Legislative Council.

Tuesday, 4th November, 1941.

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

BILLS (4)—THIRD READING.

1, Fire Brigades Act Amendment.

Returned to the Assembly with an amendment.

2, Money Lenders Act Amendment.

Returned to the Assembly with amendments.

3, Criminal Code Amendment.

4, Road Districts Act Amendment (No. 3).

Transmitted to the Assembly.

BILL—PUBLIC TRUSTEE.

Report of Committee adopted.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 28th October.

HON. C. F. BAXTER (East) [4.39]: This Bill, if not amended in several clauses, will inflict further burdensome obligations on industry. In view of the prospects, which are indeed cloudy, no Bill of this kind should be brought forward for consideration. Sectional legislation should be left in abeyance until the war ends. The position demands unity among all sections and wholehearted, sympathetic concentration on our war effort, free from any matters likely to cause the slightest estrangement. Particularly should this apply to Parliamentarians.

Through division of effort and dissent amongst various sections, European countries, particularly France, were so weakened that they were an easy prey to the German war machine, and this should be a warning to Australia. I cannot understand the policy of the State Government. Session after session Parliament has been presented with Bills affecting the three main industrial Acts, namely, the Industrial Arbitration Act, the Workers' Compensation Act and the Factories and Shops Act, and the majority of the Bills introduced have been intended to grant further advantages to industrial workers who already enjoy privileges much in excess of those which obtain in the Eastern States with which this State is in competition. With the serious curtailment in shipping facilities, our export trade has of necessity been adversely affected. The full weight of this is felt in our primary industries which produce the revenue necessary to carry on the country's activities oversea. Consequently, this State is deprived of a great proportion of its normal income. The influence of huge expenditure on Commonwealth defence contracts has done a great deal to offset this, but Western Australia, despite special contributions made on the recommendation of the Federal Grants Commission and others provided by the Federal Government, has not received its fair share of the general benefits brought about by such expenditure.

By and large, secondary industries in this State have not benefited from the war expenditure, except insofar as the scarcity of shipping space has precluded requirements from being supplied from without. The result has been the preparation and supply of goods from within the State. A unique opportunity therefore arises for Western Australia to organise, establish and extend secondary industries thus relieving the overburden on primary industries instead of, as in the past, overburdening the primary industries that provide our credit abroad simply to foster secondary industries on uneconomic lines. If this opportunity is grasped now, we shall, when the day of reckoning arrives after the cessation of hostilities, be in a better position to face our liabilities.

In this connection we must be prepared to utilise the extensions made in industry to manufacture war-time requirements so that we may supply peace-time needs and

provide work for our people. This effort will assist us in passing the stage when this State was useful only as a supplier of wool and foodstuffs to the outer world. Western Australia will thus be more fitted to take its rightful place as a largely self-supporting and manufacturing country, able to seek trade in outside markets in competition with other countries. This is a worthy objective that can be reached—provided the effort is not killed by industrial standards being allowed to impose conditions that industry cannot carry.

Industrial standards operating in Australia are recognised as the best in the world as far as the worker in employment is concerned, and Western Australia has set a standard of benefits for workers far in excess of the conditions obtaining in the Eastern States. There are many costs involved in such industrial standards that are of practically no benefit to the worker but prevent various industries being established in the State and consequently represent one of the contributing causes of our unemployment problem. We hear talk of post-war reconstruction, but much more than talk is necessary. The Government would be well advised to alter its policy of continually urging Parliament to extend more advantages to workers in their industrial conditions and make every endeavour to lighten the burden on producers while at the same time developing secondary industries to replace those now engaged upon war-time requirements. We have the means at our command; our tradesmen can do the work; but, in order to compete with outside markets and not impose excessive financial burdens on the community, a most careful watch must be kept on the cost of production.

Wages and conditions are a vital problem in both sections of industry and without a general adjustment of these vital factors, we shall, unless we experience a miracle, drift back to where we were before, and the consequent huge load of debt will inevitably crush us. There are important lessons to learn from the world's present chaotic conditions. International and internal, or domestic, problems will have to be faced in the light of our new experiences. Trade difficulties, race prejudices and petty differences will all have to go into the melting pot. Our preconceived ideas on some subjects may have to suffer many shocks, especially when we consider what our future relationship may be to the rest of the world.

Some of the necessary changes are becoming more apparent every day, and it is for us to face this fact with the will to apply the remedy at the earliest opportunity. It may be distasteful, but it will be even more so the longer action is delayed. I implore the Government even at this late hour to drop all sectional and controversial legislation and to take a lead in making Parliament a unified body, working unitedly and sympathetically for the good of the Empire and of the people.

The Bill, which has been introduced to amend the Industrial Arbitration Act, contains quite a number of provisions for consideration, including some apart from those constituting encroachments upon industrial conditions. Several of the clauses will certainly improve the Act, but there are others that are highly objectionable and are certainly not calculated to serve in reaching the goal the Government supposedly seeks to attain.

The proposal contained in Clause 2 relating to the definition of "worker" aims at the inclusion of domestic servants. This is by no means the first occasion such a proposition has been made to this Chamber. It could safely be asserted that it has been previously submitted to this House with much more warrant than it is today, seeing that the enormous demands upon our manpower made by war industries has seriously depleted the number of workers offering for domestic service. The consequential decrease in the numbers employed must therefore naturally have reduced the demand for the amendment. This dearth of employees in domestic service will be further accentuated as more munition annexes and factories are put into production. It is safe to assert that in the next 12 months domestic servants will be at an even greater premium than today and that the law of supply and demand will naturally protect their interests.

The Industrial Arbitration Act, as its name implies, was first introduced to our statute-book, and has on its many subsequent re-appearances before Parliament been amended, for the purpose of controlling conditions applying to employment in industry; and Parliament, in its wisdom, has on several occasions refused to regard the private home as an industry. Parliament

has, however, drawn a line between the private home and the establishment which enters upon the industry of boarding-house keeping by providing that it is not a private house when "more than six boarders and/or lodgers are received for pay or reward."

The Bill now seeks to extend the meaning of the word "worker" so that every type of domestic establishment employing a servant shall be covered. This would mean that every private home employing a servant becomes an industry, whereas by its very nature it is in direct contradiction of the definition of the term "industry" in the Act. It is not a business, trade, or undertaking; it does not come within the purview of a branch of industry or group of industries. On the other hand it is, and always has been, the private sanctum of the owner and his family, where trespass by any stranger is a punishable offence, where the element of competition with the owner's neighbour does not enter. Little imagination is needed to conjure up the obnoxious nature of the "right of entry" which must necessarily be granted to either union or Government officers for the purpose of policing either an award or a Factories and Shops Act provision. Therefore I stress the necessity for the deletion of this provision.

Clause 3 appears to be a very necessary amendment. Clause 4 seems a desirable amendment and is, in fact, in conformity with the Industrial Arbitration Court's usual practice. The object of the proposed new paragraph (xv) in Clause 5 is sound, but the paragraph does not go far enough. It is suggested that after the word "consolidate" the words "or divide" should be added. Awards made in years gone by, containing provisions regulating the wages and working conditions of workers in two separate industries—for example, retail trading as distinct from wholesale trading—may in the light of present-day conditions require that storemen, packers, and despatch hands be catered for in separate awards.

A composite award may have been satisfactory in the past; but owing to the march of progress bringing with it changing conditions the division of that award into two separate determinations cannot legally be brought in without provision also being made in the Act to divide a reference from an award. Notwithstanding this, however, the Arbitration Court has in the interests of industrial peace, and where the parties have consented—which is very important—divided a composite award into two awards. A case in question is the wireworkers' award, which previously governed the employment of workers in wirenetting manufactory, "Cyclone" gate and fence making, and manufacturing articles out of wire. In doing so, however, the president of the court held that whilst he had no power under the Act to do so, yet, seeing that the parties were in agreement that separate awards should be made for (a) wirenetting manufacturing and (b) "Cyclone" gate and fence making, he would carry out the wishes of the parties and divide the award by issuing separate awards as requested.

It is therefore necessary to have machinery in the Act to meet a position which may arise, where the employers may require an award to be split up—as was the case with the wireworkers' award—and opposition to this may be raised by the union. In the event of objection by the union to such a division, the employers' application under the present Act would of necessity fail. This, I feel, explains the necessity for my suggested amendment. The proposed new paragraph (xvi) in Clause 5 appears to be a helpful proposal. It has been the practice of the court in recent years to do as these proposed new paragraphs suggest, and also to divide references where necessary. The proposed new paragraphs (a), (b) and (c) in Clause 6 are all desirable, and will legalise a practice which the court has adopted of setting up boards of reference not only under awards but also under industrial agreements. The amendments in question would provide for this purpose.

I regard Clause 7 as important. Section 88 of the Act has always been deficient in that once the term of an award has expired it has been legally impossible for the court to declare an interpretation of that award. So necessary is the proposed amendment that the court has indicated that it would proceed to give an interpretation provided both parties agreed not to raise the legal objection in a case where the term had expired. It will be well known to hon. members that notwithstanding the expiry of the term of an award its currency may continue indefinitely. There are many awards whose currency runs into six, eight, or more years; and, without this

amendment, once the original term has expired—and that may not be more than three years from the date of making the award—an interpretation would be impossible. It is noteworthy that an industrial agreement may be interpreted at any time. This is provided for in the definition of industrial matters in Section 4, paragraph (g), of the Act. The amendment, therefore, should be of benefit to all parties.

At the moment the court may vary or rescind the provisions of an award.

Clause 8 will give the court power to add to the provisions of an award. The court should have jurisdiction as suggested in paragraph (a) of Clause 8. The proviso contained in the first sub-paragraph of paragraph (b) of Clause 8 provides machinery for a course of action frequently taken by the court in the past, apparently without statutory warrant. It should therefore be agreed to. The second sub-paragraph of paragraph (b), is not desirable. It would have the effect of destroying the common rule effect of an award in cases where, under duress, an employer might be forced into signing an agreement with a militant union. Such a provision would be highly dangerous, for it would give legislative warrant to a dissatisfied party, after the issuance of an award, to force its will upon the other party against the decision of the court. One of the safeguards of our system of industrial arbitration is that parties going to the court now know that once an award is made by the court they can expect a period of 12 months in which industrial conditions would not normally fluctuate. This has operated excellently, and requires no amendment except on the part of those who desire the two-headed penny system of arbitration by which they win, tie or wrangle.

Clause 9 is purely an administrative proposal and appears to be a desirable one, while the proposed new subsection in Clause 10 will meet a situation which frequently arises whereby a registered union, being respondent to a claim, desires to counterclaim on matters not contained in the claim. This happens in most instances; the new provision would expedite the process and enable documents to be filed in accordance with the time limits set out in the regulations. At present it would not be necessary for such a union to pass and publish resolutions relating to the matters contained in the claim. There seems to be, therefore, no logical reason why any other matters in the answer should require such a resolution.

The proposed new Section 174A is an attempt to convert to a statutory right certain privileges that are granted in special cases by individual employers. This is surely not a matter for parliamentary sanction, but rather for the adjudication of the constituted tribunal after having heard evidence relating to a particular case. For Parliament to take the action desired in this new section would be for it to usurp the functions of the Arbitration Court, which has complete jurisdiction to deal with the matter. Unions all over Australia have made claims similar to those contained in this new section, but these have been refused in the majority of instances by constituted tribunals. If there be a trend to permit entry by union representatives, then that change should surely be made by the responsible courts. There is no such trend evident in Western Australia and the Bill aims at doing what the court has refused to endorse. The Act is clear in its provisions as to the power of the court to grant "right of entry," and under no circumstances should this House break the long-standing convention of non-interference with the Arbitration Court.

There are certain important factors relating to the industrial situation in this State which I feel it my duty to impress upon the House. Firstly, I am of opinion that the resources of the State, in so far as their present-day development is concerned, are not strong enough to carry the banner of leadership in industrial conditions ahead of all other States. Secondly, I feel it is the duty of every member of this House to use his influence for the purpose of strengthening our industrial situation and to voice his opposition to anything that may tend further to weaken it.

The Bill, although possessing considerable merit in so far as it deals with machinery sections of the Act, is not one that should be lightly agreed to because of the presence of the clauses to which I have referred. The principle underlying the amendment of the definition of "worker" is one which, in my opinion, should not have been brought into controversy at this stage of our history. The Minister should be content to allow Western Australia to rest upon her industrial laurels

for the time being, satisfied with the fact that she has the lowest average weekly hours, as well as the highest average weekly wage, in the Commonwealth. It should also be observed that not only is ours the highest average weekly or nominal wage, but our workers enjoy the highest real wage in the Commonwealth. This is also disclosed returns prepared by the Commonwealth Statistician.

I have extracted, from records prepared by the Commonwealth Statistician, a table brought up to date as at the 31st March, 1941, which shows the hours and wages obtaining in every State, together with the weighted average for Australia. The table is as follows:—

Average Weekly Hours. (Men)	State.	Average Weekly Wages. (Men)	Metropolitan Basic Wage.	
			Commonwealth Award.	State Award.
		s. d.	s. d.	s. d.
43·91	Australia	100 9	86 0	....
43·70	New South Wales	102 6	89 0	89 0
44·20	Victoria	99 6	87 0	....
43·46	Queensland	101 1	83 0	89 0
44·08	South Australia	95 2	83 0	84 0
43·18	Western Australia	105 9	84 0	90 5
44·48	Tasmania	95 6	85 0	....

As regards the Queensland rate of 89s. (State), this rate is not usually operative. As a rule, the average price index for the six capital cities is used for determining Queensland rates. Taking 1000 as a basis, in 1928-29 we have this position: Western Australia's nominal wage is now 1051, against the combined average of 1001, while its real wage is 1111 as against a combined average of 1027 for all Australia. If it can logically be argued that Western Australia can pay 5s. per week more than the other States, then perhaps industrial measures—further improved by our high standards—could be viewed with complacency by this House; but I am one who believes that we cannot so view the situation; that, in fact, our present retarded industrial growth is largely due to the desire of the present Ministry to lead the van of industrial progress.

I have referred to our industrial leadership as an honour. Regarding the position from a State point of view, I think this honour is a doubtful one. It can bring little satisfaction to the farming community, whilst those engaged in secondary industries must continue to chafe under conditions which prevent their expansion at the same rate of progress as that being enjoyed in South Australia, Victoria and elsewhere. I believe it is fair to assert that we have not received our due proportion of wartime expenditure largely because our industrial standards have been higher than those of other States and our costs of production commensurately out of proportion. I am prepared to support the second reading, because the Bill has a certain amount of virtue in it, but I warn the House that it requires a great deal of consideration. Some of the clauses are of a highly dangerous nature, as they will retard our industrial efforts to a very large extent. I trust the House will give the measure the consideration required and will support me in my amendments when we reach the Committee stage, so that the Bill may leave this House in good order and suited to the conditions obtaining in this State.

HON. J. CORNELL (South) [5.13]: I have read this Bill carefully. At one time I was considered to have some knowledge of the ramifications of industrial arbitration; but whether I have now or not is perhaps an open question. I do not fear what Mr. Baxter seems to be afraid of. Two phases of industrial arbitration come vividly under my notice. One has become an accomplished fact; the other is contained in the Bill. Twenty-nine years have passed since an amending and consolidating Arbitration Bill was introduced. Of the members then in this Chamber, some four or five, including myself, are left. The others have been gathered up to their fathers. One such esteemed member was the late Hon. J. E. Dodd. At that time, Mr. Drew was the Leader of the House, but he left that matter to Mr. Dodd. You, Mr. President, were also a member at that time, as was Mr. Hamersley. Sir Hal Colebatch had a long interregnum away from us. These are all that are left of the grand army after its retreat from Moscow!

One of the great bones of contention in that Bill, and one which existed for many years after, was the question as to whether preference to unionists should or should not be made law. After a lapse of years, and the rejection of several subsequent proposals, peacefully and quietly, like a thief in the night, it became a concrete fact by

a decision of the Arbitration Court, and was accepted by all concerned. We did not legislate for that. Parliament rejected that legislation, but it came into being quite easily.

I consider that most of the provisions of the Bill will improve the machinery of the Arbitration Act. The less the court is tied by suspicious legislation the better. If we have not got an Arbitration Court that will give a reasonable degree of justice, it will be killed by its own weight and its own actions. One of the propositions raised by Mr. Baxter was the question of the basic wage. Wages payable are a charge against industry. The Bill, so far as that matter is concerned, is like the flowers in a certain opera—it has nothing to do with the case. Whether the Bill is passed or not, the menace pointed out by Mr. Baxter remains. I wish now to deal with the question of domestic servants. Twenty-nine years is a long time, and in that period domestics have not been brought within the scope of the Arbitration Court.

Hon. G. Fraser: We boast of our progress!

Hon. J. CORNELL: I voted for their inclusion in 1912 and so did Mr. Drew. Sir Hal Colebatch and Mr. Hamersley were against it and you, Mr. President, voted for it.

Hon. C. B. Williams: Sir Hal might have learned something; he has been in England since then!

Hon. J. CORNELL: There was probably more justification 29 years ago than exists today for the inclusion of domestic servants under the Industrial Arbitration Act. The domestic servant position today practically rights itself. It is not a question of how the householder will get on with the domestic servant, but where these servants are coming from.

Hon. J. J. Holmes: If they come, they can write their own tickets.

Hon. J. CORNELL: Exactly. The day of the employment of domestic servants to any extent has gone. The position today in the sphere of domestic life is an endeavour, practically the world over, to get down to as small a habitation as possible, and do away with domestic labour as far as is humanly practicable.

Hon. C. B. Williams: Where does that occur?

Hon. J. CORNELL: It is a development of the times. Married people who, through the exigencies of war, have come to this State from the East Indies have found that out.

Hon. C. B. Williams: They have brought Chinese servants with them.

Hon. J. CORNELL: They have come here with great expectations. They took on large establishments, but cannot get domestic help. Further, it is generally accepted in the field of labour that where it is difficult to pass on the cost, the employer works for the employee and not the employee for the employer. Whether or not this House agrees to the provision and brings domestics under the Act after this long period, does not matter to the housewife. If she gets a good girl she will do her best to retain her, and will not stick at a little extra money.

Hon. C. B. Williams: It is 5s. a half day for washing, just the same.

Hon. J. CORNELL: I have seen washerwomen that members would not know to be washerwoman. They look as if they are out of a beauty salon. They change their clothes, do their work and change again, and then leave. That matter is beside the question. Another new provision is that relating to the audit of the books of an industrial union by a qualified accountant. What is meant by "qualified"? Is he to be qualified by competitive examination and be a member of an institute? If that is the position, the Bill should say so. What benefit will it confer on an industrial union to have its books audited by a qualified accountant? Mr. Williams knows that for a period of about eight years I was secretary of an industrial union on the eastern goldfields, which had a membership ranging from 140 to 180. I received the magnificent salary of £8 per annum. Today such a membership would have a paid secretary and typist. Whether an auditor is qualified or not qualified is not going to stop defalcations. They happen every day. A case is mentioned in the Press only this morning concerning a friendly society.

Hon. C. B. Williams: After all a lot of societies have secret funds.

Hon. J. CORNELL: I cannot see what benefit will be derived. It will cost the unions more money. If the provision remains in the Bill, I advise the Minister to say that the auditor shall be qualified by a competitive examination and be a member of a

recognised institute of accountants, of which there are three or four in this State—the Federal, the Commonwealth, and the Association of Accountants. Without that qualification anyone can say he is a qualified accountant.

The other new provision which requires consideration concerns the right of entry. That has been a long while coming. I cannot see much wrong with it. Mr. Bolton, who is a very big employer, may be more qualified to speak on this phase of the measure than I. The success or non-success of this provision will depend on the calibre of the person given the right of entry. If he exercises reason, tolerance, commonsense and tact, nobody would object. If he tries the bounce many people will be hurt, and the man should go out on his pink ear.

The only other new matter is the prohibition against obtaining premiums. Everyone should agree to that. I have no more to say on the Bill except to remark that it contains essential features which will improve the machinery of the system of arbitration. Access to the court should be made as easy as possible. The words "conciliation" and "reason" should not be applied to stop access to the court. It is something we should endeavour to inculcate upon the worker generally. The question of "strike or otherwise" should go to conciliation and arbitration. It may be urged against our arbitration system that strikes occur, and it may be asked, why? Well, why do players fight when playing football?

Hon. C. B. Williams: Or chase the umpire off the ground.

Hon. J. CORNELL: So long as the human factor remains as it is, I cannot see that much alteration will take place in the future. Any man worth his salt who has been through a strike knows its futility. He knows that in the final analysis——

Hon. G. W. Miles: He is the loser.

Hon J. CORNELL: ——sanity should prevail and those concerned must eventually sit down at a table and say, "How best can we get out of this jam?" Just as there are leaders of the workers who do not use tact and commonsense, so on the other side there are employers who are just as bad. Those factors, common to both sides, are only small and yet they bring about dislocations. Trade unionists know that there are three phases of a strike—its commencement, the sit tight period and finally the dignity and giving-in stage, which is the hardest of all. Western Australia in recent years has been surprisingly free from industrial strife.

Hon. C. B. Williams: That must be because of our good legislation.

Hon. J. CORNELL: I think it is due rather to the commonsense displayed on both sides, plus the fact that employers and employees here come into closer contact than is the case elsewhere. This accounts largely for the amicable relations that exist.

Hon. J. M. Macfarlane: All are workers.

Hon. C. B. Williams: I still say it is due to good legislation.

The PRESIDENT: Order!

Hon. J. CORNELL: To have a commonsense application of the law is highly important and to sum up the whole situation one might say that upon this depends the continuity and well-being of the human family. Many years ago the old Trades and Labour Council in Kalgoorlie discussed a motion in favour of compulsory unionism. The man who introduced the 1912 Arbitration Bill—the late Mr. Jabez Dodd—opposed the proposal till the day of his death. According to him there was only one factor in life that counted, and that was reason. He said, "If you cannot reason a thing out in a commonsense way, or reason a man into joining a union, you will not get there by compulsion." That is as I view the present situation. No matter what legislation we pass, it must be governed by reason and there must be give-and-take in its application. Further, such legislation must be easy of being complied with by both parties. There are provisions in the Bill that indicate a trend in this direction and therefore I shall support the second reading.

HON. E. M. HEENAN (North-East) [5.33]: I support the Bill and am very pleased to note from the remarks already made that there is a possibility of its passing the second reading. All will agree that the Industrial Arbitration Act is a good measure, and some credit for the peaceful industrial conditions we have enjoyed in recent years can be ascribed to the provisions of the Act. Like all other legislation, however, the Act needs to be brought up to date from time to time, and the Bill, in my opinion, proposes some very beneficial amendments.

I listened very attentively to the remarks of Mr. Baxter. Although he opened in a way which would lead one to believe that this was a piece of legislation that should not be enacted simply because a war is raging, he concluded by agreeing that practically every clause in the Bill is either necessary, desirable or helpful.

Hon. C. F. Baxter: Not every clause.

Hon. E. M. HEENAN: The hon. member certainly took exception to Clause 2, which proposes to amend the definition of "worker," but he said that Clause 3 was necessary, Clause 4 was desirable, Clause 5 would be helpful, Clause 6 was desirable, Clause 7 was necessary, Clause 8 was necessary, Clause 9 would assist in the administration of the Act and Clause 10 would expedite something—I forget what it was. Then the hon. member skipped over to Clause 14, to which he objected.

Hon. L. B. Bolton: You must have his notes.

Hon. C. F. Baxter: Did I say that Clause 13 was all right?

Hon. E. M. HEENAN: Yes, though the hon. member said that the latter portion was not desirable. Dealing with Clause 2, Mr. Baxter's references regarding the average high rate of wages in Western Australia and the short average of hours of labour, I submit, had absolutely no bearing upon the Bill. If what Mr. Baxter said regarding wages and hours in this State is correct, those are things of which we should be very proud. I only hope the good record will be maintained and that we shall remain in the forefront on those two important issues. But, if my view is not prejudiced, what bearing has that on the question whether domestic servants should be brought within the scope of the Act?

Surely domestic workers are engaged in a very important branch of industry and are necessary workers in the community. Is it not right that their living conditions should be regulated? Is it not right that their rates of pay should be prescribed? If it is necessary to regulate conditions for men and women working in countless other avenues in order to keep the wheels of industry turning, why should domestic workers be excluded? We have been told that it is difficult to get domestic workers. If that is so, the cause is probably to be found in the treatment that has been meted out to them. I suppose that in this as in other avenues there are good employees and bad employees.

Hon. G. W. Miles: Do you mean that employers are bad?

Hon. E. M. HEENAN: No doubt there are good employers and bad employers; no doubt there are good employees and bad employees. We, however, are dealing with the average, and I repeat that surely it is only fair that women engaged in domestic service should have their conditions of labour and rates of pay regulated by the Arbitration Court, which has been set up for the very purpose of ensuring justice to employers and employees.

Hon. E. H. H. Hall: Would you have a woman on the Arbitration Court bench?

Hon. E. M. HEENAN: If these workers are brought within the scope of the Act, domestic service will not be regarded as it is at present and has been for many years, namely, the last form of work that any self-respecting girl or woman will engage in.

Members: Oh, no!

Hon. W. J. Mann: What are you talking about?

Hon. L. B. Bolton: You do not mean that.

Hon. E. M. HEENAN: I mean that if any other work is offering, a woman will not take domestic service. If I created a wrong impression by the words I chose, I am sorry. I hope members are satisfied with my explanation.

Hon. W. J. Mann: I think you should be ashamed of yourself for having said that.

The PRESIDENT: Order!

Hon. E. M. HEENAN: That state of affairs undoubtedly exists. The work is frowned upon and avoided, and if one may believe half the stories one hears about the treatment meted out to domestic servants, both as regards rates of pay and the conditions under which they work, I say it is high time we accepted the responsibility of amending the Act so that their conditions may be supervised by the tribunal we have set up to regulate the conditions under which men and women may be employed in industry.

I submit that this is about the only clause on which there can be any debate. The last one to which Mr. Baxter raised some objection—the one giving a union official the right of entry to premises—contains ample safeguards in that such an official may inter-

view the workers only during the lunch period or during a non-working period and may not enter any private home. With the definite exclusion of private homes, as stipulated in the proviso, I do not think there can be any strong objection to the proposal.

The remaining provisions will be beneficial to the working of the Act, and the House need feel no anxiety about passing them. I hope we will keep Western Australia abreast of the times in the matter of our industrial legislation. Simply because there is a war on, we should not stand still and not attempt to make any progress in this important sphere. Unless we legislate to improve the conditions of the people we represent, Parliament will have no function to perform. The argument that the Bill should not be brought down at present has no merit in it. I sincerely hope that after it has been thoroughly debated, members will decide that Clause 2 shall stand as printed.

On motion by Hon. Sir Hal Colebatch, debate adjourned.

BILLS (2)—FIRST READING.

1, Metropolitan Market Act Amendment.

2, Public Service Appeal Board Act Amendment.

Received from the Assembly.

MOTION—GERALDTON-MOONYOONOOKA BUS SERVICE.

Debate resumed from the 22nd October on the following motion by Hon. E. H. H. Hall (Central):—

That this House disapproves of the action of the State Transport Board in granting a monopoly to D. J. McVea, of Geraldton, to conduct omnibus services between Geraldton and the R.A.A.F. Training Camp at Moonyoonooka, without first calling tenders for such services, and is of the opinion that such licenses should be waived and that tenders should be called for same as provided for in Section 10 of the State Transport Co-ordination Act.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [5.47]: The burden of the complaint made by Hon. E. H. H. Hall in submitting his motion was, I think, that the State Transport Board had not acted strictly in accordance with the provisions of the State Transport Co-ordination Act. If, as he seeks to convey, the board has not complied with the requirements of the statute, the House should, I think, at least be advised accordingly by him, and should be provided with evidence to that effect before being called upon to give consideration to a motion of this kind. I contend that the hon. member has not produced any evidence in that direction. Certain of his statements in no way concern the Transport Board. I am dealing with references made—perhaps under misapprehension—to matters related to the Commonwealth liquid fuel rationing scheme. I will refer to those instances individually in due course.

Commencing his speech, Mr. E. H. H. Hall drew attention to Section 10 of the Act, but unfortunately his omission to quote the relevant provisions in full may have led to a wrong interpretation being put upon it. I will quote the provisions referred to—

Subject to this Act, the Board may of its own volition, or under the direction of the Minister, shall—(a) make investigations and inquiries into transport matters.

This provision concerns the making of investigations and inquiries into transport matters. The use of such general terms, as well as the use of the word "may" is, I contend, sufficient indication that the section relates to matters of a much wider nature than the granting of a licence to an individual or even to several individuals. It provides the board with the authority necessary in its more important function of co-ordinating transport services. In the case of Geraldton it was dealing with a single applicant for a license. It is a fact that other applications were received later, but when Mr. McVea's application was originally submitted, the board had no occasion to suppose that there would be others. To continue, the quotation, the Act states that—

In making such investigations and inquiries, the board shall give consideration, among other factors, to all or any of the following factors, namely—the impartial and equitable treatment of all conflicting interests.

The words "in making such investigations and inquiries" show that the later provisions apply to investigations and inquiries. The Transport Board does, in fact, exercise its authority at all times in the best interests of the State and the public as a whole. The point I am making is that Mr. Hall has failed to show that the board has not carried out its duty—which is a duty to the public, not to an individual.

It has been pointed out by the hon. member that tenders were not called for the conduct of the service to the Geraldton R.A.A.F. Station. Section 10 of the Act states that the board may—

call tenders for road transport, and invite premiums in any case where the board considers the requirements of a district are not adequately served by any form of transport.

Here again, the discretion is with the board as to whether tenders shall be called, except, of course, where there is a definite direction by the Minister. This was admitted by the hon. member in reply to a question. Numerous licenses have been granted by the board in the past without the formality of inviting tenders. In regard to the statement that Mr. McVea had not been required to pay "any charge other than the ordinary license fee," Mr. Hall apparently refers to the question of a premium. In only one instance since the board's inception has a premium been required when tenders have been called. In that instance the premium was necessary to liquidate the cost of the tramway which operated along Bay View Terrace, Claremont. Acting on general principles the Transport Board has not assumed that it should act as an additional taxing authority to impose heavy charges for licenses or permits, but rather that its duty is to assist in the provision of efficient transport facilities, consistent with the directions and terms of the Act. I understand there is no complaint in the present instance that the service is not efficient.

The hon. member then referred to my statement that "the Transport Board adopted the view that it would not have been fair to allow anyone else the right to conduct a bus service over the route, unless the party concerned was prepared to accept the responsibility of providing the service to the beach prior to receiving this license." If He stated, "There is nothing in the files about Mr. McVea providing a service to the beach prior to receiving this licence." If Mr. Hall had read the file carefully, he would have noticed that Mr. McVea, in his letter dated the 3rd December, 1940, applied for an omnibus license to operate the Geraldton town circuit (which included the beach), and to Moonyoonooka. The service to the beach was under consideration by Mr. McVea for a considerable time before the question of the aerodrome arose, and was included in his application for a license. His letter states:

I am of the opinion that a bus service run on proper lines and to a schedule should prove successful in Geraldton, provided the encumbrances are not too heavy.

I hereby wish to make application to your Board for the right to conduct a bus service in the Geraldton circuit and Moonyoonooka.

The assertion that the chairman of the board (Mr. Millen) stated that an application for an omnibus license had to be referred to Melbourne, has been persisted in by the hon. member. I can only repeat my previous statement that the assertion is entirely without foundation. I do not doubt Mr. Pomeroy's sincerity in his willingness to repeat his statement on oath, but I say that he has definitely misunderstood the position. This shows the danger of accepting statements on their face value without inquiry to fortify oneself as to what is being referred to. After hearing the letter written by Mr. Pomeroy, I can perhaps throw some light on the origin of the hon. member's misapprehension. This is one of the instances to which I referred previously where transport control had been confused with petrol rationing.

Mr. Millen informs me that the Premier did arrange for Mr. Pomeroy to see him. The matter under discussion was the question of the granting of a petrol consumer's license for an additional taxi to operate in Geraldton involving an increase in his petrol allowance. The Commonwealth Liquid Fuel Board has definitely instructed that fuel shall not be granted for taxis additional to those operating at the commencement of rationing. An instruction issued by the Commonwealth Liquid Fuel Control Board, Melbourne, on the 18th September, 1940, reads as follows:—

The Board decided that the State Liquid Fuel Control Boards be instructed that a ration is not to be granted to taxi cabs and hire cars authorised to operate after the 1st October, 1940, except in case of renewals of licenses.

A further instruction issued on the 3rd February, 1941, was as follows:—

Following further discussions on the matter of taxis, at the last meeting of the Board it was resolved that, in order to avoid possible misunderstanding, the taxi licensing authorities in each State should, if necessary, be advised by their respective State Boards that, under a ruling of the Commonwealth Board, there is no likelihood that, if additional licenses for taxi cabs are issued, petrol will be made available for them.

Where recommendations for the issue of an additional license may be made by the taxi licensing authorities, or where, in the opinion of the State Board an additional license is warranted, the matter should be referred to the Commonwealth Board for directions in each case.

It was an application in that connection which Mr. Millen stated he would refer to Melbourne. There was no question of the issue of a transport license involved; in fact, the Transport Board has no control over the operations of taxis, which is governed by the local traffic authority. In the metropolitan area, the Commissioner of Police is in control and in the country districts the local authorities deal with the question of licenses.

The next point is Mr. Hall's statement that "the right to conduct this bus service was made a present of to Mr. McVea." It is the expression itself to which exception is taken. The Transport Board does not present bus services or any other transport services to anyone. A license must be applied for and the board then either grants or refuses the application, which is its function under the Act. The hon. member then compared the fares stated on the applications of Mr. McVea and Mr. Waldeck, no doubt in an endeavour to show that the board did not license the applicant quoting the lowest fares. In spite of all that may be said, the fact remains that when Mr. McVea's application was dealt with, there was no other applicant and therefore no other fares were quoted.

I have been charged with a statement that four-fifths of my reply to the previous motion related to a bus service to Bluff Point or to the beach. Without desiring to enter into any argument as to what proportion of my remarks related to those services, I beg to differ from Mr. Hall's statement that "that had nothing to do with the service to the R.A.A.F. station." The point is that the service to the beach would not have been possible without the conjunctive operation of the aerodrome service. This is definitely proved by the fact that the board had been unsuccessful when tenders were called and also in its subsequent attempt to secure a suitable operator. Assuming that the hon. member did not introduce the motion with the object of satisfying one or two individuals at the expense of the community, he has, nevertheless, stressed the question of a service to the aerodrome and, in doing this, has endeavoured to ignore the rights of persons desiring a service in other parts of Geraldton. Those persons are as much entitled to transport facilities as are people travelling to and from the aerodrome. The House will readily understand the Transport Board's attitude in refusing to favour one section of the community at the expense of another. The satisfactory arrangement of services in Geraldton can be undertaken only by giving due consideration to the requirements of the district as a whole.

The hon. member read a report of the Chief Inspector of the Transport Board, dated the 15th June, 1938, as follows:—

Please see application attached from McVea, re bus route at Geraldton. I am of opinion that this bus service would be of benefit to the public and also to school children.

After quoting that, he continued, "There is nothing in that report about the service to the aerodrome; it has reference only to the Bluff Point beach service." If that is not a direct contradiction of one of his previous statements, I do not know what is.

Hon. G. W. Miles: What date did you say that was? Did you say 1938?

The CHIEF SECRETARY: Yes.

Hon. G. W. Miles: There was no aerodrome there at that time!

Hon. J. J. Holmes: There would not be any trouble there if it were not for the aerodrome.

The CHIEF SECRETARY: I pointed out when dealing with the previous motion that until 1938, when Mr. McVea's application was granted, the board had been endeavouring to make satisfactory arrangements for transport services in Geraldton.

Hon. E. H. H. Hall: It called tenders.

The CHIEF SECRETARY: Yes.

Hon. E. H. H. Hall: And got no reply.

The CHIEF SECRETARY: No.

Hon. E. H. H. Hall: From anybody.

The CHIEF SECRETARY: If it got no reply, obviously it could not have had a reply from anybody.

Hon. E. H. H. Hall: I have emphasised that!

The CHIEF SECRETARY: On account of that fact, the Transport Board, negotiating I believe with the municipal council and endeavouring to find ways and means whereby a satisfactory transport service

could be provided, again met with difficulty. Eventually Mr. McVea and another person suggested that they would like to give the matter a trial. The second person subsequently withdrew, and Mr. McVea was the only one prepared to go on with the business.

Hon. E. H. H. Hall: He refused to put in a tender.

Hon. H. Tuckey: That is not usual, is it?

The CHIEF SECRETARY: I have pointed out that it is not a question of submitting a tender, and the hon. member knows that full well.

Hon. E. H. H. Hall: But tenders were called.

The CHIEF SECRETARY: Of course they were, and the hon. member knows under what conditions. It was provided that the applicants must state the type of service they were prepared to give, the fares they would charge, and conditions generally under which they were prepared to operate. I have already told the hon. member that there has been only one instance in which the Transport Board has asked for a premium in regard to the provision of a transport service. So there is not so much in the statement he persists in making that Mr. McVea did not submit a tender. He put in an application for the right to establish a transport service, and the Transport Board granted him that right.

I have spoken of the report of the chief inspector, dated the 15th June, 1938, to which the hon. member referred, of the statement he made following that quotation, and have pointed out that his statement was a contradiction of one of his previous statements. That previous statement was—

> When one rises in Parliament and makes a statement and the Minister replies in such a definite way as the Chief Secretary replied to my statement by virtually contradicting it, one feels entitled to make some defence . . . . I would like to refer to the statement made by the Chief Secretary on this matter. He stated that the Transport Board adopted the view that it would not have been fair to allow anyone else the right to conduct a bus service over the route, unless the party concerned was prepared to accept the responsibilitiy of providing the service to the beach as Mr. McVea had previously done.

Here is the contradiction—

> Having devoted some considerable time to searching these files, I find they do not support the Chief Secretary in that assertion. There is nothing in them about Mr. McVea providing a service to the beach prior to receiving this license.

Hon. E. H. H. Hall: Not until 1940, when the aerodrome came into the matter.

The CHIEF SECRETARY: The next point raised is that Mr. McVea's application form dated the 7th January, 1941, bears the board's stamp showing—"Approved—December 15th, 1940." In my remarks on the 23rd September in connection with the previous motion, I made the correction as regards the date of approval. I then stated—

> Mr. McVea's letter applying for a license was received on the 6th December, 1940, and a license was granted by the Transport Board on the 15th January, 1941, but Mr. Waldeck's application was dated the 16th January, 1941—a day after the license had actually been granted.

There is no point in the hon. member's remark concerning that date.

I have nothing to say regarding the correspondence which occurred between the Transport Board and Mr. McVea. The quotations which the House has heard represent only statements of fact and serve to confirm that Mr. McVea's application was the only one before the board at the time a license was granted. They show that Mr. McVea's first correspondence with the board was in June, 1938. He made a definite application for a license by his letter dated the 3rd December, 1940, but the license was not granted until the 15th January, 1941. Surely that was sufficient time for any others to submit applications if they had wished to do so. I understand it was well known in Geraldton that the Transport Board and the local authority were anxious for somebody to conduct services of this kind, and the Transport Board cannot hold up the issue of licenses indefinitely, merely because of the possibility of other applications being received.

The granting of a second and later a third omnibus license to Mr. McVea is a matter regarding which I can find no fault: nor has the hon. member shown that the Transport Board has acted otherwise than in accordance with its duty. Regarding the third license, I object to his remark, "There was a bit of slickness about this office, because

this application which was dated the 25th July and received on the 29th July was approved on the 30th July." The word "slickness" may have been used here to denote speed and efficiency, but the nature of the expression and the remarks following, infer that the Transport Board has fallen short of its duty while the chairman has been occupied with the liquid fuel rationing, tend towards the inference that there was something dishonest in the granting of the third license. It is because of that that I object very strongly to the hon. member's words, which represent a charge for which he has given no support other than an expression of his own opinion.

By the time Mr. McVea had been operating for some months, the board had gained knowledge of the conditions and the requirements. There was no need to delay the matters as further inquiries were unnecessary. In fact, when Mr. McVea first undertook the service, he was given to understand that he would be expected to license additional vehicles should they be necessary to cater for the traffic offering. This was done in order to safeguard the interests of the travelling public, which was the first consideration.

Sitting suspended from 6.15 to 7.30 p.m.

The CHIEF SECRETARY: I was pointing out that there was no need for the Transport Board to make further inquiries regarding the provision of a third vehicle for the particular purpose in question. The board had had experience of the requirements of the district for many months and had no need to incur any delay at all. It had to make adequate provision for the traffic offering and so on, and consequently it was merely necessary to ensure that sufficient vehicles were available to cater for existing requirements. It may be asked why the board did not grant a second or third license to another applicant. In this regard the board acted in the best interests of the public, its decision being supported by its experience in other cases. It may be suggested that competition would be to the advantage of the public, but experience in the past has proved that this rule does not apply to transport services as it does to general trading.

In the case of the Shenton Park omnibus service, which for some years was conducted by two rival concerns, the board was continually in receipt of complaints regarding speeding, and cutting in, and failure to adhere to timetables, which were the inevitable result of competition on the route, and constituted a danger rather than a convenience to the public. Inquiries made by the board showed that the difficulties were only partly due to eagerness on the part of the two operators to secure business; they were to a great extent inherent difficulties arising from inability to co-ordinate two services under separate control. I have been advised by the board that the complaints all ceased when the two concerns amalgamated and operated as one company. That was one instance. Take the position at Wiluna to which reference has already been made. Many complaints were voiced regarding that service and, although the board tried for years to ensure an efficient and convenient service, it was unable to do so. Since the service was placed in the charge of one licensee not a single complaint has been received, and I am advised that the present provision is particularly satisfactory.

The board's action in deciding upon one operator was not therefore taken without proper consideration. It was based on definite knowledge acquired from experience over a number of years, which showed that competition is not healthy—I use the word "healthy" in the literal sense—where transport services are concerned. As regards competition inducing lower fares or more frequent services, the question of fares and timetables for all omnibus services is under the Transport Board's control, and alterations and improvements can be effected at any time. Naturally, the board does not make alterations in an arbitrary manner. If experience over a reasonable period shows that fares are too high, then the board would be justified in making a reduction. Similarly with timetables, if the traffic warranted an increase, then additional trips would be insisted upon. Then again it must be pointed out that any license granted is for one year only and consequently the board exercises a real control over licenses. Should any such licensee fail to comply with the policy of the board or be careless regarding the service he renders, then the board has the right to refuse to re-license that particular individual for the following year. There are numerous

instances on record of the board having taken such action which, of course, has resulted in remedying whatever disabilities there may have been.

I would like to disperse any doubts which may have arisen in the minds of members from the suggestion that transport administration has suffered because of the fact that the chairman (Mr. Millen) has been required to devote portion of his time to petrol rationing. Let me say very definitely that every application and every matter which is under the board's control receives the same careful attention now as in the past. There is not one matter respecting which the chairman or members of the board have delegated any of their powers to any member of the staff. Owing to petrol rationing the chairman and members have given much more of their private time to official matters than they did previously, and I think they are to be complimented on their willingness to make their services and experience available at no additional cost.

Mr. Millen is chairman of both the Transport Board and the Liquid Fuel Control Board, and although this has added considerably to his duties, the two concerns must of necessity be administered in conjunction with each other. His occupancy of the two positions and the fact that he has spent a great deal of his private time on official work has undoubtedly considerably benefited the State and the public as a whole.

Concerning Mr. Allen's letter to the Board on the 9th April, 1938, in which he refers to a proposal to form a syndicate to operate omnibus services to Bluff Point, Wonthella and East Geraldton and Utacarra, this resulted in a visit to Geraldton by the Chief Inspector of the Transport Board. At the time of this visit in June, 1938, Mr. Allen signed a statement in which he stated—

> At the present time I am not prepared to definitely apply for a license, as a meeting was held regarding the bus service and no meeting has been held since.

On the 11th July, 1938, the board wrote to the Town Clerk of Geraldton, seeking advice regarding Mr. Allen's proposal and also concerning an application submitted by Mr. McVea on the 10th May, 1938, for a license to operate between the eastern and western portions of the town of Geraldton. On the 23rd September, 1938, the board members visited Geraldton and discussed the matter with representatives of the municipal council to ascertain the nature of the services required, and suitable timetables. Tenders were then called, but neither Mr. Allen, Mr. McVea, nor any other person submitted a tender. The board then endeavoured, by negotiation, to secure a suitable operator but was unsuccessful until Mr. McVea eventually applied for a license. I mention these facts to show the nature of the action taken by the board with reference to Mr. Allen's letter. I will not waste further time on the connection between the aerodrome services and the other services referred to, as I have dealt fully with that aspect already.

The hon. member pointed out that the board had not replied to a letter received from the Geraldton Tourist Bureau and dated the 3rd January, 1941. The board informs me that the letter did not necessitate a reply. It merely urged early finality of the question of the commencement of an omnibus service, pointing out that a service was desirable for the summer season. The board complied with this request and the letter served only to show that the board would not have been justified in delaying the matter merely because of the possibility of some other person applying for a license.

The next point raised by Mr. E. H. H. Hall, who dealt with it at some length, was the question of the proposed visit of the Chairman of the Transport Board to Geraldton. Here again the questions of transport control and petrol rationing have been confused. Mr. Millen did intend to make a visit but that was in his capacity as Chairman of the Fuel Control Board in order to inquire into the question of making additional fuel available for taxis at Geraldton. Had that visit been possible he would, of course, have received representations regarding the omnibus service. In fact, it was his intention to do so, but I desire to stress that the matter of petrol was to have been the subject matter of the proposed visit. Speaking of the visit, Mr. Hall said—

> The secretary undertook that task, but did not think it worth while to call upon the commanding officer.

It is a fact that the secretary did go to Geraldton, but his failure to interview the commanding officer at the Air Station is accounted for by several reasons. Firstly, the journey was carried out for

purposes of the Liquid Fuel Control Board, namely, the inspection of service stations between Perth and Geraldton. Secondly, the question of the omnibus service was receiving the consideration of the chairman of the Transport Board, and the secretary was not therefore in a position to interfere. I have already said that the board has not delegated any of its duties as was suggested by Mr. Hall. The hon. member originally raised an objection to the delegation of the board's duties to the staff but, when speaking of the visit to Geraldton, he apparently considered that the duty of making the inquiries could have been placed in the hands of the secretary. A third reason was that the secretary's work in Perth did not permit of his spending more than a day in Geraldton, even if it had been considered advisable for him to undertake the work of the omnibus inquiries. If time had permitted he would have interviewed the Air Force commanding officer, but this would have concerned the question of fuel supplies for transport generally to and from the aerodrome. The question of whether an additional license should or should not have been granted was a matter for the chairman. Mr. Millen has been unable to fulfil his intention of visiting Geraldton in his capacity either as chairman of the Transport Board or of the Fuel Board. As I have already stated, it has been necessary for him to give much of his private time to official matters and it has been absolutely impossible for him to spare the time to go to Geraldton. His services have been required in Perth, where he has been very active in safeguarding the interests of the State.

There was some reference to the fact that the board had not acted on the advice of the Air Force commanding officer, when he suggested that any increase in the omnibus service should be arranged on a competitive basis. With all due respect to the commanding officer, he apparently made that statement merely as an expression of his own opinion. There is nothing to indicate that he had any special qualifications or experience in the running or arrangement of omnibus services, whereas the board's decision to license a single operator was based on definite knowledge as the result of past experience; it was a considered opinion in the interests of the travelling public and was not influenced at all by the fact that Mr. McVea had objected to competition. What Mr. McVea's statement actually objected to was that taxis, which were licensed to operate on a charter basis only, were allegedly carrying passengers at separate fares, and were thus operating illegally. The hon. member endeavoured to make a point of his objection by way of supporting the motion. I think hon. members are aware that it is illegal for taxis to charge separate fares for passengers. A taxi is hired at a given figure. Mr. McVea's complaint apparently was that the taxis were competing with him by charging separate fares for passengers.

Again the hon. member has confused the issue with petrol rationing. He stated that Mr. McVea's buses consume between 500 and 600 gallons of petrol monthly, and raised the question of gas producers. I will neither confirm nor dispute those figures; firstly because I cannot see how they would affect the board's decision under the Transport Act, and secondly because they are the concern of the Commonwealth and not of the State Government. Nor do I propose to enter into any discussion as to methods which might be adopted to save petrol. But I would point out that no matter what quantity of fuel might be required for the service, it is certainly being used on behalf of the Air Force. Unless that service is being rendered to the aerodrome, the men who constitute the staff of the establishment would not then have the convenience of being able to get into Geraldton as they have because of that service.

I have, I think, covered all the points raised by the member for the Central Province in his introductory speech concerning the motion now before the House, and after considering his explanations and remarks I am of the opinion that the House cannot fail to disagree with the motion. Much has been made of the petrol rationing question; and where possible without diverging too far from the subject matter in hand or raising issues which are not the concern of the Transport Board, I have endeavoured to give a clear explanation of the position. The motion under consideration amounts really to a vote of censure upon the Transport Board. Since that is so, a great deal of the time of the House would have been saved if Mr. Hall had restricted his comments to the subject with which the motion is concerned. Instead, he has diverted attention

from time to time, as I have pointed out, to matters connected with petrol rationing, a subject entirely foreign to the Transport Board as a State organisation and having no relation whatever to the motion. If the House is considering a vote of censure upon the Transport Board, let its attention be confined to the activities of the board, as provided for under the State Transport Co-ordination Act.

The question to be determined is: Has the board acted in accordance with the duty placed on it by the State Transport Co-ordination Act and in the best interests of the public? To my mind it has, and all that the remarks of the hon. member have conveyed to me is that the board's action has not been to the advantage of one or two individuals, although the granting of that advantage might have reacted to the eventual detriment of the public. I will now leave the motion before the House for its consideration, based on the circumstances as they have been set out and according to the explanations and facts which I have given as they have been supplied to me by the chairman of the Transport Board.

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

BILL—POTATO GROWERS LICENSING.

Second Reading.

Debate resumed from the 29th October.

HON. W. J. MANN (South-West) [7.52]: This Bill represents a second attempt to organise the potato-growing industry. I opposed the first Bill for the reason that I considered it far too vague, too nebulous, and because it did not in any way seek to remedy some of the disabilities under which the potato-growing section of this State feels itself to be suffering. I can, however, support this Bill, though I wish to make it clear at the outset that I still consider the measure too vague, and am still of the opinion that by far the better course would be to make a real endeavour to cover one or two phases of the industry which, I hope to point out, are inimical. At the same time the State's growers should be given an organisation possessing some legislative effect. I feel, in the light of what has transpired in eastern Australia during the last year or 18 months, that our potato-growing industry should be placed in a position to defend itself against what may happen on the other side of the continent.

Western Australia's position as regards potato-growing is in no way analogous to that of the big potato-growing States, Tasmania and Victoria, and in a lesser degree New South Wales. There they have problems which we have not and which we are not likely to have for a long time. Especially in time of war, the question of finding shipping space for the export of potatoes to any great extent from this State would be one of extreme difficulty, and I do not know that we could expect much assistance in marketing large quantities of potatoes in the East. It would, however, be possible to get some of them away and by that means improve the local market. The Tasmanian board has been held up to us quite a deal as a board whose example we might advantageously follow. It is elected by growers and exporters of potatoes, and is more in the form of a huge co-operative concern comprising the Tasmanian growers and exporters and their representatives in New South Wales, where they have an office and an organising secretary. The main functions of the New South Wales section of the Tasmanian organisation are to find markets for the Tasmanian potatoes in competition with other potatoes. That is quite permissible and logical, and in fact is the proper thing, because Tasmania, as we know, grows far more potatoes than the local population can consume. Potatoes are one of Tasmania's main export crops, and a large proportion of the rural population of the island is engaged in the industry. The New South Wales position is somewhat similar. There the grower is licensed, and the same procedure of maintaining an agency to compete with Tasmania is followed. I am not quite sure about Victoria, but there the growers are engaged in the same way as a big business concern would be in endeavouring to place the State's wares. We are hardly in that position yet, and are not likely to be for some time. Consequently there is no real analogy.

The main features of the present Bill are such that it would provide a means for the growers to be got together by a system of licensing in order that they may, as I think

Mr. Piesse said, speak with one voice. That I consider to be highly essential, as our growers must in the event of a big crop be in competition with the Eastern States, and therefore some organisation would be essential. I believe it is for their benefit that all our growers should be enrolled in a concern that has a big bearing on the livelihood of many people. Potato growing is a kind of business that many people take up as a sideline. For instance, the market growers around our metropolitan area grow potatoes only amongst other things, whereas in our South-West we find families that have been growing potatoes for many years, the industry being their chief means of livelihood. They in particular are somewhat concerned about one or two aspects of the industry, and I think it is from them that this question of organisation has arisen. Throughout the potato-growing districts I have found a difference of opinion as to the method to be followed. In some areas the growers seem to have the idea that by an Act of Parliament it is possible to wipe away all their disabilities at one stroke. I am sorry, in one sense, that it is not so; but some of the suggestions I propose to make will no doubt prove how essential this measure is for the people for whom it is being brought down. They should realise, however, that they cannot obtain all that is required at one time. In common with other members, I have had a good deal of correspondence on this matter. Some of the letters are amusing—I was going to say humorous—while others are serious. One in the latter category, dated the 23rd October, 1941, which I have received from the Donnybrook Potato Growers' Association, reads:—

> At a meeting of the committee of the above association held last night for the purpose of discussing the Potato Growers Licensing Bill now before Parliament, I was instructed to bring before your notice the following points:—
>
> (1) No mention is made of refusing licenses to unnaturalised aliens, a point stressed at meetings of growers in this and other South-West centres.
>
> (2) There is nothing in the Bill to say that the funds collected from license fees or any portion of them would be returned to growers' association for organisation purposes, as we were led to believe would be the case.
>
> (3) Potato Advisory Committee to be appointed by Governor-in-Council instead of elected by growers themselves.
>
> (4) Minimum acreage increased from one-quarter to half acre, thereby allowing a possible source of danger in backyard plots to upset marketing arrangements.
>
> The committee feels that the Bill in its present form is merely a means of providing revenue to administer the potato branch of the Department of Agriculture.

I am afraid I cannot altogether agree with my friends at Donnybrook. The Bill is an honest attempt on the part of the Minister to overcome some of the disabilities of our potato growers.

Hon. J. J. Holmes: If aliens are to be restricted by the Bill it will be necessary to obtain the consent of the Commonwealth Government.

Hon. W. J. MANN: Yes. Mr. Holmes has touched upon a vital spot affecting the potato growers. I feel, without knowing the full ramifications of their claim, that the Bill should not provide for the licensing of unnaturalised aliens. However, I shall deal with that point in its turn. Even that idea has been improved upon, in the opinion of some other associations, because I have here a letter from three combined associations requesting that the definition of "grower" should be "a British subject growing potatoes on his own land." They feel that would overcome the difficulty but I am afraid they do not realise that such a definition would hardly be likely to find favour with Parliament.

Alien competition is really the main point raised by the potato growers. One very prominent grower told me that if Parliament had provided in the Bill a means of overcoming alien competition, the growers would not care what else was contained in the Bill. That came as a surprise to me, because I thought the growers wanted the full status of a State-wide association. I think members are aware that alien competition has grown to such an extent in this State in a number of directions as to become rather alarming. True, we admitted these people and in many cases the Commonwealth Government naturalised them. To all intents and purposes they are of us; at any rate, they are now British subjects. But, take the fruit industry of this State! We know, beyond possibility of contradiction, that our own people have been ousted from that trade; our sons and daughters cannot find employment in that avenue. The fishing industry, except as regards one or two ports, is in the hands of aliens. The potato growers, having noticed in the last

two or three years the extremely rapid growth of alien competition in their industry, feel that unless something is done to overcome it, they will be pushed out of business. This question of alien competition, including competition by unnaturalised persons, is not confined to Western Australia. The sugar industry of Queensland is falling very largely into the hands of aliens. I picked up a newspaper a few days ago and noticed an article entitled "Mussolini's Queensland Colony, Subsidised by Australian Taxpayer." The article states—

Recent officially-compiled figures show, in a striking way, the octopus-like grip that foreigners are getting of the sugar lands in Queensland. The total net acreage (that is, acreage under cultivation) in the State is 343,787. Of this, the net acreage held by foreigners is 76,785.

I had better interpolate here that the percentage of Italians to the foreign growers in Queensland is 87; only 13 per cent. of other foreigners are engaged in the industry. If the article is to be relied upon—and I presume it is—it states that the alien people are rapidly acquiring additional sugar-growing lands, and that the gross acreage in the hands of foreigners has risen to 102,270. That is hardly analogous to the potato-growing industry, but I would point out that the menace of the alien producer is such, that if it is allowed to continue, Australians will be pushed out of the industry. What is more astonishing, in my opinion, is this: The article goes on say that no fewer than 3,000 unnaturalised persons are engaged in cane-growing in Queensland. That is a large percentage. The article further says that these aliens refuse to be naturalised. They are getting the protection that the State affords them, and are reaping the benefit of that protection while the sons and husbands of Australians are fighting our battles oversea. Quite logically, our people are beginning to see that we shall be remiss in our duty if we do not in some way protect them.

In some portions of the South-West the alien population has grown tremendously in the last three or four years. Already the tobacco industry is practically in the hands of aliens, most of whom however are naturalised. The potato growers are fearful lest aliens may dominate their industry. The opinion held by these growers is that the Bill does not go nearly far enough, inasmuch as it does not sufficiently protect them. I have discussed this question of protection with a number of growers and it appears to me there are very grave difficulties in the way. The State is more or less impotent in the matter. If the Commonwealth fails to take action we shall be in a difficult position. The area of Australia in which alien competition occurs is extraordinarily large. It is particularly noticeable where the land is best. It extends, I am given to understand, from Sydney to Cairns. This huge tract of country is being worked and gradually peopled by aliens, quite a number of whom are of enemy origin.

Hon. J. J. Holmes: Is that a reflection on the British workman?

Hon. W. J. MANN: I will tell Mr. Holmes what I think it is. In many cases it is a reflection on a large number of speculators, who acquire land and employ these people.

Hon. H. V. Piesse: And finance them!

Hon. W. J. MANN: Yes. I do not say our own folk are not blameworthy in some respects. Years ago I spent some time in the sugar areas of Queensland, and heard of many matters of which I was not proud. Some of our people did not display anything like the energy they should, and were not nearly as trustworthy as they might be. I believe this war will overcome much of that. Our folk will learn a salutory lesson; they will learn that, while we have a wonderful country, we will not hold it unless we work it for ourselves; and do for ourselves what we are in many respects allowing foreigners to do for us. The main objection of the people in the province I represent is that they are fearful about this question of alien competition. There is no doubt it must be said to the credit of these aliens that they are industrious. They work long hours and do not employ many workers. They keep most of the business to themselves.

The Honorary Minister: They exploit each other.

Hon. W. J. MANN: I suppose there is something in that. I believe there are cases where one side is exploiting the other to a very large extent. The Bill before us provides that the growers shall be licensed, and a grower means practically any person who grows more than half-an-acre of potatoes. Several potato-growing associations are now

urging that the acreage be reduced to one-quarter. I do not know whether they are aware of it, but I think I am correct in saying that the minimum in Victoria is one acre.

Hon. H. V. Piesse: It is one acre in New South Wales.

Hon. W. J. MANN: Personally I think half-an-acre is little enough. There is a feeling, if this Bill passes in its present form, that the growers who are relying almost completely on the industry for their livelihood would be out-voted on any board by the people to whom I referred a little while ago as market-gardeners who grow, perhaps, one or two acres of potatoes in addition to many other things. They are, therefore, insistent that they shall have direct representation on the board. One suggestion made to me is that at the end of Clause 5 there shall be a proviso to this effect—that no person shall be engaged or employed growing potatoes who is not a British subject. Some merchants and speculators lease land. They could take out licenses in their own names, and employ as many aliens and unnaturalised foreigners as they chose, to grow potatoes. The growers point out that that would be very dangerous. The merchants have a good deal of the say in the control of the market and, if they utilised unnaturalised foreign labour to produce potatoes, the growers feel they would be at a severe disadvantage.

Hon. J. J. Holmes: Why would the merchants support an alien instead of a Britisher?

Hon. W. J. MANN: I cannot say, except that the cause of many of our troubles in this world today can be summed up in two words; all the troubles from which we suffer, or 99 per cent. of them, are traceable to man's greed! This is a question which comes within that category, and that is the best explanation I can give.

Hon. J. J. Holmes: I could give a better one.

Hon. W. J. MANN: The hon. member will have an opportunity to give a better one later on. I do not propose to go through the Bill at any length. While I support the second reading, I hope that Clause 4 (5) (i), referring to the two members of the committee to be appointed by the Governor-in-Council, will be amended, in the manner I propose, to ensure that no speculator or merchant can be appointed. I propose, later on, to move an amendment that there shall be an election at the expiration of 12 months. If that is carried I hope an amendment will be accepted to ensure that these two persons are bona fide potato-growers and people living in recognised potato-growing areas, permanently employed in the industry.

Some question arose as to amending the schedule to provide for persons growing in excess of 20 acres. The alteration of the schedule in another place has overcome that difficulty. That will cover largely what the growers desire. I hope the Bill will be carried, because potato-growing has been responsible for, if not a great deal of wealth, the supplying of this State with a product that some other States are unable to provide for themselves. Queensland cannot produce its own potatoes. We have, too, at different times been able to reap some benefit from export trade. But more important than that, it has provided a livelihood for many large families, and many fine men. One has only to visit the potato-growing districts to realise what a wonderful asset in manpower this industry has produced. The fathers and mothers will have to do most of the cropping while the war lasts, and I hope they will be protected. Just how we are going to deal with this alien question I am not clear, but I hope the House will be sympathetic and endeavour to protect the position of the younger men who are oversea fighting, and not permit the foreigner, and particularly the unnaturalised foreigner, to encroach on their rights. We can do nothing about the naturalised foreigner whom we have accepted, and by whom we must abide.

On motion by Hon. H. L. Roche, debate adjourned.

House adjourned at 8.28 p.m.