Legislative Council,

Wednesday, 29th September, 1937.

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

QUESTION—MINING RESERVATION.

Hon. C. G. ELLIOTT asked the Chief Secretary: 1, What was the date of the granting of reservation No. 909H, situated at Comet Vale, to the Sand Queen and Gladsome Mines, No Liability? 2, When does this reservation expire? 3, What is the area of this reservation? 4, How much has been expended by the company in prospecting this reservation, outside the goldmining leases originally held by the company, and goldmining leases Nos. 5648, 5660, and 5670, held by Caldwell Brothers, on which an option was taken?

The CHIEF SECRETARY replied: 1, Granted 9th April 1936. 2, 30th June, 1938. 3, 800 acres. 4, Since the granting of the reserve, £117,000 has been expended on the mine, optioned leases and reserve, but we have no information as to the cost of operations solely on the reserve.

BILL—WORKERS' COMPENSATION ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. V. HAMERSLEY (East) [4.35]: I well remember the measure which this Bill seeks to amend passing through this Chamber, and how some of us feared that experimental legislation. We have watched the administration of the Act for some years. When it was first brought down, we were given a few days in which to consider it. Some of us met and compared notes. I remember making the remark that "This is going to be an open go for the doctors." I was taken to task for expressing such an opinion. I was rather surprised when, within a couple of years of that time, the late Dr. Saw made a statement in the House to the effect that it was recognised there had been rather an abuse of the Act amongst a section of the doctors, that the B.M.A. had met, and a general discussion had taken place with the result that they had really agreed to reduce charges by one-half in connection with workers' compensation. When I was in the city next day and mentioned the matter to the representative of an insurance company, that gentleman said it was a fact that the doctors had agreed to reduce their fees by one-half, but had doubled the number of their visits, which left things as they were.

Hon. J. Nicholson: That has been changed by reason of the fact that they have a general committee to correct anything of that kind. If the visits are unfair in number, they are reduced.

Hon. V. HAMERSLEY: I understand there is something of that nature.

Hon. J. Nicholson: There is, definitely.

Hon. V. HAMERSLEY: When we passed the original measure, we thought it would be for the benefit of the worker. It was not the intention of the Government of the day that it would be a means of foisting upon industry and those who were trying to build up industry, the employers, costs to the extent that has since been the case. I can give several instances to illustrate my point. Compensation was paid to a man who had jarred his finger when picking up stones. He received £56, three doctors received altogether £26, the masseur received £26 10s. and the hospital £26 6s. 9d. Another worker was injured while handling wool. He pricked his thumb, and received no compensation. The doctor, however, received £5 17s. for 16 visits. There were no hospital charges.

Hon. J. J. Holmes: Sixteen visits to see the finger!

Hon. V. HAMERSLEY: I suppose the finger had a prickle in it from a burr in the wool.

Hon. H. V. Piesse: Did he stop work?

Hon. V. HAMERSLEY: No. I do not know at what time the doctor visited him. Another man was cleaning out a tank, when he slipped and bruised his arm. He received in compensation £10 15s., three doctors together received £13 10s., whilst hospital dressings cost 2s. 6d. Another man fell off a ladder and bruised his hip. He received £1 1s. 3d. in compensation and two doctors received £4 10s. Another man had synovitis of the knee. He received in compensation

£12 15s. 7d., two doctors received £27 6s., the hospital received £11 15s., the chemist £2, and a pair of crutches cost 17s. 6d.

Hon. J. Nicholson: How many years ago did those events happen?

Hon. V. HAMERSLEY: They happened quite recently.

Hon. G. W. Miles: This ought to be called "a medical practitioners' compensation Act," not a "workers' compensation Act."

Hon. V. HAMERSLEY: Another man injured his back while lifting stones. He received £145 6s., being his wages for some months.

Hon. H. Seddon: It must have been a bad case.

Hon. V. HAMERSLEY: He was a foreigner. The doctors received altogether £68 17s. 6d.—there were six of them—the hospital received £7 4s., the chemist £4 17s., and the masseur £2 10s. I understand that the ratio is about 60 per cent. doctors' charges, 30 per cent. compensation, and 10 per cent. hospitals and chemists.

Hon. G. W. Miles: I have a case which came in to-day. Here it is now.

Hon. V. HAMERSLEY: Thank you. This is the case of a young girl who sprained her ankle. She received in compensation £6 3s., and the doctors' and medical fees totalled £21 15s.

Hon. G. W. Miles: That is up to date, if you like.

Hon. V. HAMERSLEY: It is all very well to go on being generous if we can afford it. Everyone sympathises with persons who may be injured. We know, however, that many workers who may be slightly injured, such as receiving a cut on the finger or a sear on the leg, are quite satisfied to go on with their work. To-day, however, the general tendency is to slacken off and get into this system of lying up. That is not good for our industries. I know many people who keep away from doctors, and will carry on without reporting minor injuries. Others, however, know of the existence of the Workers' Compensation Act, and that they can have a holiday at the expense of the industry. It is doing an immense amount of harm. We pass such measures in good faith and then we find that people are able to take undue advantage of their provisions. The tendency seems to be growing in the community to run to the Government to get compensation, or, when out of a job, to run to the State for sustenance. Men seem to say, "What has this country done for me?" They seem to take advantage of every opportunity to promote their own interests and they avoid the obligation to proceed with their work in a manner that will help the industries of the State. We will have to grapple with that position, because we are probably doing too much for the public when we consider that on all sides there are those who are ready to take undue advantage of the situation that has been created. Clause 4 proposes to delete the provisos to Subsection 6 of Section 11. They deal with contracts relating to threshing, ploughing or other agricultural or pastoral work and make the contractor alone liable for the payment of compensation to any worker employed by him. I know many farmers and pastoralists who insure the whole of their men. On the other hand, many who are not in a position to insure all their employees do put on hands for short periods. If we agree to Clause 4, it will mean that men who go round the country districts looking for such jobs will not be able to get them. We have only to broadcast throughout the country the fact that the farmers will have to carry the responsibility of insuring those workers, and that they had better not employ men in those circumstances unless they are prepared to accept the insurance risk, and men in that position will not be able to secure employment. It is not always convenient for the farmer to insure the men, because the facilities are not close at hand for him to do so. Last week some half-castes left Southern Cross in search of work. They have always been in the habit of visiting the shearing sheds through to Kellerberrin and throughout the agricultural areas down to Northam. They have been able to secure seasonal work including shearing, hay-making and harvesting. Those men have been refused opportunities to secure work at the various centres they visited, whereas in former years they had experienced no difficulty in getting employment there. That was because of this insurance difficulty, and also because of the position created under some regulations that were promulgated recently. Generally speaking, the farmers have been scared and are not now willing to employ men of the type I have referred to. They have to say, "We are very sorry but we are not prepared to put you on." The half-castes I refer to have now come to Perth. That is one danger I see because of our be

ing generous in readily passing alterations to the Act, for it has a tendency to curtail avenues for the employment of labour. People in the country areas have to sell their products in the world's market, which is not protected by any means. They are differently situated from those associated with our secondary industries, which are highly protected and in respect of which good prices are guaranteed. Pastoralists and farmers have to take what they can get, and have to meet heavy charges imposed upon them. In many instances those men are not at all well off. It is all very well for us to say, "You know the position; you must insure all your workers, or else accept the risk yourselves." We may have to reverse the position and expect the workers to take their chances just as the farmers have to take their chances of accidents. In some instances, the cases I mentioned earlier could hardly be described as accidents. I am afraid that the Government are straining the credulity of members by asking them to accept the boils of the shearer as "accidents." Workers' compensation has been provided to help those who meet with accidents rather than to compensate those who suffer from ordinary sicknesses. Surely the employer of labour should not be made responsible regarding every ailment that attacks his workers. For instance, the shearer may have contracted his boil long before he went on the shearing board. I suppose the man will choose the station where he thinks he has the best chance of getting full compensation before he reports his ailment.

Hon. H. V. Piesse: He may want to change his doctor.

Hon. V. HAMERSLEY: Yes, he may know something about doctors, too. It is all a question of who will be responsible. I have not known of men contracting boils because of shearing operations. I have been associated with that work all my life, and I do not think that shearers are more prone to boils than are those engaged in ploughing, harvesting or haymaking. If the wool has anything to do with it, I have not heard of it previously. I cannot understand it. I think it is a hoax they are trying to put over us. As regards contractors generally, there are various types of contractors. For instance, the man who deals with my hay comes along with what is called a contract cutting plant, and does the whole job himself. The question arises as to whether the moment that man goes on my farm I am responsible for his hands. If that were so, I would be disinclined to go on with that particular phase of industry. I do not know where the contractor gets his men, or what type of men they are. I have come into contact with a few, and I would not risk having them on my premises because they would soon run me into responsibility for some accident. It is their one object and they are pretty successful at it.

The Honorary Minister: Do those men work for contractors now?

Hon. V. HAMERSLEY: Yes, the contractor employs them. He must get workers, but I do not know why I should be made responsible for those men.

Hon. H. V. Piesse: The contractor should be responsible for the insurance.

Hon. J. J. Holmes: If he is not, who is responsible?

Hon. V. HAMERSLEY: The Bill seems to me to smack a little of grandmotherly control. For instance, we are asked to leave it to a magistrate to decide whether a person is fit and proper to have the full amount of compensation paid to him. I recognise that probably some widows and others could easily be induced to part with money when lump-sum payments were made to them. For the most part, however, I think this is a matter that a magistrate would find difficult to decide. It would be quite all right to make inquiries from those interested in the investment of funds as to the wisdom of this or that line of action, but at times it would be difficult for a magistrate to decide on a proposition placed before him. Some of those concerned in such transactions are indeed shrewd, but other individuals who receive lump-sum payments would probably part with their money within a very short period. No doubt the starting-price bookmakers will get a fair proportion of compensation that is payable to all and sundry. I am not seriously in opposition to this provision, however, because I am satisfied that it will be possible for magistrates to secure competent advice before determining what course to pursue. Such a provision may prevent some people from wasting their money. There is much to commend the suggestion advanced by Mr. Angelo regarding differential rates of compensation payable when the dependants reside in some outside country. We could tighten up that

provision so that the amount of compensation would be reduced if the money had to be sent out of the State. Dependants who are to benefit should certainly live within Australia. Then, again, if they reside outside Australia it must be remembered that people can live much more cheaply there than we can in Australia. That phase should be taken into consideration. It might be found that the amount of compensation payable to someone in a foreign country would be more than sufficient for their requirements. In the circumstances, it would represent a tax on industry that we should not be called upon to bear. In many instances that I know of, the employee is very much better off than the employer. That, too, is a phase we should consider, particularly when we throw the onus on the employer to accept responsibility for the insurance of his employees as well as those of contractors working for him. I sincerely hope that when we consider the measure in Committee we will be able to eliminate one or two of the features to which I have referred. At the present stage I shall support the second reading of the Bill.

HON. G. W. MILES (North) [5.01]: I wish to say a few words on the Bill. I would strongly urge the Government to consider the advisability of amending the Act in such a way as to pay compensation direct to the worker and let him pay medical fees himself. By that means the worker would get justice and the tax on the employer would be reduced. I know that insurance companies do not like taking on workers' compensation. If the Government would do as I suggest it would be more just to the worker and there would be no arguments with the Medical Board as to whether the doctor was charging reasonable fees. I know of cases where doctors have been reasonable; there was one in the Beverley district where the doctor charged only a reasonable fee. I did not have the pleasure of listening to Mr. Nicholson yesterday afternoon. I am sorry that I did not hear him. Had I heard him I might have had something to say in reply to him. I congratulate Mr. Angelo on having brought up the question in the way he did. A number of doctors have offended and I think the Title of the present Act might well be altered from Workers' Compensation Act to Medical Practitioners' Compensation Act.

Hon. G. Fraser: A number of them are very fair.

Hon. G. W. MILES: Yes, that is so. But there would be no argument if the compensation were paid direct to the worker, and he paid the doctor himself. As it is now, industry cannot afford to go on paying the doctors for workers' compensation cases.

The Honorary Minister: What about a lump-sum settlement?

Hon. G. W. MILES: On that I agree with Mr. Williams, who holds that we cannot trust the man to receive the money to which he is entitled. Later on perhaps a Labour Government will come forward and find that they cannot trust the worker. I wish to congratulate Mr. Williams on his speech yesterday. If ever there was an effective speech made for the retention of the Legislative Council it was made by Mr. Williams in this House yesterday. I agree with him that this House is here to review some of the hasty legislation passed by another place.

On motion by the Chief Secretary, debate adjourned.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. E. M. HEENAN (North-East) [5.4]: I should like to make a few remarks in support of the second reading of the Bill. I have been very pleased to note from the speeches that have been delivered that the Bill has been granted a more favourable reception than its predecessor had last session. I trust that my surmise that the second reading will be passed will prove to be correct. In spite of the criticism that has been levelled against the constitution of the Industrial Arbitration Court and against the Act in general, I feel disposed to say that the Act has worked reasonably well, and I think the court as constituted enjoys the respect and confidence of the employers and employees alike. A suggestion was made by Mr. Parker that the constitution of the court should be altered, but I am not in favour of that suggestion. I think the present system works quite well, with the President and the representatives of the workers and the employers respectively. However, the work of the court has increased so much in recent years that dissatisfaction has arisen about the delays that take place before the parties can get their applications heard. I can

mention one instance that occurred on the goldfields recently when we had a printing strike in Kalgoorlie. The employees had grievances, and it was quite obvious to them that they had no hope of getting before the court for a period of about 12 months. They did not feel disposed to wait so long; they thought their grievances were entitled to receive immediate attention, but the employers took the attitude that it was the purpose of the court to deal with the dispute and that the matters just had to wait the convenience of the court. That attitude ended in a strike, which I am pleased to say has since been settled. However, it shows a very unsatisfactory state of affairs when we are told that the Arbitration Court has enough work in hand now to keep it going until about the end of next year. That is a highly unsatisfactory position for the employees, who want their grievances dealt with earlier than that. As we all know, usually the first intimation the man in the streets gets of any industrial unrest is the announcement of a strike. But before a strike occurs there have been months of negotiations, and it is during that critical period that, in my opinion, the court should be able to function more expeditiously than it does at the present time. I am very pleased to note that there are one or two amendments in the Bill which I think will have the effect of expediting the work of the court. Under Clause 20 it is proposed to extend the powers of industrial boards. At present an industrial board may make an award in any dispute remitted to it by the court. It is proposed to extend the powers of boards to alter, vary or amend an award. It is also provided that boards may be constituted by the court for the purpose of operating in any defined portion of the State. Another proposal is that conciliation efforts may be made by the court at any time after an industrial dispute has been referred into court by any party. That, in my opinion, will have the effect of enabling the parties who have grievances and who want to get them dealt with expeditiously to do so. The only other point I wish to speak on is in connection with the definition of "worker," which it is proposed shall include domestics. In my opinion, that is a humane proposal, and I hope it will not be defeated if the Bill reaches the Committee stage. As we all know, just about every branch of industrial life is covered by some award or other, and if not covered by an award it is covered by the Factories and Shops Act. But this unfortunate army of workers is not covered at all. The result is that the calling is looked down upon, not only by the domestics themselves, but by every other section of the community. That has resulted in the position that the average girl who has any pride will take almost any other class of work rather than be a domestic. I maintain that if domestic workers are brought within the provisions of the Act their status will undoubtedly be improved. It will probably mean that girls will take a pride in qualifying to become competent domestics. It will undoubtedly mean that their conditions of employment will be bettered. I am sure that is the wish of all concerned. Undoubtedly at present there are numbers of good employers, and I think the conditions that quite a lot of the girls work under could not be improved upon. But then there is the other side of the picture. I have had personal experience of girls who are called upon to work all hours of the day. They have not any room to sleep in or to change in, and their conditions of employment are far from being satisfactory.

Hon. H. Seddon: Where do they sleep?

Hon. E. M. HEENAN: Out on the verandah.

Hon. J. M. Macfarlane: I do that myself.

The Chief Secretary: But the hon. member has a room of his own to retire to.

Hon. E. M. HEENAN: However, the Arbitration Court has found it necessary to prescribe conditions of employment for other workers, and Parliament by passing the Factories and Shops Act evidently thought it necessary to provide suitable conditions for girls working in shops, restaurants and hotels. But there is no legislation on the statute book regarding this class of worker. In my opinion the time has arrived when something should be done. As I have already said, it has resulted in the position that the average girl looks down upon the work. There is a shortage of domestics at the present time. People are giving up housekeeping and adopting what is in my opinion the abominable practice of living in flats, due largely, I consider, to the fact that the calling of domesticity is looked upon unfavourably. The position of many of this class of workers would undoubtedly be improved if they

were able to approach the Arbitration Court. The court is composed of three men of vast experience, three men who have a very fair outlook on industrial matters, and I am sure that they would not make any radical alteration in the conditions that would create hardship on those people employing domestics. For the reasons I have given, I intend to support the second reading of the Bill.

HON. H. SEDDON (North-East) [5.18]: Arbitration has for many years been admitted to be a vast improvement on the old system by which disputes were settled. So long as that is recognised by both sides, arbitration will prove to be of the first importance in dealing with disputes, and both sides will benefit. The trouble is that if arbitration should be departed from by one side, obviously we are going to create a sense of unfairness. After all, those of us who have had experience of strikes know that the result, as far as workers are concerned, is invariably disastrous, and even though the workers may be successful in getting concessions, the cost of the concessions obtained is far greater than the benefits they will receive. It is for that reason that I have always supported the principle of arbitration. The provisions in the Act for the settlement of industrial disputes present to me a very peculiar position. In view of the provisions which exist in the present Act I cannot understand why there has been created, or why there exists, congestion in connection with the work of the court, a congestion which we are assured exists to-day. When we realise that the one question which previously caused congestion now automatically comes before the court each year—the adjustment of the basic wage—I cannot see any reason for the congestion.

Hon. C. B. Williams: That makes no difference to the hearing of cases.

Hon. H. SEDDON: I take it that the questions now referred to the court are more questions of conditions and hours and also margins. So that in the circumstances there must be something radically wrong with the functioning of the court. Further, I would say that in view of the facilities provided in the parent Act for the adjustment of disputes by means of industrial boards, boards of reference, conciliation boards, and demarcation boards, it appears to me that there must be maladministration in the way the court is functioning.

The Chief Secretary: Those are very strong words.

Hon. H. SEDDON: They may be, but they meet the position. The previous speaker referred to the recent printing strike at Kalgoorlie. I think his words were that the men were dissatisfied with the conditions, and because they could see no chance of getting to the court inside 12 months, they decided to strike. I should like to put the position the other way round. Suppose the employers were dissatisfied with the conditions, and suppose they said they wanted the matter adjusted immediately, and because they could not get to the court they locked out their employees. There we have the boot on the other foot, and I should like hon. members just to look at it from the standpoint of both sides, because if the law is to be effective it must be fair to both sides. I am prepared to concede this: there are conditions under which a strike may be justified. I have always said that. Those conditions are where there may be a deep-seated grievance that cannot be rectified. In that case I say that a strike may be justified, but I would go further and say that there should not be a strike unless there has previously been a secret ballot taken by the union concerned. Then if the union decided by a substantial majority that the men should go on strike, we could rest assured that there was some matter requiring immediate rectification. I would like to see some provision in the Bill whereby that course of action could be taken. There have been complaints with regard to the operation of the penal sections of the Act. Again I say that unless the penal sections can be made to operate both ways, we are creating an unfair state of affairs. There is in the Act a provision for the adjustment of disputes without invoking the aid of the court, and therefore I should like to know exactly what is causing the congestion in the court, and why it is that we find at the present time both sides have to wait so long before they can get a necessary adjustment. From what I can see I am strongly of the opinion that there can be an improvement effected by making use of the provisions of Section 44 of the Act. That provides for the appointment of a deputy president. It appears to me that the congestion could be

materially relieved if a deputy president were appointed and he could work in conjunction with the president to preserve uniformity in the policy of the court. On the other hand, there is no reason that I can see for the representatives of the employers and employees to sit with the president. I can see reason for the appointment of a representative from each side in a particular industry for the purpose of advising the president, but I cannot see any necessity for the preservation of our present system of retaining representatives of employers and employees while both sides are arguing their case before the court. There are so many different industries that refer their disputes to the court that I fail to see how the two representatives can claim to be authorities on all the subjects that are dealt with by the court. Therefore I would be strongly in favour of the suggestion already made that the two representatives should be done away with and that there should be appointed a deputy president who could, with the president, deal with all matters referred to the court. In that way greater use could be made than is made at the present time of the existing machinery for the adjustment of disputes. We are passing through a period of very serious unrest. Everywhere we find dissatisfaction arising from the fact that people are seeing benefits conferred on humanity by scientific progress and they are demanding that they too in their lines should receive the benefits of that scientific advancement. From that standpoint I would say that the time has arrived when the court should revise the formula on which the basic wage is fixed. The Act provides that the basic wage shall be laid down at a figure which provides a reasonable standard of comfort for a man, his wife and two children. If we take the standard of living under modern conditions, there is room for a considerable advance in the finding of the court and in the establishment of the standard for fixing the basic wage.

Hon. G. W. Miles: What do you suggest?

Hon. H. SEDDON: The court first of all should take into consideration the question of the home in which there should be provided that equipment which modern science has developed for the use and the comfort of the people. That should be taken as part of the standard of comfort. I am aware that there would be a considerable amount of dissension from that view, but it would have two results. The first would be that it would place our workers in a very much more satisfactory position and make them more contented, and the second would be that it would immediately create a considerable amount of employment in the provision of the equipment.

Hon. G. W. Miles: Why should single men get all the benefit?

Hon. H. SEDDON: The basis adopted by the court is naturally that of the family. I do not see why any other basis should be taken. The unit of society is the unit of the family.

Hon. G. W. Miles: What we want is a bachelor tax?

Hon. H. SEDDON: I am not going to be drawn into discussing that phase. I now come to the other very important question, the standard of the Arbitration Court and that is that if we are going to establish a basic wage it should be in every sense a basic wage and it should apply to every section of the community engaged in industry. That is the only way we will ever get over the difficulties that exist at the present time. I refer to the great disparity between conditions in city areas and those existing in the country. I can imagine my friends holding that to be utterly impracticable. I can imagine them saying that if that is the case we shall probably close down our exporting industries. However, I do not believe that that would be bound to follow, as we have to recognise that there has been a considerable alteration in the economic structure of this country as a result of the depression. Owing to the depreciation of our currency, the Australian pound to-day is worth only 80 per cent. of the pound English, and the pound English has depreciated considerably as compared with its original value based on gold.

Hon. A. Thomson: To bring about those conditions we would have to fix prices for all commodities, so as to place all industries on an equal footing.

Hon. H. SEDDON: We have the benefit of the premium which we receive as the result of the difference between the Australian pound and the pound English.

Hon. A. Thomson: That is not very much difference with wheat at 1s. 2d. and 1s. 3d. per bushel.

Hon. H. SEDDON: That is true, but the position was adjusting itself. I am going to argue this out, because it is a matter on which I feel pretty strongly. If the economic

structure of this country is to be sound, it must be on a basis fair to both sections. If the Arbitration Court is to deal with only one section of the community, the gap between the two will again be widened and another crisis will result. Let us look at the census statistics for the year 1933, a depression year. They deal with the question of breadwinners, and with the way in which breadwinners are divided up between the various industries. The resultant comparison is interesting. Even in that year we find the ratio between the number of breadwinners engaged in the primary industries and the number of breadwinners engaged in what I will call the servicing industries indicating that a large proportion of the breadwinners of the country is employed in those secondary avenues of occupation as compared with the proportion engaged in the primary industries. That is a matter to be taken into consideration by the Arbitration Court if it intends to arrive at a basic wage which will stand up to the changed conditions to which our country is subject. When we realise that the breadwinners engaged in both the primary industries and the servicing industries comprise about one-third of our total population, we realise how important it is to get the adjustment on a satisfactory basis. I desire to refer to one or two points in the Bill. The first is the application of the common rule. The amendment proposed needs careful examination. Unless we insist first of all that any agreement drawn up between the two parties should be adjudicated upon by the Arbitration Court before being made a common rule, a dangerous avenue is being opened up. It is possible for collusion to take place between employer and employees.

Hon. A. Thomson: I am afraid sometimes it does take place.

Hon. H. SEDDON: By that means an agreement may be arrived at, and there is an attempt to make that agreement a common rule, with the result that other persons are forced into it willy-nilly. Thus they are forced into an agreement which, had it been placed before them in the first instance, would have been fully argued out and put on a fairer basis. Further, I suggest that there should be a deputy president of the Arbitration Court, so that the tribunal could function more rapidly. The proposal to bring questions of dismissal before boards of reference is one which also needs close examination. In the circumstances I strongly favour the reference of the Bill, together with the parent Act, to a select committee for further investigation. I feel sure that the time of the House will be materially saved by such a course, and that a workable Bill will result from such an inquiry, a Bill which will improve the parent Act materially. Accordingly I support the second reading of the Bill.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West—in reply) [5.37]: The debate on the Bill has given some hon. members an opportunity to criticise not only the clauses of the measure but also the parent Act, and incidentally the Arbitration Court. Some of the statements made can be correctly described as very loose, this being due possibly to the fact that the subject was being discussed by an hon. member who had not a close acquaintance with the working of the Arbitration Act. That statement of mine may be construed as being in the nature of a complaint, but it is a statement I have found it necessary to make on previous occasions when dealing with legislation of this nature. My remark applies not only to one member, but to quite a number of members. Again I wish to repeat that only too frequently are such statements made because of the fact that a previous speaker has seen fit to put an erroneous construction upon a provision of the Bill, or even upon the working of the Act. In replying to the debate, therefore, while I propose to refer to a number of the points specifically mentioned by hon. members, I do not intend to reply at the same length as I have done on previous occasions. I do not think there is any need for it, because if we are going to do any good with the Bill, and if hon. members require all the information that they have mentioned as desirable, they simply cannot get it in the course of a second reading debate. They can, however, get it in Committee; and if the Bill reaches the Committee stage, I shall be prepared to debate any question raised by any member of this Chamber. In the course of the discussion there have been some thoughtful contributions, going to show that there is definite difference of opinion among members as to the wisdom of the constitution of the Arbitration Court we have at present. I venture to say, however, that no matter what form the constitution of our court took, somebody would be found complaining of it, either from the employers' side or from that of the employees.

If the court consisted only of the president, without the two lay members, dissatisfaction would be found among a strong body of opinion among employers and employees alike, just as we find that representatives of both employers and employees declare that the constitution of the court could be improved by some other method. I fully agree with Mr. Seddon that many of the provisions of the principal Act could be made more use of than they are at present; but we must not forget that the court is given certain powers, and that it is open to either side to apply to the court for the use of those powers in accordance with the Act. Therefore I consider that the hon. member, in stating definitely that in his opinion there has been and at the present time there is mal-administration, goes a little too far. I do not think anyone would accuse the president of the Arbitration Court of being likely to become a party to maladministration. I do not think any member of this Chamber, including Mr. Seddon, would ever accuse the employers' representative or the employees' representative in that court of willingly allowing himself to be a party to mal-administration. That is rather a strong term.

Hon. J. Cornell: I do not think Mr. Seddon intended to convey that.

The CHIEF SECRETARY: I said to the hon. member that it was a very strong word, and he agreed that it was.

Hon. J. Cornell: But he did not intend to imply dishonesty.

The CHIEF SECRETARY: The hon. member had the opportunity of making the position clear in regard to what he did mean. Mal-administration, in its general sense, is one of the strongest terms that can be applied to a court.

Hon. J. Cornell: It usually implies corruption.

Personal Explanation.

Hon. H. Seddon: May I make an explanation? I used the word "mal-administration" in the sense of "mal, bad," bad administration. Perhaps it would have been better if I had used the expression "bad functioning." That would have conveyed my meaning better. Evidently the interpretation placed upon it by the Chief Secretary is not what I meant to convey. When I said "mal-administration" I meant bad functioning in so far as the court was not making use of machinery provided.

Hon. J. Cornell: Faulty administration.

Hon. H. Seddon: Yes, faulty administration.

Debate resumed.

The CHIEF SECRETARY: I am quite prepared to accept the hon. member's explanation of what he meant, but I thought I gave him an opportunity when I suggested that the term he used was a very strong term and he agreed that it was. The hon. member has now explained that he did not mean what is usually accepted as the meaning of the word "mal-administration."

Hon. G. W. Miles: We are very thankful, and you are too.

The CHIEF SECRETARY: We can let it pass at that. I would hesitate before I used the same term in regard to either the Arbitration Court or any of our local courts or our Supreme Court. The hon. member has now made himself a little clearer than he did previously, and we can let it go at that. There are many provisions of the principal Act of which, in my opinion, greater advantage could be taken than is done at the present time, thus relieving the court of the congestion that is complained of now. Certain provisions of the Bill would also, if enacted, tend to relieve that state of affairs. On the other hand, I have to point out that the court possesses powers it is quite entitled to use, and which I believe it uses to the best of its ability. There is always trouble caused when many organisations approach the court at the one time. The court can deal with only one case at a time. Very often, too, these cases are rather involved, and take longer to dispose of than was expected in the first place, with the result that there is a certain congestion taking place from time to time which could possibly be avoided by the appointment of the various boards provided for under the Act. I previously made reference to loose statements being made by various members. Quite a number of statements come within that category, but I wish to refer specifically to only one or two. The first was made by Mr. Baxter, who said, "Unfortunately, although it (the Act) is framed to protect and benefit employees, there has been no security in industry." That statement, on the face of it, is a very strong one and to my way of thinking cannot be applied to Western Australia. At the present time in this State there are 130 awards of the court in operation, and approximately 180 industrial agreements. These awards and agreements do not cover all employees be-

cause there is a large number of employees in the State who are not subject to the Arbitration Court. Although we have that large number of awards and agreements in existence, and although there is a large number of organisations which find it difficult to get a hearing from the court expeditiously, nevertheless we have had a smaller number of industrial disputes in this State than there has been in any other State of the Commonwealth. If it were possible to make an accurate comparison, I would be prepared to say less than in any part of the British Empire.

Hon. L. B. Bolton: There are fewer industries here, you know.

The CHIEF SECRETARY: If it were possible to make a comparison, I would be prepared to say that the proportion of industrial disputes is less in this State than in any other State, and probably in any other part of the British Empire. We have had very few disputes in this State which could be described as of a major character. We have had quite a number of minor disputes which have usually been settled amicably, and where there have been major disputes, I think it can be taken for granted that from the men's point of view there has been every justification for the stand they have taken. There may have been odd exceptions in which we would all be prepared to say that there was no justification for the men having ceased work until such time as the court had dealt with the case. But those exceptions have been very few and far between. I do not want to spend too much time on that aspect of the case. I feel that every member realises, notwithstanding the criticism offered to the Bill, that generally speaking we have very little to complain of in that direction. My mind goes back to statements made on so many occasions in this House that certain things are matters for the Arbitration Court to determine; that instead of this House dealing with those particular questions, they should be referred to the Arbitration Court; that we should be prepared to trust the Arbitration Court, and so on. What is it we desire to do in the Bill so far as the workers are concerned? We desire by means of the Bill to give sections of the workers of the community the right they do not at present possess to approach the court. What is wrong with that? What is there that we should be afraid of in giving those people the opportunity of approaching the court if they are dissatisfied; if they are not dissatisfied they will not approach the court. What is wrong with giving the court an opportunity of determining what are fair and equitable conditions for those people? In the Bill we desire to amend the definition of a worker in two directions. First of all, we want to include industrial insurance canvassers in this State. Many hon. members will recall that a few years ago, when the Arbitration Act was under consideration, I spent a considerable time in going into a lot of detail in connection with the desire of this section of workers to be able to approach the Arbitration Court. It will be common knowledge that we did at that time secure an amendment, which I venture to say almost every member in this House believed would give to these men the right of approaching the Arbitration Court. The wording in the Act at the present time is such that the casual reader of the definition would say that there was no difficulty, or that there should be no difficulty, about industrial insurance agents having the right to approach the Arbitration Court, but there are some words included in that definition which prohibit every industrial insurance agent in this State from approaching the court. The reason is that before he is employed by any one of these insurance companies an industrial insurance agent has to sign an agreement whereby he undertakes not only to do industrial insurance business for that company but, if opportunity offers, also to do ordinary insurance business.

Hon. G. W. Miles: They give him a chance to earn more money.

The CHIEF SECRETARY: That is so. They are all paid on a commission basis and 99 per cent. of their work is work in connection with industrial insurance, but they are required, if they see the opportunity in the course of their duties of securing a limited amount of ordinary insurance—and usually it is a very limited amount of ordinary business which is done with the ordinary householder—to secure that insurance. But because they sign that agreement, they are barred under the definition in the Act at the present time from approaching the Arbitration Court to have their conditions dealt with by that court.

Hon. H. V. Piesse: They are permitted to do other work as well as insurance work.

The CHIEF SECRETARY: Every worker is allowed to do other work if he can.

Hon. H. S. W. Parker: Except Government employees.

The CHIEF SECRETARY: We will except them for the time being. Members of Parliament, even, are allowed to do other work.

Hon. J. Cornell: Not in accordance with the Labour Party principle of one man one job.

The CHIEF SECRETARY: I find members of Parliament doing other work besides that of a parliamentary character. Without going into detail on this question, I reiterate what I have said, that at the time the Act was previously amended, it was thought the amendment as then agreed to, notwithstanding my protests at the time, would provide that any industrial insurance agent would have the right to approach the court. In spite of that, the effect of his having to sign the agreement to which I have referred, before starting employment with one of the companies, has been a direct bar to his approach to the court. So that the definition in the Act is of no use whatever and cannot be of any use while the insurance companies demand that the men shall sign that agreement before starting their employment.

Hon. G. W. Miles: What would be the position with regard to the man on commission if he were able to approach the court? Would the court decide the commission to be paid?

The CHIEF SECRETARY: It does not matter whether it is a question of piece rates or of weekly wages, the court would be able to hear evidence and give a decision in accordance with the particular conditions applying to that industry. In Queensland at present industrial insurance agents have an award.

Hon. H. V. Piesse: It has greatly reduced the numbers in employment.

The CHIEF SECRETARY: It would be better for industrial insurance agents in this State if there were a reduction of numbers in employment here.

Hon. H. V. Piesse: They are all getting more than the basic wage.

The CHIEF SECRETARY: I will not admit that: I say it is incorrect.

Hon. H. V. Piesse: I have figures to prove it.

The CHIEF SECRETARY: The hon. member cannot produce figures to show that.

Hon. H. V. Piesse: I can.

The PRESIDENT: Order! The hon. member can discuss the question in Committee.

The CHIEF SECRETARY: There is much that could be said on that subject were I to go into detail. I want to emphasise that on a previous occasion we amended the Arbitration Act believing that we were giving this section of the working community an approach to the court, and instead of doing that we have debarred them from approaching the court.

Hon. J. Nicholson: There has been a deliberate evasion of the intention of the House?

The CHIEF SECRETARY: The agreement is on all fours with the agreement previously signed. There is no alteration except in one or two minor details. The same methods are still in operation, whereby a man is deprived of the fruits of his own labour. The same methods are in operation which demand that men shall work for extended hours day and night and as a result of their work shall not receive the basic wage. They are paid on a purely commission basis according to their success or otherwise. Quite a number of them can prove conclusively that their earnings do not reach the basic wage. One proof of that statement is the fact that there are so many changes taking place from time to time in the employment of these men. That is because men cannot make a living.

Hon. G. Fraser: They take on the work temporarily.

The CHIEF SECRETARY: The conditions under which they are forced to do the work make it impossible for them to earn a living.

Hon. H. V. Piesse: Many of them are not good agents.

The CHIEF SECRETARY: The hon. member, of course, was a good agent himself at one time but he never had much to do with this phase of insurance work. The hon. member was in a far better field. He was dealing, generally speaking, with ordinary insurance. He put up a record in one year I believe, and did remarkably well. He earned more than the basic wage, but many of those engaged in industrial insurance have not the opportunity of earn-

ing the basic wage. That is one respect in which we desire to have an alteration made in the definition of the term "worker." A second proposal to amend the definition of the term "worker" represents an effort to bring domestic servants within the purview of the court. Quite a lot has been said by different members on this question. I am in agreement with Mr. Heenan and one or two other speakers who have suggested that, if domestic servants were allowed to approach the court and have their conditions of employment fixed by the court, it would make a difference to the status of those workers.

Hon. G. W. Miles: How would you police it?

The CHIEF SECRETARY: How is any other award policed?

Hon. G. W. Miles: You have inspectors to police industries.

Hon. C. B. Williams: The union would police it.

The CHIEF SECRETARY: In some instances awards are policed by the employees themselves. When an employee makes a complaint it is investigated, and in that way the employee is enabled to get what he or she is entitled to.

Hon. G. W. Miles: You have inspectors with certain rights to inspect premises such as factories, but under this amendment you could not do that.

The CHIEF SECRETARY: As a result of the strong exception taken by this House on a previous occasion to the possibility of an inspector calling at a private house, we are providing that the union secretary shall not have the right of entry to private property. One would imagine that the proposal to permit domestic servants to have their conditions dealt with by the court was something out of the ordinary. To an extent that is already done in this State. Some domestics are working under Arbitration Court awards.

Hon. H. S. W. Parker: Domestics in industries.

The CHIEF SECRETARY: What difference does that make? Domestics in boarding houses are covered by an award so long as there are six or more paying guests in the establishment. Domestics in hotels and restaurants are covered by an award, and the same applies to those in hospitals and mental institutions. Thus there is nothing novel in the proposal. I read in the newspaper this morning that there is a move in Sydney, emanating apparently from the domestics, to form a union in order that they might approach the Arbitration Court. Even if domestics formed a union here—they have not done so to date—they would not have the right to approach the court under the existing Act.

Hon. J. J. Holmes: I do not think they would get enough to form a union now.

The CHIEF SECRETARY: There are enough to form a union, but I agree with the hon. member if he infers that the number of domestics available is much below the number required. This state of affairs is likely to continue so long as domestics in so many places are treated as at present. When the Honorary Minister was speaking he passed some remarks about the status of girls, and gave one reason in support of his argument. His argument seemed to be received by several members with a certain amount of hilarity, but I should like to quote the views of the President of the Arbitration Court, as follows:—

> The court sees no reason against, and very many indeed in favour of, the raising of the status of these workers. It sees no reason why they should be addressed any differently from shop assistants and female workers in other walks of life. The fact is that probably one reason why domestic work does not appeal so much to girls of the present day is because of the imaginary low status which these workers occupy in the social scale, and anything that tends to restore the proper balance here is something worth attempting.

Hon. W. J. Mann: The President made use of the word "imaginary."

The CHIEF SECRETARY: What is wrong with that?

Hon. J. Cornell: That covers the lot; it is imaginary.

The CHIEF SECRETARY: It is the term that I myself would use. To domestics themselves, it is very real.

Hon. J. Cornell: You will never get entirely away from snobbery.

The CHIEF SECRETARY: The domestics know only too well from experience that what I have said is correct. Every member of this House could point to one domestic in a particular establishment who has not received the fair deal to which she is entitled.

Hon. G. W. Miles: I asked one whether she preferred to be addressed as "Miss" or by her Christian name, and she said by her Christian name.

The CHIEF SECRETARY: I am not dealing with that question.

Hon. G. W. Miles: That is what the Honorary Minister said.

The CHIEF SECRETARY: But there is quite a lot in what the President of the Arbitration Court said on that point. However, the Bill provides that domestics shall have an opportunity to approach the court to have their conditions and wages determined on a fair and equitable basis. That, I believe, would have the effect of improving the status of domestic servants which, in turn, would result in their giving greater satisfaction to employers. Quite a lot of information could be supplied regarding the very bad conditions under which many domestics are forced to work, but I do not propose to speak at further length on that phase. We are endeavouring to alter the definition of the term "worker" to prevent quite a lot of subterfuge at present indulged in with a view to evading the payment of award rates and the observance of award conditions. Mr. Baxter said that if the amendments were accepted they would prevent legal contracts in all branches of industry. I cannot agree with the hon. member. The amendments would merely give the court power to determine whether the conditions of a contract were such that it had been entered into with a view to evading the legal obligations under an award of the court. There are many instances of evasion. Mr. Mann said he would like me to state the number of cases. In reply I said it was a common practice in some industries. While I cannot state the number of cases, what I said then was quite correct; it is a common practice in some industries for so-called partnerships to be entered into whereby a worker simply becomes a partner in order to evade conditions in the award and permit of his being employed at a lesser wage than that provided by the award. Recent prosecutions have shown conclusively that that kind of thing is very prevalent in one industry in particular, namely, the lime-burning industry. The position has become so acute that it is hardly possible for an Australian firm to compete and it is hardly possible for Australians to get employment in the industry.

Hon. H. S. W. Parker: There is practically no union.

The CHIEF SECRETARY: There is a union.

Hon. H. S. W. Parker: There may be the necessary 15 members, but practically there is no union.

The CHIEF SECRETARY: I cannot see the point.

Hon. H. S. W. Parker: The award is practically dead; it is impossible to find the union, but there is a secretary.

The CHIEF SECRETARY: The industry is in the hands of people who are prepared to do anything to evade their obligations under the award of the court, and I say definitely that it is impossible for Australians who have been in the industry for years to get employment unless they are prepared to enter into a so-called partnership agreeing to work under conditions that would not be tolerated by the court and at wages less than the award provides. Even the furniture industry is not exempt from these partnership arrangements. Let me quote another industry that affords quite a good example of what is happening. There is a firm in this city operating a fleet of taxis. Originally the drivers were employed on wages, but to-day they are not employed on wages. The vehicles are hired out to the taxi drivers.

Hon. C. F. Baxter: Are you referring to a firm or a company?

The CHIEF SECRETARY: A company. The same thing applies to other industries in which certain classes of machinery are hired out. In the baking industry a large number of the so-called partnerships are operating that result in men, so-called partners, working under conditions that would not be permitted if they were employees, and in those men receiving wages less than the rates stipulated by the award. There is ample room for an alteration, and the amendment in the Bill would be effective in that direction.

Sitting suspended from 6.15 to 7.30 p.m.

The CHIEF SECRETARY: I should like to refer to a proposal in the Bill to make the vocation in which the worker is employed the guiding factor for the future, instead of industry as in the past. Mr. Baxter said that such a change was strongly objectionable, and would mean chaos in respect to industrial determinations. Mr. Parker said it would mean that industries would have to go out of existence, or the amount of wages paid to workers would have to be reduced. I cannot agree with those interpretations. The worker employed in a

given industry covered by a particular award of the court is not entitled by law to the same wages and conditions if he is employed at the same work, doing exactly the same thing, by another employer who is not engaged in the industry covered by the award. A plumber working for a plumber is paid at a given rate according to the award. He also works under the conditions of the award. If, however, he is employed by a departmental store he is not entitled to claim the same rates of pay or work under the same conditions. Every member will agree that whatever the wages and conditions are for a plumber working for a plumber those wages and conditions should apply when the plumber is engaged by another employer who is not concerned in the industry of plumbing. It seems a ridiculous position, and yet as a result of a decision of the court that state of affairs has been brought about. Therefore we are endeavouring to provide that the avocation shall be the determining factor, rather than the industry in which the man happens to be employed at the time.

Hon. L. B. Bolton: He may be engaged in a different class of work. Would that make any difference?

The CHIEF SECRETARY: He would be covered by the award dealing with the particular trade or calling in which he was engaged. There is a large departmental store in Perth which engages painters to do certain painting work in the store. Because the men are not employed by a painter, they are not entitled to the same wages and conditions as they would be entitled to if they were employed by a contractor to do the same work in the same place.

Hon. L. B. Bolton: I am with you there.

Hon. L. Craig: Under what award would they come?

The CHIEF SECRETARY: Under no award.

Hon. L. Craig: And their wages would be governed by an agreement with the employer.

The CHIEF SECRETARY: Yes. The employer could insist upon any conditions of employment or wages that he could force upon the employee.

Hon. J. M. Macfarlane: Suppose a slack time comes and the employer wishes to keep men on to help them.

The CHIEF SECRETARY: In some cases, when that is done, the employers have to pay the award rates for the particular class of work that is being done.

Hon. H. V. Piesse: That is not fair.

The CHIEF SECRETARY: Why?

Hon. H. V. Piesse: The employer may be keeping them going through the winter and other slack periods, and may be filling in their time with other work.

The CHIEF SECRETARY: When men are engaged to work they are entitled to the award rates for the particular class of work they are doing. If we believe in arbitration that is the principle we must all admit. If we do not believe in that we get away from the principles of arbitration and we say that everything will depend upon the individual agreement made between the employer and employee.

Hon. J. Nicholson: There may be exceptions. Some provision ought to be made to meet the cases referred to. I have in mind the King's Park Board. Men may be put on to do other classes of work, to keep them going because there is not enough work in the particular department in which they were engaged. There should be some elasticity.

The CHIEF SECRETARY: There is some elasticity. Most awards provide that where a man is engaged in a higher class of work he shall receive payment at the higher rate for the time being.

Hon. J. Nicholson: When men are on a fixed wage, and it is desired to keep them at work, there should be some elasticity.

The CHIEF SECRETARY: That would be a dangerous proposal and would lead to all kinds of unscrupulous proposals. I could not agree with such a principle. In the Bill is an amendment dealing with what is known as amalgamation jobs. I refer to cases where a man is engaged on two different classes of work for the same employer, and where this kind of thing happens regularly or occasionally every week. Mr. Baxter said, "This is surely a matter that should be left in the hands of the Arbitration Court, which has the opportunity to investigate each particular case." The proposed amendment has been brought forward to rectify an anomaly under the present Act. In most awards there is a higher duties clause, or a maximum functions clause. It was thought for years that these two particular clauses would cover that kind of occupation. A ruling has been given by the court that no provi-

provision cannot be applied to the position where a man is employed daily or regularly on a particular class of work involving the amalgamation of two or more positions. There has been a definite decision on the point, and we are desirous of rectifying the position by means of this amending Bill.

Hon. L. B. Bolton: He is always paid at the higher rate.

The CHIEF SECRETARY: A decision has been given by the court that no provision exists in the Act whereby they can deal with the case of one man carrying out a combination of duties and where the application of the maximum functions or higher duties clause does not specifically apply. I have mentioned most of the important amendments to the Act with one exception; and that is the amendment providing for the registration of the Australian Workers' Union. Some rather strange interpretations have been placed upon the desire of the Government to permit of the registration of that union under the Industrial Arbitration Act. We have endeavoured on several occasions to secure an amendment of the Act to provide for this registration. Various objections have been advanced, and members have said this House should not be used to give the A.W.U. or any other organisation something which the court has refused to give. The present proposal has been arrived at after consultation with the court and all the other organisations concerned. The particular clause of the Bill speaks for itself. It indicates under what conditions the court would be prepared to register the organisation. Another clause deals with the organisation if it does not carry out the conditions laid down. The A.W.U. is an Australian-wide organisation. It has a Commonwealth constitution. In that constitution it embraces many industries covered by other organisations in this State in specified areas. These organisations, however, do not cover workers in the particular trades or callings over the whole State. The A.W.U however, caters for these particular workers. It is provided that the State constitution of the A.W.U. shall be altered to provide for certain things. If that is done the court will be prepared to register the organisation. I have found it hard to reconcile the statements of some members in this connection with my own experience of the organisation. It has been probably the strongest advocate in the Commonwealth for arbitration at all times. It has a wonderful record from that point of view. Notwithstanding this, members have insisted that this organisation should not be entitled to registration under our arbitration laws, unless it can comply with every principle of the Act as it is. Whilst I would not say that it was an impossibility, I do say that it would be impracticable for the union to do that. The time has arrived when this organisation is fully entitled to be registered under the Arbitration Court so that it may go there in the same way as other organisations go to have various disputes with which it may be concerned dealt with. At present that organisation has a large number of agreements with various employers throughout the State, as well as with numerous Government departments. These agreements are not registered in the same way as other agreements are registered by organisations which have a standing under our arbitration laws. The A.W.U. should be registered under our State arbitration laws. This can do no harm, and probably will do a lot of good. The other clauses of the Bill are to a great extent of a machinery nature. Some will have the effect of improving the administration of the Act. I do not know that any member will object to those which make it easier for the court to deal with questions that are brought before it. There is quite a lot of detail which yet remains to be given to members when the Bill goes into Committee. I hope on this occasion the House will allow the Bill to reach the Committee stage.

Question put and passed.

Bill read a second time.

Referred to Select Committee.

HON. H. S. W. PARKER (Metropolitan-Suburban) [7.45]: I move—

That the Bill be referred to a select committee consisting of five members, that the committee have power to call for persons, papers, and records, that three members shall form a quorum, and to report on Tuesday, the 26th October.

Question put and passed.

Select Committee Appointed.

On motion by Hon. H. S. W. Parker, select committee appointed consisting of Hon. C. B. Williams, Hon. G. W. Miles,

Hon. H. V. Piesse, Hon. H. Seddon and the mover.

BILL—FAIR RENTS.

Second Reading.

Debate resumed from the 23rd September.

HON. C. H. WITTENOOM (South-East) [7.48]: I shall preface what I have to say by intimating that I shall, as I did last year when dealing with a similar measure, oppose the second reading of the Bill. I have endeavoured to look at the measure through the eyes of those sponsoring it, and to ascertain whether its provisions, if agreed to, will be beneficial to any large section of the community. I have failed to do so. Evidently it is a Bill for the goldfields, where occasionally we hear of rents that are rather high. I have asked myself whether, if the provision of the Bill were applied solely to the goldfields areas, it could be regarded as satisfactory. I went carefully into that phase, and have come to the conclusion that it would not be beneficial to any section of the community, whether on the goldfields, at the seaside or anywhere else. The only person that I think could regard the measure as satisfactory would be the person on the goldfields now occupying premises that he hopes to live in for some considerable time. I reiterate what has already been stated by other members when I ask, who in the name of conscience would build houses in an area where rents were very low and where the prospects of securing a return on money invested were rather questionable. I do not say that applies to Kalgoorlie or new towns like Big Bell or Wiluna, where there is a tremendous quantity of ore in sight and the existence of those towns will extend over many years. At the same time, there are smaller centres where mining operations may or may not develop as time goes on. The life of such towns is questionable, and house building there will be more or less of a gamble if the Bill becomes law. To restrict rents as is proposed in the Bill would prohibit investors from building houses, particularly among the mining community of the State. In the early days of all goldfields the houses are mainly built of hessian. If the Bill be agreed to, then I think that in future, even in towns that have a prospect of some extended life, a much larger percentage of houses will be constructed of hessian than is likely if the Bill be rejected. To my mind, problems such as these have a little way of solving themselves. If there is a shortage of houses, up go the rents. A sort of S.O.S. signal goes out to persons who have money to invest as an encouragement to them to build more houses. When sufficient houses are built and the demand falls, then rents become steady or drop. Under those conditions we get automatically what the Bill proposes, namely, fair rents. In my opinion, it would be better if the Bill were rejected and matters left as they are. We have heard of extraordinary rents charged in Kalgoorlie. In the last day or two I have heard of some of them, and they are so big I cannot imagine people paying them.

Hon. C. B. Williams: Unfortunately those who have to pay are able to imagine it.

Hon. C. H. WITTENOOM: Are people there paying rents that represent 30 per cent. on the value of the house?

Hon. J. Nicholson: There was a time when you could only let houses there for next to nothing.

Hon. J. Cornell: But those houses were shifted then.

Hon. C. H. WITTENOOM: At that time houses were pulled down and reconstructed in the agricultural areas. In my province quite a number of such houses have been erected. That was just after the war.

Hon. C. B. Williams: That is not the position to-day; you are speaking of conditions 20 years ago.

Hon. G. Fraser: There has been a shortage of houses on the goldfields for the last 12 or 14 years.

Hon. C. H. WITTENOOM: A mining community is essentially a floating population. Miners do not know where they will be, or whether they will reside in Kalgoorlie or in some out of the way place. Sometimes they leave their families in Kalgoorlie when they go out back; sometimes they do not. As a result, the miner generally does not desire to own his own house.

Hon. C. B. Williams: Doesn't he?

Hon. C. H. WITTENOOM: For that reason he is prepared to pay a high rent.

Hon. C. B. Williams: What a mentality you attribute to the miner!

Hon. C. H. WITTENOOM: Rent of houses at the seaside resorts is also mentioned in the Bill. Such houses are built for letting purposes to people who desire to occupy them during the summer months. Those people would not desire to lease a

house at the seaside for the full year. The climate at Kalgoorlie, Yalgoo and Wiluna, for instance, is perfect during certain periods of the year, but during the summer months residents desire to go to the seaside and are prepared to pay high rents for the use of houses during the hot spell.

Hon. J. J. Holmes: For a few weeks only.

Hon. G. Fraser: They have no option.

Hon. J. Nicholson: But it is merely seasonal letting.

Hon. C. H. WITTENOOM: Yes, for three or four months in the year, and during the balance of the 12 months the houses are empty. Naturally, the people who live in seaside towns pay ordinary rentals, and I am confident that those who live in Albany do not pay rentals such as the Bill directs. For my own part, I would be satisfied if I could get a return representing 1½ per cent. over the Commonwealth Bank rate, for it would mean about 7 per cent. taking other matters into consideration. The Bill, if agreed to, would also apply to houses in the metropolitan area and, speaking generally, I do not think there is any necessity for that. In the metropolitan area during 1936, 1,539 houses were built, and 738 were built during the six months ended the 30th June, 1937. That shows that quite a number of houses have been built and demonstrates that there is little necessity for the Bill. The measure is along lines similar to those of the Bill before us last session, and this, too, is incomplete, as it contains no mention of unpaid rents. Very frequently people leave houses with the rent unpaid. Then again, the Bill contains no reference to agents' fees or legal fees.

Hon. J. Nicholson: There should be no legal fees.

Hon. C. H. WITTENOOM: They enter into the question all right! When a similar Bill was discussed last year, the absence of provision in respect to the matters to which I have referred was commented upon at length and, seeing that the Government proposed to re-introduce that legislation, it would have been reasonable for them to have dealt with those phases. Had they done so, the Bill would have called for less criticism.

HON. J. CORNELL (South) [7.56]: If there were any justification for the reference of the Arbitration Act Amendment Bill and the Factories and Shops Bill to select committees, I think a much better case could be made out for the appointment of a select committee to inquire into the vexatious question of housing. Members appear to be disposed to reject the Bill on the same grounds that they rejected a similar measure previously. Even if we do not decide to have such an inquiry, in approaching this question we cannot be blind to the fact that certain sections of the community have protested for many years against the high rents charged for houses and for the inadequate housing facilities available. Speaking as a family man I claim that if there is one thing conducive to the proper upbringing and disciplining of a family, it is reasonable and congenial housing. When that is not reasonable and congenial, children are forced outside in order to enjoy better surroundings. We have heard much about the decline of home life. Moving about the metropolitan area as I do from time to time, I do not wonder at the loss of home life in view of the hovels some married people have to live in. Unfortunately the individuals we say are going to save Australia are those with the largest families, those who have not yet adopted birth control, and they are forced to live in poor houses under bad conditions.

Hon. H. S. W. Parker: Does not the Health Act cover that?

Hon. J. CORNELL: I think the Health Act covers measles. We ought to take a broad and big issue, not wait for the health authorities to condemn certain houses, because that would amount to a condemnation of the Legislature and the Government and the people of this country. I can see nothing wrong with an inquiry. I am convinced that there is need for radical and drastic reform in our housing, particularly in the metropolitan area.

Hon. G. Fraser: It is well overdue.

Hon. J. CORNELL: If members will follow the trend of worldly affairs, they will discover that right through Europe and the North American Continent there has been a distinct forward move of all the governing authorities in the direction of improving the general housing conditions, particularly those of the so-called lower orders and the people with big families on low wages.

Hon. A. Thomson: Will the passing of this Bill improve those conditions?

Hon. J. CORNELL: We say that the thing will right itself. But for several years past, ever since the present Government and

its predecessors have been in power, its supporters in the metropolitan area alone have endeavoured to bring in a Fair Rents Bill for the purpose, I presume, of assessing a fair rent for some of the homes in which people, by force of economic circumstances, have to live. In season and out of season, this House, unfortunately, has rejected it. I do not ask the House to pass the Bill, but I do say that if there is a necessity for close scrutiny and inquiry in regard to the Factories and Shops Act and the Arbitration Act, a greater case still can be made out for an inquiry into our housing.

Hon. J. Nicholson: Is it proposed to have the Government take on a housing scheme?

Hon. J. CORNELL: Rather than reject the Bill, I would support the appointment of a select committee to investigate the conditions. If the evidence showed that rents were fair, I would say, well, let it go. That is all I wish to remark on the general question of housing, but I desire to say something in regard to housing in the mining areas of this State. I shudder to think of what would have happened to this State if the price of gold had not risen during the depression. My opinion is that instead of raising the cry of secession, we should have had to ask the Commonwealth Government to take us over. And it was in the worst year of the depression that the gold mining industry came to the rescue of this State; not as it did in the early nineties when, although it did not come to the rescue of this State, it helped to put the State on the map in the position warranted by our national resources. But there can be no comparison between what the mining industry did in the early days and what it did for this State during the years of the depression. The Golden Mile has a reputation the world over, but if members have followed the newspapers closely they will have noticed recently that certain important visitors to the Golden Mile have expressed their amazement that with so much riches evident there should be so much rotten housing. In the early days the people of the goldfields endeavoured to build houses, and they would endeavour to build houses to-morrow were it not altogether beyond their resources. Many of the young men up there were forced out of the agricultural industry through sheer starvation, and so they migrated to the goldfields and took on mining operations. The position in Kalgoorlie and Boulder is that a very large minority of the people are living in houses which, owing to the climatic conditions, are not fit for human habitation. Houses sold there some years ago for £40 or £50 are to-day bringing a weekly rental of 35s. If the House will not agree to an inquiry, I certainly think the Bill ought to be passed and given a trial on the goldfields, particularly in Kalgoorlie and Boulder. I am not referring so much to the rent which, perhaps extortionate, is in some cases being charged on the capital value of the property, newly erected houses in Kalgoorlie and Boulder; because, after all, some semblance of value is there, whereas in many cases there is no semblance of value and the rent charged is wholly extortionate. Such houses ought to be condemned. Rather than see the Bill rejected, I would prefer to see some inquiry into it. If the House will not agree to that, I hope the House will accept the Bill and apply it to that part of the State where undoubtedly the rents are extortionate. That is not asking too much. I do not think any fair rent court would, in the case of a new house at Kalgoorlie or Boulder, in any way seriously injure the owner.

Hon. J. J. Holmes: Did not you advocate workers homes for the fields?

Hon. J. CORNELL: Yes.

Hon. J. J. Holmes: Well, what is wrong with that?

Hon. J. CORNELL: On Mr. Baxter's motion for the adjournment of the House, I said that the Government cannot be expected to provide everything. The New Zealand Government passed a temporary piece of legislation last session of its Parliament and since then it has put into operation a gigantic housing scheme. If members will offer no objection to this State being further taxed for that purpose, and if the money can be raised through the Loan Council for a large extension of the activities of the Workers' Homes Board in this State, I have no objection. But if the Government were to bring down the necessary legislation, and if that legislation meant an increase in taxation to find the interest on the cost of those workers' homes, so that the board might double their activities, the same stone would be thrown at that piece of legislation as is being thrown at this.

Hon. J. J. Holmes: It would not be a paying venture.

Hon. J. CORNELL: There is more justification for an inquiry into this Bill than there is for an inquiry into the Factories and Shops Bill or into the Arbitration Act Amendment Bill. We got away from our line of reasoning last session by constantly rejecting these Bills. I say there is reason for an inquiry. I have yet to learn that inquiries do any harm. If this proposed inquiry were to elicit evidence in favour of certain things being done, then I would say, let us do them. If the House is not prepared to do that, I suggest that the Bill be made applicable to the goldfields, and if the House is not prepared to do that, I do not know whether I can offer any alternative. The Government, I suppose, will have to extend as far as possible the operations of the Workers' Homes Board. I will support the second reading of the Bill, not in the interests of the metropolitan area, but in the interests of the province that you, Sir, and I, represent.

On motion by Hon. A. Thomson, debate adjourned.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. W. H. Kitson—West) [8.15]: I move—

That the House at its rising adjourn till Tuesday next.

Question put and passed.

House adjourned at 8.16 p.m.

Legislative Assembly.

Wednesday, 29th, September, 1937.

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

QUESTION—SEWERAGE CONNECTIONS.

Mr. NORTH asked the Minister for Water Supplies: 1, Have several hundreds of those who applied for sewerage connections under the deferred payment plan been requested to apply again in six months' time? 2, Does such postponement have the effect of rendering the applicants liable both for pan-service rates and for sewerage rates? 3, Has he power to exempt such applicants from sewerage rates in these cases? 4, Will he suspend liability for payment of such rates until the work can be carried out?

The MINISTER FOR WATER SUPPLIES replied: 1, Yes. 2, Yes, if property is not served by a septic tank. Owners can avoid dual charges by having connections made privately. 3, No. 4, The Government does not accept liability for financing house connections. A limited sum is now available for connections under repayment conditions.

BILLS (2)—FIRST READING.

1, Land Tax and Income Tax.

2, Forests Act Amendment Continuance.

Introduced by the Minister for Lands, for the Premier.

RETURN—TOTALISATOR OPERATIONS.

MR. RAPHAEL (Victoria Park) [4.35]: I move—

That a return be laid upon the Table of the House showing:—

(1) The number of totalisators registered in this State, or operated under registration,