

Legislative Assembly,

Friday, 22nd December, 1933.

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The SPEAKER took the Chair at 2.30 p.m. and read prayers.

Sitting suspended from 2.32 to 2.40 p.m.

BILL—PURCHASERS' PROTECTION.

Council's Message.

Message from the Council received and read notifying that it had agreed to the Assembly's alternative amendment to the Council's amendment No. 4 and did not insist on its amendment No. 8.

BILL—FINANCIAL EMERGENCY ACT AMENDMENT.

Council's Amendments.

Returned with a schedule of six amendments which were now considered.

In Committee.

Mr. Sleeman in the Chair; the Minister for Works in charge of the Bill.

No. 1. Strike out Clause 2:

The MINISTER FOR WORKS: This is the essential clause of the Bill as it provides for relief in the cuts to Government employees. The deletion of the clause would mean the destruction of the Bill and the Government cannot possibly accept the amendment. We hold that we have a clear

mandate from the people to introduce this legislation.

Mr. Latham: I do not think you have a mandate to give partial relief.

The MINISTER FOR WORKS: There is no doubt that the position was made clear to the electors. The Premier in his policy speech and the responsible leaders of the Labour movement made it clear from hundreds of platforms that, if the party were returned to office, the Act would not be continued without drastic amendments. On that policy the party were returned with an overwhelming majority.

Mr. Doney: As a matter of fact you had a mandate to give a great deal more than the Bill proposes.

The MINISTER FOR WORKS: Yes, and it is a question of how much we can afford to give this year. We can claim that we have a mandate to abolish the Act.

Mr. Thorn: Under the Bill you are giving Government employees practically nothing.

The MINISTER FOR WORKS: I told the House that the relief proposed would cost over £100,000 a year.

Mr. Thorn: In the aggregate it is a large sum, but you will be giving the workers practically nothing.

Hon. W. D. Johnson: Then who will get the money?

Mr. Thorn: The workers will get very little.

The MINISTER FOR WORKS: If the hon. member says that a sum of over £100,000 is nothing, he does not understand the position.

Mr. Thorn: It means a lot to the State, but very little to the workers.

The MINISTER FOR WORKS: Then where will the money go? Who will get it? It will cost the State between £110,000 and £115,000 a year to grant this relief, and into whose pockets will the money go?

Mr. Thorn: Only a few will get the benefit.

The MINISTER FOR WORKS: Only a few Government servants will not benefit.

Mr. Sampson: All should get it or none. The Premier: Should they?

The MINISTER FOR WORKS: We do not subscribe to that.

The Premier: All should get it, the man on £1,000 a year equally with the man on £200 a year!

The MINISTER FOR WORKS: We do not subscribe to that. Because we cannot give all we should like to give to everybody,

we should not deny to some the measure of relief that we can afford. We propose to give relief to the extent of over £100,000 a year, which sum we can finance this year.

Mr. Stubbs: Are you satisfied that the Government can afford to give the £110,000?

The MINISTER FOR WORKS: We would not have introduced the Bill had not we been satisfied on that point. We do not come to Parliament and ask that a Bill of this kind be passed without its first having been thoroughly examined by the Cabinet from every aspect. It has been looked into for months. It was thoroughly examined before the Premier delivered his Budget Speech. The Government cannot be regarded as a body of men without a sense of responsibility, not knowing what they are doing. The responsibility rests on our shoulders, and we say we are able to meet the situation this year to the extent of a little over £100,000. We are sure that the circulation of this additional amount of money amongst the wage and salary earners of the State will be a big element in the revival of trade and business, and will materially improve the situation. I do not think any unprejudiced person considering the position dispassionately can for a moment maintain that the Government have not a direct mandate from the electors to give effect to this policy. Not a member opposite would challenge that statement.

Mr. Latham: But you promised to give a great deal more than you are giving under the Bill.

The Premier: Are you opposing the Bill on the ground that we are not giving enough?

Mr. Wansbrough: No answer!

Mr. Latham: You are not giving effect to what you promised at the Perth town hall.

The Premier: My speech at Boulder was the policy speech.

The MINISTER FOR WORKS: I have the report of the policy speech here. The Premier's words were—

This Act would not be re-enacted without drastic amendments.

Hon. W. D. Johnson: Which were never defined.

The MINISTER FOR WORKS: That is from the verbatim report of the Premier's policy speech, and the statement was repeated from hundreds of platforms. Because we were unable to go the whole hog and give effect to the full extent of our policy in the

first year, having been in office only a little over six months—

Mr. Latham: You promised that the first thing you would do, if returned to power, would be—

The MINISTER FOR WORKS: When I was sitting where the hon. member sits now I said that at the first opportunity we would get rid of the provision which set up this Parliament as a wage-fixing tribunal.

Mr. Latham: I will tell you presently what you said.

The MINISTER FOR WORKS: The hon. gentleman quoted me the other evening. I said a good deal more than he quoted. We are taking the first opportunity to rid this Parliament of the responsibility of fixing wages. It is plain that the Government cannot possibly accept these amendments. With regard to the present one I move—

That the amendment be not agreed to.

Mr. THORN: I do not wish to be misunderstood over this matter. I quite realise what the Premier and his Ministers are faced with, but if they are attempting to give back to the workers of this country something those workers lost through financial emergency legislation, it should be given back to all the workers. One section should not be picked out to reap such a benefit as this.

Mr. Moloney: When did you become a pleader for the workers?

Mr. THORN: I am not a pleader for the workers, but a pleader for fair play. Although I have the fullest sympathy with the Premier and his Ministers in these difficult times, I am prepared to give them my opinion if they want it. The principal Act should have been allowed to continue exactly as it was, in the same terms. If we are going to legislate at all on this subject, the benefit should be distributed over the whole of the workers.

The Premier: In other words, you would give the man on £1,000 a year the same percentage of relief as the man on £200?

Mr. THORN: One would not call some of those men workers.

The Premier: They are all affected by the Financial Emergency Act.

Mr. THORN: I appreciate the Premier's difficulties, but the Government would have done far better to allow the Financial Emergency Act to be re-enacted as it stands,

instead of trying to give relief to a privileged few.

Mr. LATHAM: It is useless for the Government to say that everyone will benefit under this Bill. They know that nobody below £205 will receive any benefit whatever.

The Minister for Works: Those people are not affected by the Act.

Mr. LATHAM: Certainly they are affected. Only a very few people will benefit. The aggregate involved amounts to £110,000 or £115,000, but the people who would benefit are those well above the basic wage. I do not mind if the Government give effect to their pledges. One of their pledges was that if returned to power they would repeal the whole of this legislation, except that affecting interest.

The Premier: Be fair!

Mr. LATHAM: I can quote the Premier's town hall speech.

The Premier: You cannot quote my policy speech in Boulder to that effect.

Mr. LATHAM: In his town hall speech the Premier definitely said—

The Premier: Perhaps that speech was like your policy speech at Northam, which you repudiated afterwards.

Mr. LATHAM: I never made any policy speech at Northam.

The Premier: Yes, you did.

Mr. LATHAM: I was never at Northam.

The Minister for Employment: It was a speech that lost seats for the Nationalists.

Mr. LATHAM: It was a speech that the Trades Hall made much use of. I do not believe one word of all this. Undoubtedly something I said was twisted so as to make as much capital as possible out of it for the benefit of the Trades Hall. I spoke the truth, anyhow, in what I did say. If I quoted stuff uttered by the member for East Perth (Hon. J. J. Kenneally), which I have here in my drawer, probably it would make some of his friends realise how little he knows about the subject.

The Minister for Employment: Let us have it. There is plenty of time.

Mr. LATHAM: Of course there is tomorrow untouched, and if necessary we could meet on Monday. The present Minister for Works, when on this side of the Chamber, said—

We have denounced this Act ever since it was placed on the statute-book, and I give the Minister in charge an undertaking now, that if at the next election we are returned to the Treasury bench, he will never be able to

charge us with not denouncing the measure before we got into office and repealing it when we did get into office; because one of the first things we will do when we get into power after the next general election will be to repeal this legislation. There is no doubt about that.

The legislation has not been repealed.

Hon. W. D. Johnson: That was the present Minister's ambition. The party said the legislation would be drastically amended.

Mr. LATHAM: There is no "drastic amendment" about that statement. It is a definite promise of repeal. I would not have minded if the Bill had fixed the salary at, say, £600, so that no member of Parliament might derive benefit from the measure.

The Premier: Would you vote for the repeal of the whole lot?

Mr. LATHAM: Subject to the exclusion of Parliamentary salaries, yes. I would not, however, agree to alteration of interest rates.

The Premier: Oh!

Mr. LATHAM: There are one or two provisions of the Act with which we cannot play fast and loose. I am prepared to help the Premier to give effect to his policy.

The Premier: You need not. You are terribly disappointed because we are not repealing the whole lot, are you not?

Mr. LATHAM: I am not going to say that. I do not suppose interest rates would go back to what they were in 1930.

The Premier: The unfortunate landlords and mortgagees, as mentioned in another place, would benefit.

Mr. LATHAM: Some of them are in a bad way, and the Premier knows that. Some of them are much worse off than men receiving 9s. above the basic wage. I know of old people living on interest from mortgages—

The Premier: The old people and the widows!

Mr. LATHAM: I am referring to old people holding mortgages of £500 or £600.

The Minister for Employment: Let us have a plea on behalf of the landlords. That would be better.

Mr. LATHAM: If that suits the hon. gentleman, I will leave it to him. He can talk very nicely when he is in one place, but he can talk quite differently when he is in another. I can supply quotations in that connection, if the hon. gentleman desires me to do so. I repeat, we are prepared to help the Government to give effect to that policy

as enunciated by the Premier in the Perth town hall. I know that on the goldfields he said the Act would be drastically amended. When he came down here and said he would see the Act was repealed, he probably still intended to provide for a reduction of interest, because I know that has been a portion of the hon. gentleman's policy for a long time; and he would have to be consistent. He could not ask the bondholders to accept reduced interest rates while other creditors were retaining their full interest. No doubt, he consulted his party on the matter. He did not do this off his own bat.

The Premier: Do what.

Mr. LATHAM: Make the promise to repeal. There is much more of this. The Labour Party voted against the vital clause of last year's Bill, the continuance clause. This year they see some great advantage in partially restoring benefits to some people, while leaving others out. We should, as has been suggested by another place, give effect to the Government's policy. Let us impose a limit of £600 or so, thus excluding Parliamentary salaries.

The Minister for Works: That is not what another place is suggesting.

Mr. LATHAM: I do not wish to follow exactly what another place suggests.

The Premier: That has not been suggested at all.

Mr. LATHAM: We may even compromise in that respect by putting up an amendment limiting relief to salaries below £600.

The Minister for Employment: When this legislation was before the House previously, the main point of the one speech delivered from the Opposition side was, "I do not know where you are going to get the money from to do this."

Mr. LATHAM: Surely we have a right to ask that.

The Minister for Works: The member for Toodyay (Mr. Thorn) to-day says that there is nothing in the Bill and that it is not going to cost anything.

Mr. Thorn: I did not say that. I said that no one was getting much individual benefit from the Bill. I know the measure is going to cost the State a large sum.

The Minister for Employment: The hon. member said it would not cost too much.

Mr. Thorn: No.

The Minister for Employment: Yes, he did. He took the wrong cue.

Mr. Thorn: No, I did not.

The Minister for Works: It was mentioned in another place that this measure would not give any relief to the poor landlord.

Mr. Thorn: I am not worrying about the other place. I am expressing my own views.

The Minister for Works: Every word of the hon. member's speech shows that he took a great interest in people other than workers. He has admitted that he is not here to plead for the worker.

Mr. Thorn: That is all bunkum. I am only asking for a fair deal for the workers.

The MINISTER FOR EMPLOYMENT: In reply to an interjection, the hon. member said he was not here to plead for the workers. On the other hand, members sitting on the Government side of the House are representatives of those upon whom the hardship was inflicted by the party with which he was associated.

Mr. Thorn: I said I was pleading for fair play.

The MINISTER FOR EMPLOYMENT: I would like to have the hon. member's interpretation of what is fair play.

Mr. Thorn: I know what it means.

The MINISTER FOR EMPLOYMENT: The hon. member supported a party that was the only one in the Commonwealth to bring outside employees under this legislation. Apparently that is an indication of what he considers fair play. In addition, they imposed this penalty on the workers in the Government service.

Mr. Ferguson: There was no infliction of a penalty; it was equitable, fair and just.

The Minister for Health: Most beautifully fair!

The MINISTER FOR EMPLOYMENT: Like Shylock of old, the member for Toodyay insists upon the full penalty he helped to place on the workers. He will not be successful. The Government received a mandate from the people to reverse the policy his party carried out. It is regrettable that we cannot repeal the whole Act.

Mr. Thorn: That is my regret too.

The MINISTER FOR EMPLOYMENT: But that is not the attitude the hon. member adopted.

Mr. Thorn: I claim that if you cannot treat all the workers alike, you should not favour a few.

The MINISTER FOR EMPLOYMENT: That is to say, if we cannot give any relief

to the man in receipt of £1,000 or £1,500 a year, we must not give relief to anyone receiving less. That may be the policy of the member for Toodyay, but it is not ours.

Mr. Thorn: What about those receiving less than the man you have quoted.

THE MINISTER FOR EMPLOYMENT: We are hopeful that the Bill we introduced will be the forerunner of further amendments to the Act. We heard the Leader of the Opposition ask how the Government were to find the money, but the member for Toodyay told us this afternoon that it would cost nothing.

Mr. Latham: Do you not think I had the right to ask that question?

THE MINISTER FOR EMPLOYMENT: I have not raised any objection to it, but I am entitled to draw attention to the fact that while the member for Toodyay says it will not cost us anything, his Leader expressed wonder as to how we would obtain the money. I hope the legislation will go through and that ultimately we shall be able to extend relief to the whole of the people.

Mr. SAMPSON: I am surprised at the effort being made by the Minister for Employment. He sat absolutely mum during the whole of the debate on the Bill.

The Premier: He followed the excellent example set by the Opposition. There was one speech from that side of the House.

Mr. Latham: It was your turn next.

Mr. Griffiths: And you did not have a go.

Mr. SAMPSON: The Minister objected because the member for Toodyay considered fair play had not been extended to the community generally. He also asked for a definition of what constituted fair play. Surely it is justice and equity to all. From that standpoint, does the Bill represent fair play to all the people? Of course it does not. Nevertheless we have this more than eleventh hour appeal, and the fanatically enthusiastic statement by the Minister for Employment, who considers that the remarks by the member for Toodyay were unjustified. The Minister should have made his remarks at the second reading stage and it is unfair to raise such contentions at this juncture. As others have indicated, if it is possible for the country to provide financial relief, then it should be given to all and not to a select few.

Hon. W. D. Johnson: Then you would not grant relief to any section of the people at all?

Mr. SAMPSON: If any relief is to be given, it should be given to all. Equity should be 100 per cent. and not merely consideration for the select few. If the Minister did say anything on the second reading, I cannot remember his doing so.

The Minister for Employment: There was no opposition offered to the Bill.

The CHAIRMAN: Order! We are not discussing what the Minister said at the second reading stage.

Mr. Latham: We could not do so.

Mr. SAMPSON: I was referring to statements made by the Minister in reply to the member for Toodyay. That hon. member made a careful and restrained speech. The basic point is: Is it possible for the State to provide for the resumption of certain payments? If so, let the Government give effect to that, but do not let them confine their assistance to one section only.

The PREMIER: Only a member possessed of the courage—I was almost going to say the daring—of the member for Swan would raise any complaint against the Minister for Employment because he did not speak when the Bill was going through this Chamber. The member for Swan knows that the Bill was in the hands of the Minister for Works, and having regard for the fact that one member of the Opposition only raised his voice against the Bill, where was the need for the Minister for Employment to enter into the discussion? The Bill came up for consideration at 4.30 p.m. and it had passed the second reading stage and had been dealt with in Committee by 9 p.m.

Mr. Needham: The Opposition fell down on their job.

The PREMIER: The member for Swan sat silent and dumb. There was not a word from any member of the Opposition apart from their Leader. Yet the member for Swan complains that the Minister for Employment did not go to the assistance of the over-laden Minister for Works! The Leader of the Opposition endeavoured to make a good deal of capital out of remarks made by me in the Perth Town Hall. He knows perfectly well that what the Government and their supporters are pledged to was the policy speech I delivered in Boulder at the opening of the campaign. Therein it was clearly stated that the Act would be drastically amended if we were returned to power. Now the Act has been drastically amended, it does not meet with the approval

of the Opposition. There is a strange diversity of opinion in that regard. The Leader of the Opposition would assist the Government to repeal the Act altogether, which would result in a loss to the revenue of about £350,000. The member for Toodyay, on the other hand, contends that the Government should not give away anything and so retain the revenue I have referred to.

Mr. Thorn: My idea was that unless we could treat all alike, it would be better to spend the £115,000 on the unemployed.

The PREMIER: Because the Government cannot give relief to the man who is receiving £1,200 a year, the hon. member suggests that we must not grant relief to men in receipt of less than £293 a year.

Mr. Thorn: I had more in view the men on the lowest rungs of the ladder.

The PREMIER: The men on the lowest rungs of the ladder are outside the scope of the Act altogether. We endeavoured to help the men just above the basic wage, the men in receipt of £40 to £100 a year above that minimum. The member for Toodyay would give mighty little relief to them unless he could give an equal amount of relief to the men in receipt of higher salaries. It is difficult to follow the well thought-out speech of the member for Toodyay because he said that very few people would get any benefit as a result of the Bill, and then he admitted that in the aggregate it would represent £110,000 a year.

Mr. Thorn: I said that individuals would not benefit to any great extent.

The PREMIER: If very few people are to benefit to any great extent, how is the total of £110,000 made up? That is an indication of the logic of the hon. member.

Mr. Thorn: Are you really expressing what I meant?

Mr. Marshall: Who could express what you meant?

The PREMIER: The member for Toodyay has displayed to us the result of his profound study of the Bill since it left this Chamber.

Mr. Marshall: Let us pass it by.

The PREMIER: The Leader of the Opposition talked about promises, and said we promised we would repeal the whole Act. He conveniently ignores my policy speech and bases his contention on a statement I made in reply, I think, to a question. That is quite a different matter from a statement made in the course of a policy speech. I

do not think it should rest with that hon. member to elide the Government for not giving effect to promises.

Mr. Needham: He cannot cast any stone.

The PREMIER: Would the hon. member deny that we have attempted to give effect in substance to the promise we made that the Bill would be drastically amended? I cannot help reminding him that he was a member of a Government who controlled the business of this House for three years, a Government returned to office pledged to a policy of promises that were not fulfilled. One promise was that work would be provided for all.

Mr. Griffiths: Oh, get a new record!

The PREMIER: You can go out and get new brains; have a surgical operation. That Government promised that they would find work for everybody, and that they would balance the Budget. So far were they from keeping that promise that they left the State $3\frac{1}{4}$ million pounds worse off than it had been when they took over responsibility. Another promise of theirs was to reduce taxation and, so far from carrying out that promise, they increased taxation all along the line, in five different directions. They promised also not to interfere with wages, except through the Arbitration Court. They departed from that promise and in a direction not followed by any other Government in Australia. An Act they carried through Parliament specifically did reduce Arbitration Court awards. They flouted the Arbitration Act in this way, and so reduced wages by the Act which we are dealing with to-day. I am only reminding the Leader of the Opposition of the long list of promises his Government made, and from which they departed entirely. Then there was the Workers' Compensation Act and other measures which it would take me too long to enumerate. How, then, can the hon. member imagine that he has some charge against this Government because he interprets the drastic amendment of this Financial Emergency Act as meaning that we should repeal it entirely, after six months in office. The whole position is absurd.

Mr. Latham: I admit you have as good an excuse for breaking your promises as we had for breaking ours.

The PREMIER: I have never known any man break a promise without having an excuse, even in a breach of promise case. If we were allowed to pursue our policy

without improper and unfair interruption from another place, which does not represent the whole of the people of the country but only one-third of the electors; unless we are thwarted in our policy by that non-representative body of men, I venture to say we shall end our three years by getting pretty close to giving effect to all the promises we gave at the recent election. Before this Bill is finally decided upon we shall see whether the House that does not represent the people is going to rule this country.

Hon. N. KEENAN: It is difficult to follow the subject matter before the House when speakers, including the Premier, traverse the whole history of the State for years back and show how much was promised and how much was departed from. It is an extraordinary position because, properly understood, the real question simply is whether this House will agree to an amendment made in a Bill that went to another place. But since the subject has been so widened, what is astounding to me is that when, on the Address-in-reply, I informed the Premier that his policy speech was understood by public servants to mean that there would be a restoration of the financial emergency cuts, he vigorously denied it, and so too did the Minister for Works. But apparently on reconsideration the Premier has come to the conclusion that what I suggested was correct, and that he did say it, and that it was part of his policy. However, the present position appears to me to be the question, when this House by a majority or without a division passes a certain measure, to what extent another place is entitled to defeat that measure. The constitutional side of the question is entirely different from the other side. Very largely I hold the view that the first thing that should have been done by the Government after they recognised that the policy speech of the Premier did promise to restore the financial emergency cuts was to examine the finances and place the financial position before the House, saying, "Here is the position, and here is the extent to which we are going." But the Minister in charge of the Bill denied the right of the House to know anything about the finances, and said that it was not our business. In those circumstances, how was it possible that there should be any consideration of the finances? If in fact the finances of the country were so improved

as to justify the financial emergency cuts being entirely restored, every member of the House would be in favour of it. If, on the other hand, the finances were still in such a disastrous condition that the financial emergency reduction of expenditure had to be persevered in, every member would have to agree in that view. The Premier is wrong in saying the late Government stood entirely alone in the reduction of salaries and wages. The Plan brought down by Mr. Scullin and Mr. Theodore did specifically provide that there was to be a reduction of 20 per cent. in all wages, salaries and pensions paid by the Governments.

The Premier: That is what I say; the previous Government was the only Government that applied this cut to private employment.

Hon. N. KEENAN: That has been so often said and entirely misunderstood. What was the position in the Eastern States? At the time the Premiers' Plan was passed, the private employee was down 20 per cent. and more.

The Premier: Not by Parliament.

Hon. N. KEENAN: But he was in fact.

The Premier: But not by Parliament. What I have said is correct.

Hon. N. KEENAN: There was no reason whatever for giving to the private employer in the Eastern States any power to seek relief from the Arbitration Court, because already he had got it. When the legislation came back from the Eastern States in the form in which it was drawn by the Eastern States and handed to the late Mr. Davy with orders to bring it before this Parliament, Mr. Davy explained to us the position, and the first Bill to come before the House gave power to the Arbitration Court to make an order in any case to set aside any reduction that would arise under the statute. Members of the front Opposition bench know that the President of the State Arbitration Court was quite satisfied. This, again, is going beyond what is proper discussion for the Committee, and I have referred to it only because it was referred to by the Premier. It would be absurd to say that in this State, where the Government take part in competition with private employers, the Government should reduce by 20 per cent., under the Plan brought down by Mr. Scullin, the wages paid by the Government, and leave their competitors with the burden of not getting

that reduction of 20 per cent. The position would be utterly impossible.

Mr. Needham: The late Government provided relief for private employers.

Hon. N. KEENAN: That is only a catchword suitable for the public platform.

Mr. Needham interjected.

The CHAIRMAN: Order! The member for Perth must keep order.

Mr. Needham: Then why doesn't he tell the truth?

Hon. N. KEENAN: I should like a withdrawal of that.

The CHAIRMAN: The hon. member will withdraw.

Mr. Needham: According to instructions, I withdraw.

Hon. N. KEENAN: The Committee must observe decorum, and I understand the hon. member desires to respect the decorum of the Committee. On the constitutional side of the motion I am largely in sympathy with the Minister, because I cannot concede to another place the right to emasculate in a vital manner a measure that has been forecast before the electors of the State at a general election. Totally as I disagree with the measure, on the constitutional side I am not prepared to assent to the right of another place to defeat it. From that point of view the Minister will have my support, but not on the issue raised here to-day. I do not know what other object there is, except perhaps the waste of time which I understand is one of the objects we have to-day. However, I hope I have made my position clear.

The MINISTER FOR WORKS: There is no necessity to waste time. We wish to get to grips with the situation. The Leader of the Opposition reiterates a statement he made when the Bill was read a second time, when he stated that it gave no relief to the lower paid man. The basic wage man and the man up to 9s. margin above the basic rate, are not affected by the Act. The only way in which we can give relief to that man is by over-riding the court, and giving him a higher wage than the court says he is entitled to. By doing that we adopt the same principle as members opposite did when they passed an Act which said the men were to be paid less than the court declared they were entitled to.

Hon. N. Keenan: You could give them more work if you used the money for the unemployed.

The MINISTER FOR WORKS: We are confident that this Bill would have given them more work. I should have thought the hon. member would have come round to that way of thinking. Surely it has been made clear that the moment wages in industry are reduced, and the spending power of the people is taken away, more unemployment is created. If the money is left in the hands of the employer it creates a situation from which this country is now suffering, when millions of money are being hoarded up under the control of a few and the multitude are going hungry. That is what the hon. member's policy has led us to. He accuses the Premier and me of taking up a different stand from that which we took up on the occasion of the Address-in-reply in answer to the arguments which he advanced. Actually it is he who has adopted a different attitude. The stand adopted by the Premier is consistent with the stand he took then. The hon. member says that the policy speech of the Premier held out to the civil service a promise that the cuts would be restored. The Premier denied that then and does so now. He said at the time his promise was that the Act would be drastically amended. It is the hon. member who is being inconsistent. When he referred to wages coming down in the Eastern States before the Premiers' Plan came into force, he omitted to state that every reduction brought about there was properly fought out before a constitutional tribunal. In no instance has any other Parliament but this interfered with wages outside of Government employment. The decision of the Premiers' Conference was, "That the legal sub-committee be not asked to prepare legislation as to wages in private employment." If local employers had as strong a case as their confreres in the Eastern States, and could prove they were entitled to reduce wages, why did they not put up their case? Why was Parliament asked to over-ride the court? I am glad to have the support of the hon. member in the constitutional aspect of this case. Another place is held up as a House of review. It is not entitled to lay down a policy or take the business of the country out of the hands of the Government. When the party in power receives the decisions of the people in favour of a particular policy, another place has no constitutional right to stand in the way. The Legislative Council of New South Wales, generally regarded as the most con-

servative Chamber in the Commonwealth, has always accepted any Bill that involved an item of policy, where it could be shown that that was contained in the policy speech of the Government. It appears that another place is not going to limit its activities. The Government cannot allow their policy to be taken out of their hands. We are satisfied that the people knew what we proposed to do when we attained office, and as we are charged with the responsibility we propose to give effect to it.

Mr. J. H. SMITH: I support the Government. I opposed this emergency legislation. The fate of the previous Government was saved in those days by the casting vote of the Chairman of Committees. At the last general elections it was stated that none of the emergency legislation would be re-enacted. Large placards were erected all over the country containing the words, "Collier will fight; we will restore the purchasing power of the people; we will give them money to spend." We now find a great army behind the Premier bragging of their electioneering promises from one end of the country to the other. The Premier did re-enact the emergency legislation, and converted the 4½d. tax into one of 9d.

The CHAIRMAN: The hon. member cannot discuss that matter.

Mr. J. H. SMITH: Another place has not gone far enough; it should have thrown out the Bill altogether. Let the Government be sincere and allow this Bill to go by the board. They will then be true to their electioneering pledges. How can we rehabilitate ourselves under present conditions?

Mr. Wise: Declare a moratorium.

Mr. J. H. SMITH: That is the only solution.

The Premier: And pay no one.

Mr. J. H. SMITH: Let us legislate for the future. The Government are taking money out of the pockets of the people who cannot afford to pay, and are bringing down this emergency legislation. The people were gulled into the present situation. We can do nothing unless the people have the right to spend their own money. We are not suffering from over-production but from under-consumption, and yet the Government would take away a few more pence from the people. Placarded in red all over the country we had the words "Collier will fight." We know that the last Government committed

suicide by imposing the 4½d. tax just before the elections.

The CHAIRMAN: The hon. member cannot discuss that matter.

Mr. J. H. SMITH: I hope the Government will drop this legislation, which would ordinarily expire at the end of this month. Let them restore the purchasing power of the people; let them be genuine.

Mr. Wise: How would you vote if we divided on this question?

Mr. J. H. SMITH: Possibly the hon. member is not wide awake enough to know the tragedy the Government are leading him into. Members opposite are chewing the cud all the time, saying to themselves, "This is not what we came here for; we came pledged to do certain things, but we have followed the bell wether all the time." The Premier came down to my district and said the whole thing was scandalous. He raised his voice to the skies and spoke of the number of people who were starving in this country. He said that the emergency taxation was a shameful thing, and it was the first time in the history of politics in Western Australia that Arbitration Court awards had been interfered with; yet we find that the Government are re-introducing the legislation. The Premier knows that he cannot make the people prosperous by taking away their spending power. I am supporting the Government in declining to accept the amendments made by the Council. The Government should drop the Bill altogether and revert to the old order. I am supporting the Government because I know the people cannot pay a penny piece more. At the same time I ask members opposite to be a little more sincere. There are thousands of people now who are just waking up and beginning to realise that there was nothing in the great big placards that were displayed all over the country bearing the legend "Collier will fight." It was all insincerity and hypocrisy. A definite promise was made that immediately the Government were returned to power all this taxation would be done away with. Still, I will vote with the Government.

Question put and passed; the Council's amendment not agreed to.

Nos. 2 to 6:

On motions by the Minister for Works the foregoing amendments made by the Council were not agreed to.

Resolutions reported, the report adopted, and a Committee consisting of the Minister for Works, the Minister for Railways, and Mr. Latham drew up reasons for disagreeing with the amendments.

Reasons adopted, and a message accordingly returned to the Council.

Sitting suspended from 3.50 to 5.45 p.m.

BILL—FINANCIAL EMERGENCY ACT AMENDMENT.

Council's Message.

Message from the Council received and read notifying that it insisted on all its amendments, to which the Assembly had disagreed.

BILL—STATE TRANSPORT CO-ORDINATION.

Council's Amendments.

Schedule of 42 amendments made by the Council now considered.

In Committee.

Mr. Sleeman in the Chair; the Minister for Railways in charge of the Bill.

No. 1. Clause 3.—In definition of "commercial goods vehicle," after the word "only," in line 15, insert the words "and operating or."

The MINISTER FOR RAILWAYS: While a formidable list of amendments has been received from the Council, they do not involve violent alterations in the principles of the Bill. Some of the amendments put the same meaning in a different way, or strike out a word and insert another having the same effect, or transfer something from one clause to another. Generally speaking, they do not touch the principles of the Bill to any great degree. While the 42 amendments cover two pages of the Notice Paper, it will be easy to accept most of them. Amendment No. 1 makes the sense somewhat clearer. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 2. Clause 3.—In definition of "operate" add the words "save as provided by section thirty-three of this Act."

The MINISTER FOR RAILWAYS: In order that there may be no misconception, the Council desire at this stage of the Bill to insert a reference to the saving clause, No. 33. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 3. Clause 3.—In definition of "vehicle" insert after the word "tramway," in line 34, the words "whether used on a Government or privately owned railway or tramway."

The MINISTER FOR RAILWAYS: As the Bill deals with co-ordination of transport, and is not intended to operate only as regards Government railways and tramways, there is no objection to the amendment. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 4. Clause 3.—In the definition of "vehicle" delete the words "or privately owned vehicle used only for the use or pleasure of the owner."

The MINISTER FOR RAILWAYS: On a first examination of the Bill it was thought that these words were unnecessary. I have no objection to the amendment. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 5. Clause 5.—Delete the word "State," in line 6, and substitute the words "Western Australian."

The MINISTER FOR RAILWAYS: The Council have made this amendment in order to distinguish the Western Australian Transport Board from other transport boards. I have no objection to it. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 6. Clause 5.—Insert a new subclause, to stand as Subclause (2), as follows:—

(2.) As soon as may be after the thirtieth day of June in each year, the Board

shall cause to be prepared a report containing—

(i) a statement relating to the proceedings and work of the Board during the financial year then last preceding;

(ii) any comments which the Board think desirable to make relating to the administration or operation of Transport Regulations Acts,

Such annual report shall be laid before both Houses of Parliament in the month of October in each year.

The MINISTER FOR RAILWAYS: It has been the practice that all departments operating under statute should submit reports to Parliament. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 7. Clause 5, Subclause (6).—Add the words "and may be re-appointed."

The MINISTER FOR RAILWAYS: The object of this amendment is to make it perfectly clear that members of the board may be re-appointed. If members of the board do a good job, the Government will be anxious to re-appoint them. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 8. Clause 10, paragraph (a).—Delete the word "such," in line 4.

The MINISTER FOR RAILWAYS: This is a minor amendment which makes practically no difference. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 9. Clause 10, paragraph (a), in lines 5 and 6.—Delete the words "as the Minister may from time to time direct."

The MINISTER FOR RAILWAYS: The words referred to are redundant, and I have no objection to their deletion. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 10. Clause 10, paragraph (d).—Insert the words "as hereinafter defined" after the word "license," in line 39.

The MINISTER FOR RAILWAYS: There is a definition later in the Bill. I have no objection to the amendment. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 11. Clause 10, paragraph (d).—Add at the end of the paragraph: "In this paragraph the term 'new license' shall be construed as follows:—

(i) A license for a vehicle on a route not prescribed at the commencement of this Act under the Traffic Act, 1919-1932, or which is not substantially the same as any such route; or

(ii) Where an applicant already has at the commencement of this Act a public vehicle or vehicles lawfully operating on any prescribed route under the Traffic Act, 1919-1932, and requires a license for one additional vehicle for the same route the license for that additional vehicle shall not be considered a new license, but every additional vehicle license applied for beyond such one additional license shall be construed as a new license; or

(iii) A license for any route prescribed under the Traffic Act, 1919-1932, but which has fallen into desuetude at any time previous to the date of the application for the new license."

The MINISTER FOR RAILWAYS: Another place has inserted a definition of "new license," so far as Clause 10 is concerned, in the clause itself. The amendment permits, where people have a fleet of vehicles operating, an addition of one vehicle to be made without its being considered a new license under the Act.

Hon. W. D. Johnson: Was this a Government amendment?

The MINISTER FOR RAILWAYS: No; but the Government accepted it in another place. There is nothing unjust in it. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 12. Clause 10, paragraph (e).—Delete the words "of its own motion," in line 4.

The MINISTER FOR RAILWAYS: The governing paragraph contains the words "of

its own volition," and paragraph (e) says "of its own motion." Therefore the latter words are unnecessary. I move—

That the amendment be agreed to.

Mr. SAMPSON: I support the motion, because I was anxious to have those words deleted before the Bill left this Chamber.

Question put and passed; the Council's amendment agreed to.

No. 13. Clause 11, Subclause (2).—Delete the words "impossible of improvement," in lines 14 and 15.

The MINISTER FOR RAILWAYS: It was not thought that any railway, tramway, or bus service could be impossible of improvement. The board would decide whether a service was adequate or inadequate. If inadequate, then it would be the business of the person owning or controlling the service to improve it; and if he failed to do so, the board might, in their discretion, give consideration to an application for another form of transport. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 14. Clause 11, Subclause (3).—Add the words "or otherwise," in line 20.

The MINISTER FOR RAILWAYS: If we did not give our sanction to a recommendation placed before Parliament by the board, of course we would "do otherwise." Apparently the Council desire that alternative to be included, and I have no objection. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 15. Clause 11, Subclause (5).—Add at the end the following words:—"Any sum or sums received from any subsequent tenderer or tenderers shall be dealt with in like manner."

The MINISTER FOR RAILWAYS: Clause 11 provides, *inter alia*, that the board may call for tenders for road transport to serve a district and the money collected from the successful tenderer is to be paid into the Treasury to liquidate the capital cost of the railway or tramway that may be closed. The Council propose an amendment setting out what obviously was

the original intention. Apparently the Council wish to make doubly sure and I have no objection. I move—

That the amendment be agreed to.

Mr. Latham: This must be a very good Bill.

The Premier: Yes, there were only commas and other small things to be fixed up by the Council.

Question put and passed; the Council's amendment agreed to.

No. 16. Clause 12.—Insert before the word "latitude," in line 9, the word "south."

The MINISTER FOR RAILWAYS: This amendment involves a scientific matter. In our ignorance we thought that when we provided in the clause that the Act should apply to that part of the State "south of the 26th parallel of latitude," we had said all that was necessary and that there was only one "26th parallel of latitude" affected. In order that we may be corrected in our geography, with all due humility we should accept the Council's rebuke and I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 17. Clause 13.—Insert at the beginning of the clause the words "Subject to the provisions of section thirty-three."

The MINISTER FOR RAILWAYS: In dealing with provisions of the Bill subject to Clause 33 which refers to the class of vehicles defined, the Council desire to make doubly sure. I do not think it necessary to say that every clause affected by Clause 33 should be specifically stated to be subject to that clause. In order to make the position perfectly clear to the most obtuse of minds, the Council desire this amendment and I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 18. Clause 14, in line 29.—Delete the word "ten" and substitute the word "five."

The MINISTER FOR RAILWAYS: This is a rather important amendment. We desired that the fees payable for licenses should be on a basis not greater than 10

per cent. of the gross earnings of the licensed vehicle. The matter was discussed at some length in this House and I pointed out that it was impossible for the Government to secure any information regarding the turnover of various companies. We have no power to demand it, and there is no means by which we can ascertain the information. We provided that the license fee should not exceed 10 per cent. of the gross takings. That did not mean that the fee would be on the basis of 10 per cent.; it might be 2 per cent. or what other percentage was deemed necessary. From what I can gather, I do not think five per cent., which is what the Council suggest, will be quite adequate, and I propose to ask the Council to agree to increase the limit to six per cent.

Mr. Latham: In view of the vote we took in the House, it would be unwise for us to seek to increase the amount to 7½ per cent. now.

The MINISTER FOR RAILWAYS: Yes, but five per cent. is too near the border line.

Mr. Latham: I have worked out the basis of the fees and I think it comes to about 5½ per cent.

The MINISTER FOR RAILWAYS: And I think we should ask for six per cent.

The Premier: Which would be the maximum.

The MINISTER FOR RAILWAYS: Yes. I move—

That the Council's amendment be amended by striking out "five" and inserting the word "six" in lieu.

Question put and passed; the Council's amendment, as amended, agreed to.

No. 19. Clause 14.—Delete the words "and does not apply to subsidies paid to aerial services," and substitute the words "and in assessing such gross earnings the amount of any subsidy paid for an aerial service shall not be taken into account."

The MINISTER FOR RAILWAYS: The Bill was amended in the Assembly to deal with the position of aerial services and the amendment was hurriedly drafted. The Parliamentary Draftsman considers that the Council's amendment expresses better what we desire and I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 20. Clause 14, in line 38.—Delete the word "matter" and substitute the word "manner."

The MINISTER FOR RAILWAYS: Obviously the amendment is to correct a typographical error. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 21. Clause 14, on page 9, line 10, after the word "vehicle."—Insert the words "other than a trailer or semi-trailer operating in the manner referred to in the said section thirty-three."

The MINISTER FOR RAILWAYS: I thought the position was obvious without the amendment, but the Council desire to make it clear. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 22. Clause 15, after the word "who," in the first line.—Insert the word "knowingly."

The MINISTER FOR RAILWAYS: We provided that it was a sufficient defence for a person charged with an offence to show that he had reasonable grounds for believing that the vehicle concerned was licensed. The Council think the position would be made more clear by inserting the word "knowingly." I have no objection to its insertion. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 23. Clause 15.—Delete all the words after the word "Act," in line 18, down to the end of the clause.

The MINISTER FOR RAILWAYS: The insertion of the word "knowingly" replaces the words that the Council propose to strike out. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 24. Clause 17, after the word "vehicle," in line 32.—Insert the words "which is required under the provisions of this Part to be licensed."

The MINISTER FOR RAILWAYS: The Council desire to remove what may possibly be regarded as a slight trace of ambiguity. I am convinced that we should pass a vote expressing our gratitude to the Legislative Council for helping us so clearly to express everything in connection with the Bill so that there will be no possible grounds whatever for any future dispute or argument.

Mr. Latham: You should regard it as a compliment that the Council went so carefully through the Bill.

The Premier: They have been very helpful—with this Bill!

The MINISTER FOR RAILWAYS: They have endeavoured to make everything so absolutely clear that the legal fraternity will not be able to fix on anything in the Bill upon which to base an argument in future. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 25. Clause 17.—Delete all the words after the word "pounds," in line 35, and substitute the following:—

"unless—

- (a) a license granted under this Act in respect of the vehicle expressly authorises the carriage of passengers therein; or
- (b) the person so carried is—
 - (i) in the employ of the owner of the vehicle and is proceeding on his master's business; or
 - (ii) the owner or a member of the family of the owner of the vehicle;
 - (iii) carried in the case of special emergency;
 - (iv) a person who is carried without fee or reward of any kind;
- (c) the owner of the vehicle is the holder of a special permit granted by the Board, and the person so carried is carried in conformity with the permit."

The MINISTER FOR RAILWAYS: I understand the view of the Council is that should a man be so generous as to give a lift to a man who is carrying his swag, or to a neighbour, he would be liable to prosecution under this Act.

Mr. Latham: I think he would be.

The MINISTER FOR RAILWAYS: I think so too. In the administration of Acts of Parliament by responsible people, the duties are not carried out by those individuals in an irresponsible fashion, nor are they desirous of embarking upon invidious and unjustifiable prosecutions. No one would dream of stretching such a provision as to warrant a prosecution in the circumstances I have indicated. However, the Council again desire to make things perfectly clear and doubly sure, so I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

Sitting suspended from 6.15 to 7.30 p.m.

No. 26. Clause 20.—Add a proviso, as follows:—

Provided that no license is required under this Part where—

- (a) on any special occasion persons co-operate to bear the expense of any journey undertaken for pleasure in a privately owned motor vehicle; and
- (b) such journey is made to a destination to which on the day the journey was undertaken there was no suitable train running or public vehicle operating.

The MINISTER FOR RAILWAYS: The reason for this is that in country districts when football or cricket matches or other forms of sport are being indulged in, it may be that there is neither railway train nor public vehicle running, and it is thought the people should not be deprived of their pleasure by being denied all forms of transport. So I think the amendment is quite reasonable, and I have no objection to it. I move—

That the amendment be agreed to.

Mr. WANSBROUGH: If we accept this amendment, what will be the position of the taxi driver, who is licensed to carry passengers? We have taxis in my district, and sometimes they are left standing still.

The Minister for Railways: This deals only with places where there are no public vehicles at all. I think it is all right.

Question put and passed: the Council's amendment agreed to.

No. 27. Clause 24.—Delete the words “and the decision of the Board shall be final and without appeal,” in lines 22 and 23, and substitute the following:—

2. (a) Any person who at the thirty-first day of December, 1933, is the holder of a license for a vehicle which was—

(i) licensed under section ten A of the Traffic Act, 1919-1932, and engaged in carrying goods on one specific route for a period of not less than twelve months prior to such date; or

(ii) licensed and operating as an omnibus on a route prescribed under that Act for a period of not less than twelve months prior to such date,

shall if he at any time within three years of the date of the commencement of this Act is refused a license or renewal of a license under this Act in respect of such vehicle for the route on which it was operating at the thirty-first day of December, 1933, be entitled to appeal to a stipendiary magistrate in respect of such refusal within the time and manner prescribed.

(b) The appellant shall on instituting his appeal pay the sum of ten pounds into court as security for the costs of the appeal.

(c) On the hearing of the appeal the magistrate may order that the license be granted in accordance with the application or subject to such conditions (being conditions which the board itself might have imposed if it granted the application in the first instance) as the magistrate may think fit, or the magistrate may dismiss the appeal and in any case may make such order as to costs as the magistrate deems advisable.

(d) The decision of the magistrate shall be final.

The MINISTER FOR RAILWAYS: This deals with the question whether the transport board's decisions shall be final, or subject to an appeal. In the Council, as in this House, there was a substantial volume of opinion that there should be an appeal, or alternatively some form of compensation. Ultimately the Council agreed that a compensation clause might be dangerous, as being liable to mulct the State in a considerable amount of money. In the end, the

Council came to the conclusion that people who had had vehicles in operation for 12 months should have some safeguard in the form of an appeal against the decisions of the board. Since this will apply only to vehicles that have been operating for 12 months, and since it will last for only three years, I think it is reasonable, and so I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 28. Clause 33.—After the word “vehicle,” in line 12, insert the words “or trailer or semi-trailer.”

The MINISTER FOR RAILWAYS: The clause providing exemption from licenses makes no reference to trailers or semi-trailers. The amendment is merely making the position clear, and so I have no objection to it. I move—

That the amendment be agreed to.

Mr. SAMPSON: I draw the attention of the Minister to Clause 3, where a “commercial goods vehicle” is defined.

The MINISTER FOR RAILWAYS: It is there provided that the trailer shall be considered separately from the vehicle drawing it. The amendment is only making the position certain.

Question put and passed; the Council's amendment agreed to.

No. 29. Clause 37.—Delete all the words after the word “application,” in line 14, and substitute “There shall be an appeal to a stipendiary magistrate against the decision of the Board in refusing to grant the application.”

In relation to any such appeal the provisions of subsection (2) of section twenty-four shall apply with the necessary modifications.”

The MINISTER FOR RAILWAYS: This deals with the same subject as is dealt with in amendment No. 27. Having already accepted the principle, I have no objection to this. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 30. Clause 44, before the word “latitude,” in line 26.—Insert the word “south.”

The MINISTER FOR RAILWAYS: This is another one dealing with south latitude. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 31. Clause 48.—Delete the word "provide," in line 24, and substitute the word "produce."

The MINISTER FOR RAILWAYS: This is merely an alteration of words; it is the correction of a clerical error. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 32. Clause 54, after the word "suspended," in line 6, page 19.—Insert the following proviso:—

Provided further, that there shall be an appeal to a stipendiary magistrate against the decision of the board in revoking or suspending a license, and in relation to any such appeal the provisions of section twenty-four shall apply with the necessary modifications.

The MINISTER FOR RAILWAYS: This is again the principle of appeal to a magistrate. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 33. Clause 57, page 20, paragraph (g).—After the word "vehicle," in line 5, insert the words "required to be licensed under this Act."

The MINISTER FOR RAILWAYS: I do not really think this is necessary, but still I have no objection to it. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 34. Paragraph (h).—Delete the words "omnibuses and of commercial goods vehicles" and substitute the words "public vehicles."

No. 35. Paragraph (i).—Delete the words "omnibuses or commercial goods vehicles" and substitute the words "public vehicles."

No. 36. Paragraph (l).—Delete the words "omnibuses and commercial goods

vehicles" and substitute the words "public vehicles."

No. 37. Paragraph (m).—Delete the words "omnibuses and commercial goods vehicles" and substitute the words "public vehicles."

No. 38. First Schedule.—Before the word "solely," in the fifth line of paragraph 2, commence a new paragraph, to stand as paragraph 3.

On motion by the Minister for Railways, the foregoing amendments were agreed to.

No. 39. First Schedule.—(i) Add the following words to paragraph 4 thereof:—"The term 'The railway station or town nearest to such property' shall include that station or town most accessible to the property, and to which supplies and requisites for that property would ordinarily beailed."

The MINISTER FOR RAILWAYS: This amendment was made at the request of the Pastoralists' Association. The nearest railway station in the pastoral area might have access from a very bad road, whereas a good road would induce people to use another station though it was located a little further distant. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 40. (ii) After paragraph 8 insert a new paragraph, to stand as paragraph 9, as follows:—"The carriage of shearing employees and their luggage in a vehicle to any place or places where they are to carry out any shearing contract and the return by the same vehicle of such employees to their places of residence on completion of the contract."

The MINISTER FOR RAILWAYS: This amendment was suggested by the Pastoralists' Association to enable people to earn a living at less expense than would otherwise be involved. We would be penalising people unduly if such provision were not included and if the measure were administered harshly. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 41. First Schedule.—After paragraph 8 insert a new paragraph, to stand as paragraph 9, as follows:—
“As a feeder to or from any country railway station or siding, provided it is not operating at a distance beyond thirty-five miles from such station or siding.”

No. 42. First Schedule.—In paragraph 9, delete the words “thirty-four” and substitute the words “thirty-two.”

On motion by the Minister for Railways, the foregoing amendments were agreed to.

Resolutions reported, the report adopted and a message accordingly returned to the Council.

Sitting suspended from 7.53 to 10.20 p.m.

BILLS (2) RETURNED.

1, Appropriation.

2, Traffic Act Amendment.

Without amendment.

BILL—STATE TRANSPORT CO-ORDINATION.

Council's Message.

Message from the Council received and read notifying that it had agreed to the Assembly's alternative amendment to Amendment No. 18 made by the Council.

BILL—FARMERS' DEBTS ADJUST- MENT ACT AMENDMENT.

Council's Amendments.

Message from the Council received and read notifying that it had agreed to the Bill, subject to a schedule of amendments now considered.

In Committee.

Mr. Sleeman in the Chair; the Minister for Lands in charge of the Bill.

No. 1. Clause 3.—Delete “1933,” in lines 28 and 36, and substitute “1934.”

The MINISTER FOR LANDS: This refers to the amount paid to the receivers for their services. Under the existing Act receivers are entitled to £10 10s. plus three per cent. They went to a judge in chambers and got a decision in their favour. In

the Bill it is definitely provided that the receiver shall receive £10 10s. or three per cent. That was made retrospective, but the Council objects to its being made retrospective. I do not like to agree to the amendment, for I think the receiver is paid sufficient if he gets £10 10s. or three per cent., but I have to bear in mind that a judge in chambers said they were entitled to it. Consequently I move—

That the amendment be agreed to.

Mr. LATHAM: I am sorry the Minister has agreed to accept the amendment, for there is no doubt in my mind they would never have got their £10 10s. plus three per cent. but by arrangement with the farmers. I am sorry we are not going to make it retrospective to last April, but there is now no time to insist upon it, and so the unfortunate farmers will have to pay. However, starting in next April, it should serve to clear things up once and for all. Moreover it is definitely provided in the Bill that the farmer cannot contract himself out of the Act after this.

Question put and passed; the Council's amendment agreed to.

No. 2. Clause 3, page 3.—Delete paragraph (b).

The MINISTER FOR LANDS: Previously receivers could charge out of pocket expenses in addition to ordinary fees. This clause provides that they shall be allowed only to charge out of pocket expenses for some special services. The Council desires that the clause shall be struck out, but I disagree, for the receivers cannot have it both ways. I move—

That the amendment be not agreed to.

Mr. FERGUSON: I am amazed at the lack of appreciation of another place of the difficulties of the farmers, who, in most instances have been compelled to seek protection under this legislation. It is amazing that Parliament should be so unmindful of their interests of the farmers. I agree with the Minister that it would be wrong to accept the Council's amendment.

Question put and passed; the Council's amendment not agreed to.

No. 3. Clause 9.—Delete paragraph (a).

The MINISTER FOR LANDS: The original intention was to insert the words

"director" and "receiver." The director has power to direct the deputy directors who are receivers, but another place is of opinion that this would mean building up a Government department. I have no objection to the amendment which would leave the Act as it is. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 4. Clause 9.—Delete paragraph (b).

The MINISTER FOR LANDS: Subsection 3 of Section 12 of the Act provides that nothing in this section or in any resolution of the creditors shall prevent the holder of any mortgage or other security from making to a farmer any advance necessary for the preservation of the security. It was proposed to add, "or which, in the opinion of the director is warranted in order to render the security more productive for the purpose of the farmer's business, and is calculated to be of benefit to the farmer and his creditors in general." It might be the wish of the secured creditor—the mortgagee—to put sheep on the property or to arrange for fencing and water supplies so that sheep might be carried. That would in no wise interfere with the interests of other creditors.

Mr. Ferguson: It would improve their interests.

The MINISTER FOR LANDS: Yes, because the farmer would have a better chance to get on his feet and thus the creditors would have a better chance to get their money. I move—

That the amendment be not agreed to.

Question put and passed; the Council's amendment not agreed to.

No. 5. Clause 9, paragraph (c).—After the word "may," in line 24, insert the words "after consultation with the consent of the majority of the creditors."

The MINISTER FOR LANDS: This is a very similar amendment dealing with wire netting and my remarks on the previous amendment apply here. Why should the creditors be consulted? Their rights would not be interfered with in any way. Rather would their interests be conserved. I move—

That the amendment be not agreed to.

Mr. FERGUSON: The question of supplying wire netting would not vitally concern the majority of the creditors.

Mr. Latham: It would help the creditors.

Mr. FERGUSON: Yes. The farmer should have the right to decide. If the director supports him, surely it is not a matter that concerns the majority of the creditors.

Question put and passed; the Council's amendment not agreed to.

No. 6. Clause 10.—After the words "Provided, however," in line 10 on page 7, insert the words "in regard to any such security."

The MINISTER FOR LANDS: I have no objection to the amendment, and move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 7. Clause 10.—In paragraph (d) of the proviso delete all the words after the word "shall," in line 44, down to the end of the paragraph and substitute the following:—

(i) If the same requires registration under the Bills of Sale Act, 1899, and its amendments, and does not comply with the formalities prescribed, or is not duly registered under the said Acts; or

(ii) in any case where the same does not require such registration, if the produce or the actual proceeds of the produce the subject thereof have not been received by the creditor in whose favour such order, authority, or writing is given before the date of the stay order be absolutely void as against the receiver and the other creditors of the farmer.

The MINISTER FOR LANDS: The amendment deals with wheat orders and has been introduced with my consent. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

Resolutions reported, and the report adopted. A committee consisting of Messrs. Johnson, Latham and Troy drew up reasons for disagreeing with amendments Nos. 2, 4 and 5. Reasons adopted and a message accordingly returned to the Council.

**BILL—FINANCIAL EMERGENCY ACT
AMENDMENT.***Council's Message.*

Message from the Council received and read notifying that it insisted upon its amendments to which the Assembly had disagreed, now considered.

In Committee.

Mr. Sleeman in the Chair; the Minister for Works in charge of the Bill.

The MINISTER FOR WORKS: I move—

That the Assembly continue to disagree with the Council's amendments.

Question put and passed, the Council's amendments again disagreed to.

Resolutions reported and the report adopted.

Request for Conference.

The MINISTER FOR WORKS: I move—

That the Legislative Council be requested to grant a conference upon the amendments insisted upon by the Legislative Council; the managers for the Assembly to be Hon. P. Collier, Mr. Latham, and the mover.

Question put and passed, and a message accordingly returned to the Council.

Sitting suspended from 10.15 p.m. to 12 midnight.

**BILL—FINANCIAL EMERGENCY ACT
AMENDMENT.***Council's Further Message.*

Message from the Council received and read notifying that it agreed to a conference with the Legislative Assembly that it had appointed Hon. W. H. Kitson, Hon. J. J. Holmes and Hon. A. Thomson as managers for the Council, and that the conference take place in the President's room forthwith.

Mr. SLEEMAN: I should like to know, Mr. Speaker, whether this conference can be considered to be in the nature of a conference, implying the deliberations of a subject, when I understand that two of the managers appointed by another place have already announced their determination not to alter their viewpoint concerning the amendments that have been made to this

Bill by their Chamber, that there would be no surrender on their part.

Mr. SPEAKER: I have no knowledge of what has occurred in another place.

**BILL—FARMERS' DEBTS ADJUST-
MENT ACT AMENDMENT.***Council's Message.*

Message from the Council received and read notifying that it insisted upon its amendments Nos. 2, 4 and 5, to which the Assembly had disagreed, now considered.

In Committee.

Mr. Sleeman in the Chair; the Minister for Lands in charge of the Bill.

Nos. 2, 4 and 5:

The MINISTER FOR LANDS: I move—

That the Assembly continue to disagree with the Council's amendments.

I am greatly disappointed at the attitude of another place, and am wholly dissatisfied with members there who allegedly represent farming interests. Imagine a number of members representing farming constituencies insisting upon amendments which so seriously affect the properties of so many of their constituents. As a result of these amendments a receiver will get for this year at any rate a sum of £10 10s. plus 3 per cent., a very adequate remuneration. Many receivers in the city are carrying on quite a big business by these operations alone. In comparison with the farmers they are living in opulence. Parliament never intended that the receivers should get £10 10s. plus 3 per cent., which they got as the result of a test case. In addition, they are also able to charge out-of-pocket expenses. We desired to limit these out-of-pocket expenses to special services, but another place declared they were to be unlimited. There has been a lot of lobbying going on in Parliament on the part of the receivers during the past week or so. Farmers have been growing wheat at a loss for the last two or three years, and yet every person who handles the proceeds has had a cut out of them. The first charge against the proceeds is the fee of the receiver, and then come the merchants, the bank, etc. Everybody gets a full cut except the farmer. A fortnight ago a thousand bags of wheat left my pad-

docks, but when bags, super. and cartage had been paid for, there was nothing left of the proceeds of that consignment for me. In my case there was no receiver, and there had been most careful management throughout. Notwithstanding this situation, members of another place are fighting in the interests of the receivers. If the proceeds amount only to £10, the receiver gets the lot. I am not disposed to accept the decision of another place.

Mr. LATHAM: I am sorry we gave away anything at all. I am keenly disappointed at the attitude of another place. All we have said is that the trustee should meet all these special charges against an estate out of the fees he receives. Up to the present telephone calls, stationery, etc., have all been charged separately. What we wished to ensure was that these things were charged against the fee. I am afraid that members of another place are out of touch with the disabilities suffered by farmers. I hope the Minister will persevere in his attempt to induce the Council to give way. If the farmers are being exploited, it can well be said that the State legislature has permitted it. If we do not insist, it will be a definite instruction to the trustees that they can charge out-of-pocket expenses in that way. The farmers concerned must be fairly honest; otherwise the creditors would not stick to them.

Mr. SAMPSON: I hope we remain here until dawn, or even later, to give the Minister the necessary support to protect those on whom this State depends. No one knows better than the Minister, who is himself a farmer, that consideration must be extended to the producers of wheat. I do not doubt that the Minister will stand firmly to what is in the best interests, not only of the wheatgrowers, but also of the State.

Mr. WARNER: I support the remarks of the Leader of the Opposition, and I trust the Minister will do his utmost on behalf of the farmers.

Question put and passed; the Council's amendments again disagreed to.

Request for Conference.

THE MINISTER FOR LANDS: I move—

That a conference be requested with the Council on the Council's amendments which have been again disagreed to, and that the

managers for the Assembly be Mr. Latham, Mr. Ferguson, and the mover.

Mr. SLEEMAN: I have no wish to do anything likely to be detrimental to the interests of the farmer, but conferences seem to me a waste of time. We have not a fighting chance at a conference, as the dice are loaded against us. In another place only to-night members have definitely stated their policy to be one of no-surrender at a conference. The idea of a conference is compromise, study of the pros and cons of the case. In the present circumstances conferences are utter waste of time. My attitude is—no conference with another place.

The MINISTER FOR LANDS: That is all right, but there are very many farmers affected by this legislation. If the legislation is not re-enacted, farmers will be absolutely thrown to the wolves. Therefore I hope the member for Fremantle will not persist in his objection. There is a danger of absolute chaos resulting.

Question put and passed.

Sitting suspended from 12.15 a.m. to 12.50 a.m.

BILL—FARMERS' DEBTS ADJUSTMENT ACT AMENDMENT.

Council's Further Message.

Message from the Council received and read, notifying that it had agreed to the request for a conference, had appointed the Hons. J. M. Drew, L. B. Bolton, and H. V. Piesse as managers, the Chief Secretary's room as the place of holding the conference, and the time forthwith.

Sitting suspended from 12.52 a.m. to 5 a.m.

BILL—FARMERS' DEBTS ADJUSTMENT ACT AMENDMENT.

Conference Managers' Report.

The MINISTER FOR LANDS: I desire to report that the managers representing this House and another place have met and come to an agreement as follows:—

No. 2. Subclause (5) of Clause 3, page 3.—Insert after the word "any," in line 6, the word "legitimate."

No. 4. Clause 9 (b) (3).—Council's amendment not insisted on.

No. 5. Clause 9 (c) (5).—After the word “may,” in line 24, strike out the words “by writing under his hand” and insert in lieu thereof the words “with the consent of a majority of creditors given in writing or by resolution of a meeting of creditors held in accordance with Section 10 of the principal Act.”

Report adopted, and a message accordingly returned to the Council.

BILL—FINANCIAL EMERGENCY ACT AMENDMENT.

Conference Managers' Report.

The MINISTER FOR WORKS: I have to report that the managers have met, and that it is as well to say that the Council made their appointment of managers by ballot. Prior to the ballot being taken, two members of that Chamber got up and said to the House that if they were appointed managers, their policy would be, no surrender; and that in spite of that statement, those two members were elected as managers. We have met in conference and discussed the whole situation and failed to come to an agreement.

Report adopted, and a message accordingly returned to the Council.

CLOSE OF SESSION.

Complimentary Remarks.

THE PREMIER (Hon. P. Collier—Boulder) [5.8]: As that concludes the business of the session and we are now allowed to go home with the milk, I desire to offer to you, Sir, the compliments of the season. I am sure I voice the opinion of every member of the House when I say we wish you a very pleasant happy Christmas time, and that all good things may come your way during the New Year. The manner in which you have conducted the business of the House during the recent term you have held office has conformed in the highest degree to the position and to the high standard set by your predecessors. I do not think there is a member of the Chamber who will question your impartiality or that on all occasions you have been fair and indeed generous to many of us, perhaps, when we have gone beyond the Stand-

ing Orders. I am sure every member of the House will join with me in offering our good wishes to you during the Christmas season. To members of the House generally I express similar sentiments, and I would say to the Leader of the Opposition and to all those sitting on the Opposition side of the House that during the past six months the Government have received nothing but the fairest treatment. Whilst the Opposition have never surrendered their right in any way to criticise the Government measures, such criticism as they have offered has always been in fair spirit and with an understanding of the difficulties with which the Government are faced at present. To the Leader of the Opposition I can only say again that the friendly relationship which has existed between the head of the Government and Leaders of the Opposition for the past 20 years, quite irrespective of when we have changed sides of the House, has been preserved and continued in this new Parliament. I am grateful to the Leader of the Opposition and all his supporters for the courteous and kindly manner in which they have treated the Government and the measures that have been brought forward. I can only again say that I hope all members will enjoy a respite during the next few days. Unfortunately, as the result of the conference held during recent hours, I cannot promise them a lengthy respite from Parliamentary duties. I am sorry to have to convey to members the impression that it will possibly be necessary for Parliament to be called together again in the very early days of the New Year; because the situation that has been created as the result of the lapse of the Financial Emergency Act is most serious; in fact, unless the position is met and remedied in some way or other, there will be nothing but chaos and disaster before the State. But whilst offering congratulations, I should not, of course, intermingling remarks of a critical nature, so I will only say the Government will face the situation that has been created by the action of another place, and we hope that when we meet again, which I believe will be in the very near future, the Government will have the support of the whole House in the attitude it may be necessary to adopt in order to meet the situation. I should like to join, too, in my expressions of thanks to members

of the House and of my own party. During the session I have had the privilege and honour to lead a party which has been very loyal, very forgiving and very good on all occasions, and I have had nothing but the best of treatment from every member of our party during the time we have gathered together in this Chamber. For that I express my thanks to every member of our party. I should like also to express the thanks of this House to the officers, who have been of such great assistance to all of us, for their loyal and devoted attention to their duties, and the splendid assistance and advice they have rendered to us on all occasions. That applies not only to the officers in the highest positions in this Chamber, but to every officer, including the messengers and all concerned. To the "Hansard" staff we are all very grateful. I wonder what would happen to many of us if some member of the "Hansard" staff, caught by a malicious or capricious motive, were to report us as we really speak. The "Hansard" staff have been most devoted to their duties. Their work during the session has been considerably increased by reason of the fact that there have been select committees as well as two Royal Commissions engaging the time of the members of the staff. During my long association with this House I have never known any member of Parliament who had not a feeling of gratitude for the work done by "Hansard." To one and all I offer Christmas greetings, hoping that the holidays will prove enjoyable, and that the new year will bring brighter prospects than the year just passing away, and that eventually Western Australia will come back again into its own. I wish to offer to every member of the House, to the officers and the servants, the compliments of the season.

MR. LATHAM (York) [5.17]: May I join with the Premier in offering to you, Mr. Speaker, the compliments of the season. On this side of the Chamber, as the Premier has expressed it, we are indeed grateful to you for not having always noticed the faults of members. To the Premier and his Ministers we feel grateful for the courtesy shown to us. We are, of course, new in the role of Opposition; but we have attempted to carry on the traditions that have existed for many years—longer, in fact, than I have been here. I am glad of the Premier's assurance that we have lived up to expectations, and

have not violated those great traditions. I offer best wishes to the Premier and his Ministers. We know well that they will not have the respite that private members will enjoy, because every day Ministers must be in their offices to carry on their administrative work; and the work of administration is not easier now than it has been for some time past. To members of this House I wish to say how much I appreciate their kindness to me. I wish them a very happy Christmas, and I hope the new year will bring prosperity to them and to the State. To you, Mr. Speaker, and your staff, and also to the members of the "Hansard" staff, I desire to tender my best thanks for the assistance always cheerfully given, especially on the part of the "Hansard" reporters, who probably sometimes have been wearied by those little repetitions that unfortunately do occur every time the House sits. I am very grateful to both the senior and the junior staff of the House. We can well be proud of our staff. They are most courteous and obliging. This is the end of an endurance test, and I suppose most of us are anxious to get away. To one and all I wish a very happy Christmas and a glad new year.

MR. McDONALD (West Perth) [5.20]: On behalf of those who are associated with me in this part of the House, Mr. Speaker, I wish to thank you for the courtesy which has been uniformly extended to us, and also for the consideration shown to those of us who are new members. I wish to thank the Premier and the Leader of the Opposition for their good wishes, and also to express our gratitude to the members of the "Hansard" staff and the officers of the House. We desire to convey to you, Mr. Speaker, and to the Premier, the Leader of the Opposition, and all members of the Chamber our sincerest good wishes for the new year.

MR. SPEAKER [5.21]: I desire to thank the Premier, the Leader of the Opposition, and the member for West Perth for the very kind wishes expressed towards myself, the Chairman of Committees, the officers of the House and the "Hansard" staff. I have very much to be thankful for in respect of the assistance given to me by all members of this Chamber during my term of new office. I feel most grateful to all hon. members for that help. I agree with everything that has

been said in regard to the staff. One really needs to occupy such a position as I hold in order to appreciate that assistance. I should be very sorry for myself and the Chairman of Committees were it not for the knowledge and assistance made available to us by the officers of the House. I offer best wishes and compliments of the season to all hon. members. Like the Leader of the Opposition, I hope we shall not be brought back too soon; but I feel that when we are called together again, the same good feeling and respect that have existed during the session just closing will once more be evidenced. I wish everyone a merry Christmas and a happy new year.

BILL—FARMERS' DEBTS ADJUSTMENT ACT AMENDMENT.

Council's further Message.

Message received from the Council notifying that it had agreed to the report of the conference on the Bill.

ADJOURNMENT—SPECIAL.

THE PREMIER (Hon. P. Collier—Boulder) [5.22]: I move—

That the House at its rising adjourn to a date to be fixed by Mr. Speaker.

Question put and passed.

House adjourned at 5.23 a.m. (Saturday).

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Parliament was prorogued to the 11th January, 1934.*
