to say what shall be a factory, and not allow the Minister to say what shall not be a factory. Perhaps four persons would be too many to lay down as the basis of a factory, but if four persons are working under set conditions, it seems to me they constitute a factory. It is competent for Parliament to define and decide what is to be a factory. By all means let us fix it at that, but I am opposed to the Minister having power to decide what shall or shall not be a factory. So I will support the second reading, but that is as far as I intend to go, unless the Bill is drastically amended.

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

BILL—CONSTITUTION ACTS AMENDMENT ACT, 1899, AMENDMENT.

Second Reading.

Debate resumed from the 21st August.

HON. W. J. MANN (South-West) [8.4]: There seems to be almost unanimity amongst members that the Bill should be referred to a select committee, and so it would be more or less a waste of time to speak at any great length upon it. I think the Bill is justified, but how far it is justified I, like other members, am unable to say. There seem to be in our Standing Orders some restrictions on members which we are unable to find elsewhere, Certain members speaking last week referred to the restrictions in the Mother of Parliaments and in the Parliaments of the Eastern States, but none of them seemed to be able to give us any precedent that we might follow. The only Dominions we have not had quoted so far, are those of Canada and New Zealand. I have had opportunity to search the Standing Orders of the House of Commons and Senate of the Dominion of Canada. There again we find nothing that gives us any precedent we might follow. The penalties provided in the Canadian Senate are only five, of which I propose to read four, namely—

> The place of a senator shall become vacant in any of the following cases:—
>
> (1) If for two consecutive sessions of the Parliament he fails to give his attendance in the Senate.
>
> (2) If he takes an oath or makes a declaration or acknowledgment of allegiance, obedience or adherence to a foreign power, or does an act whereby he becomes a subject or citizen,

or entitled to the rights or privileges of a subject or citizen of a foreign power.

(3) If he is adjudged bankrupt or insolvent, or applies for the benefit of any law relating to insolvent debtors, or becomes a public defaulter.

(4) If he is attained of treason or convicted of felony or of any infamous crime.

Those are the main disqualifications for a member of that Legislature. It seems to me we are being asked to make provision for men who may come into this Parliament and may be liable to do things that might be deemed disgraceful. So long as the standard of members remains as it has been and is, I believe we would find very little need for a revision of the Constitution. But there are definite doubts in the minds of some people, and for that reason I think the Bill is well timed. I agree with the idea of sending it to a select committee who could inquire into the questions of what is done elsewhere, and how our Standing Orders might be improved. Time spent in that way will be very well spent indeed. For that reason I will support the second reading.

On motion by Chief Secretary, debate adjourned.

BILL—REDUCTION OF RENTS ACT CONTINUANCE.

Second Reading.

THE HONORARY MINISTER (Hon. W. H. Kitson—West) [8.10] in moving the second reading said: This is one of the financial emergency measures which the Government consider it necessary to re-enact for a further period of one year. As most members are aware, this Bill deals only with leases that are terminable at a period of not less than one month. But it undoubtedly has very wide application right through the country. It provides that the rents chargeable under those leases shall be reduced by 22½ per cent., and that that amount shall not be increased except with the approval of the court. That is to say, an application may be made for permission to charge a higher rental and if the circumstances are such that a higher rental is warranted, the necessary order shall be made. The original measure was introduced in 1931 and has been taken advantage of by a large number of people. In many cases applications have been made to increase the rentals, as provided in the Act. Many of those applications have been granted, but numbers have not been agreed to. I have been advised that for the 12 months ended on the 8th of this month, 14 applications have been granted and four are pending. In other words, there have been 18 applications during the year ended on that date.

Hon. H. S. W. Parker: Were any refused during that year?

The HONORARY MINISTER: Apparently not. I do not think there is any necessity for me to speak at any length, for it is only a small measure and members understand it thoroughly. I move—

That the Bill be now read a second time.

On motion by Hon. H. S. W. Parker, debate adjourned.

BILL — MORTGAGEES' RIGHTS RESTRICTION ACT CONTINUANCE.

Second Reading.

THE HONORARY MINISTER (Hon. W. H. Kitson—West) [8.12] in moving the second reading said: This is another of the financial emergency Acts which we believe it is desirable should be enacted for a further period of 12 months. The Act, as its title indicates, restricts mortgagees from exercising their full rights under the mortgage except by permission of the court. Here, again, it may be said that a very large number of people are affected by the Act. It provides that where a mortgagee feels that a hardship is created by the operation of the Act in his case, he may make application to the court for leave to exercise his rights under the mortgage, and the court will decide on the evidence given whether it is desirable that the mortgagee should have that power at that time. Quite a number of applications have been made during the last 12 months in accordance with the Act, and I am advised by the Registrar of the Supreme Court that for the year ended on the 8th of this month 78 applications were granted, two were refused, four temporary orders were made, 45 applications were adjourned sine die, and 23 are pending.

Hon. L. Craig: Only two were refused?

The HONORARY MINISTER: Yes.

Hon. L. Craig: Does not that suggest there is no necessity for the Bill?

Hon. H. V. Piesse: But 45 were adjourned.

The HONORARY MINISTER: Applications that have been refused, I take it, were

made to enforce full rights under the mortgage.

Hon. L. Craig: There are two cases of hardship out of 150.

The HONORARY MINISTER: No. The number of applications which have been granted is 78, that is, applications to enforce the full terms of the mortgage.

Hon. L. Craig: Yes, 78 have been granted.

The HONORARY MINISTER: Yes, and two applications of that kind have been refused.

Hon. H. V. Piesse: And 45 have been adjourned.

The HONORARY MINISTER: And 23 applications are pending. This is perhaps one of the most important of the financial emergency measures. It affects a larger percentage of the population than any of the others.

Hon. L. Craig: It has been tremendously abused.

Hon. H. S. W. Parker: It is one of the most abused measures.

Hon. H. V. Piesse: We cannot legislate for everyone.

The HONORARY MINISTER: I would not like to say it has been abused, because I do not know of any such cases. The Government are of opinion that the measure should be re-enacted for a further 12 months. I therefore move—

That the Bill be now read a second time.

On motion by Hon. H. V. Piesse, debate adjourned.

House adjourned at 8.17 p.m.

Legislative Assembly,

Tuesday, 27th August, 1935.

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

ASSENT TO BILL.

Message from the Lieutenant-Governor received and read notifying assent to the Supply Bill (No. 1), £2,200,000.

QUESTION—TRAFFIC FEES.

Basis of Allocation.

Mr. SAMPSON asked the Minister for Works: 1, What was the total amount collected by the Police Department from motor vehicle licenses in the metropolitan area last year? 2, What amount of those fees was paid to the Main Roads Board, the Transport Board, and what was the aggregate sum paid to various road boards in the metropolitan area? 3, On what basis, proportion, or system were the amounts referred to in paragraph 2 allocated to the Main Roads Board, Transport Board, and the various road boards in the metropolitan area? 4, What were the individual amounts allocated to each road board in the metropolitan area, and on what basis or system were the individual amounts arrived at? 5, What were the various amounts, if any, allocated from the Transport Board traffic fees to the Main Roads Board, and to the various road boards in the metropolitan area?