BILL—MARRIED WOMEN'S PROTECTION ACT AMENDMENT.

Returned from the Council without amendment.

ADJOURNMENT—ROYAL SHOW.

THE MINISTER FOR LANDS (Hon. W. C. Angwin — North-East Fremantle) [9.10]: I move—

That the House at its rising adjourn until 4.30 p.m. on Thursday, the 7th October.

Question put and passed.

House adjourned at 9.11 p.m.

Legislative Council,

Thursday, 7th October, 1926.

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

ASSENT TO BILLS.

Message received from the Governor notifying assent to the under-mentioned Bills:—

1, Plant Diseases Act Amendment.
2, Federal Aid Roads Agreement.
3, Kalgoorlie and Boulder Racing Clubs Act Amendment.
4, Herdsman's Lake Drainage Act Repeal.
5, Vermin Act Amendment.

BILLS (2)—FIRST READING.

1, Public Education Acts Amendment.
2, State Children Act Amendment.

Introduced by the Chief Secretary.

MOTION—INDUSTRIAL ARBITRATION ACT.

To Disallow Apprenticeship Regulations.

Debate resumed from the 5th October on the following motion by Hon. J. Nicholson:—

That the Apprenticeship Regulations made (under and in pursuance of the Industrial Arbitration Act, 1912-1925), and published in the "Government Gazette" of 20th August, 1926, and laid on the Table on 24th August, 1926, be and the same are hereby disallowed.

HON. E. H. GRAY (West) [4.40]: I thought after the convincing reply of the Chief Secretary that Mr. Nicholson would have withdrawn his motion. As, apparently he does not intend to do this, I shall have a word or two to say on the question. One would imagine from the remarks of the hon. member with regard to the rights of employers that before the Arbitration Act was passed they had complete control over apprentices. The hon. member is an eminent lawyer, but I would like to inform him that even in the old days—I can go back for 35 years to the time when I was an apprentice —when trade unions did not exist in my trade, apprentices had rights and were very keen on preserving them. An indenture was a promise or a pledge, on the one hand to give full and faithful conduct and attention to business on the part of the apprentice, and on the other a sacred promise on the part of the employer to do all that was possible to see that the apprentice properly learnt his trade. Unless an apprentice was convicted in the court, he could not have his services dispensed with. We used to work on that a little. There were two apprentices in the shop in which I worked. The firm was a progressive one, and had instituted certain innovations. We were called upon to work on Sunday nights. We promptly went on strike, because my colleagues and I were constant attendants at the Presbyterian Church. We successfully resisted the attempt of the boss to make us work on seven days a week. I remember when I got free of the Factories Act. In those bad old days apprentices were protected by the law until they were 15½ years of age. On the day when I was freed from that protection, my employer informed me that he had the right to work me as many hours as he liked, and that he intended to take full advantage of the opportunity. In those days, before the Arbitration Court or

he trade unions were properly organised, I was obliged to work night and day for practicaly no wage.

Hon. V. Hamersley: It was the best thing hat could have happened to you.

Hon. E. H. GRAY: If I had followed hat trade for long I would have been in my grave before now, but I had the sense to eave it. Even in the old days apprentices iad their rights. Great progress has since been made. In my opinion there is nothing wrong with these regulations, but there is something seriously wrong with the system of apprenticeship. An interjection in "Hansard" is credited to me. Someone said that we did not want too many apprentices. It was not my interjection, and if I had noticed t before, I would have corrected it. I am of the opposite opinion. In Western Australia we want as many apprentices as we can get.

Hon. J. Nicholson: Was it Mr. Brown who said that?

Hon. J. R. Brown: I admit it.

Hon. E. H. GRAY: I am keen about seeing this grave question solved. It is not a party matter. This House should not introduce any party or political consideration into the matter. It is a question affecting not only our youths but the community as a whole, and the future welfare of the State. Every parent, no matter what his political beliefs may be, must be seized of the serious condition of the apprenticeship question in Western Australia. I shall do everything possible to help solve the apprenticeship question, for no one is satisfied with the existing conditions under which we have to rely so much for our skilled tradesmen. Anything I can do to advance the interests of Western Australian industries and to support a movement aiming at the solution of the apprenticeship problem, will have my earnest support. Not all the young men are fitted to go to the country districts. It is useless to argue that all are fitted for a life on the land. It would be a sheer waste of good material if we were to send many lads into the bush. On the other hand, under existing conditions, they have to go into dead-end occupations and become unskilled labourers for the rest of their days. We should approach this question from a non-political point of view.

Hon. V. Hamersley: Are not the restrictions upon apprentices too great?

Hon. E. H. GRAY: No, that is not the cause of the present situation. I regard the regulation which enables unions or employers' associations to take on apprentices as a serious attempt to solve the position in the building trade in particular. Investigations, I understand, have shown that the joinery firms in the metropolitan area have absorbed all the apprentices it is possible for them to employ, but outside the metropolitan area there are practically no apprentices at all in that trade. The chief explanation for that is that contractors do not care to accept the responsibility, under the regulations, of having apprentices. The regulation I refer to was framed to overcome that difficulty. In many instances small contractors are members of a union, such as the bricklayers' union or the plasterers' union. Under the regulations the responsibility for apprentices who might be taken on by those men would be accepted by the union concerned. In my opinion such unions are well able to accept that responsibility.

Hon. V. Hamersley: What responsibility?

Hon. E. H. GRAY: The responsibility of seeing that the apprentice is taught his trade by members of the union who are working on small contracts or on piece work. I regard that as an effective answer to Mr. Nicholson's criticism regarding these particular regulations. There is nothing wrong with them. We should not allow our building trade to be filled up with skilled artisans from outside Western Australia. The present state of affairs is alarming, particularly when we see so many youths willing to learn trades but unable to do so because the facilities are not available. Any move towards the solution of that problem should receive the support of all hon. members.

Hon. J. Nicholson: Don't you think the increased restrictions will hamper the employment of apprentices?

Hon. E. H. GRAY: But this is not an attempt to impose restrictions; it is an attempt to permit the employment of more apprentices. It will permit apprentices to be engaged in connection with the building trade wherever it is possible. It is unreasonable to suppose that a bricklayer or a plasterer could take the responsibility of teaching a boy his trade, particularly seeing that such men would be employed on small jobs only. On the other hand, the union to which those men belonged, could accept the responsibility.

Hon. J. Nicholson: You know I am behind you in your desire to see as many apprentices as possible become qualified tradesmen!

Hon. E. H. GRAY: The hon. member may be, but I think his methods will have rather the opposite effect. I have spoken to many people regarding this question since the hon. member moved his motion. I have spoken to school teachers and inspectors, and I assure hon. members they are watching the course of this debate very keenly. I am expressing the view of one inspector, who is interested in the welfare of the lads under his care, when I say he views with apprehension any endeavour by this Chamber to interfere with the present regulations. I regard Mr. Somerville, the workers' representative on the Arbitration Court bench, as an expert regarding apprentices. Not only has he acquired a vast experience in connection with industrial matters by virtue of his position on the bench, but he is also a skilled craftsman. He understands exactly the position regarding apprentices. Undoubtedly his opinions are embodied in these regulations. They are therefore worthy of consideration. I doubt whether a better or more capable man could be found in Western Australia, or one whose opinion would be more worthy of consideration on such a question, than Mr. Somerville. From time to time I have heard arguments in this Chamber that various questions should be submitted to the Arbitration Court for decision. I implore members to adopt that attitude on this occasion. We, as a House, cannot lay down a plan as to how apprenticeship regulations should be framed, or say how the law dealing with apprentices should be carried out. That task should be left to experts, and undoubtedly the members of the Arbitration Court know more about this question than any other section of the people in Western Australia. The members of the Court brought to their aid representatives of the employers and of the unions concerned. These regulations represent the considered opinions of the court, aided by representative opinion gained from both the employers' and the workers' sides. I implore members to have regard for the welfare of the lads and not to interfere with the regulations. I trust they will do nothing that will jeopardise the future of many of our lads who will have an opportunity to gain employment as apprentices. I can see nothing in the regulations that will represent a hardship to the employers, but on the other hand, the regulations are of vast importance to the youth of this State.

HON. H. STEWART (South-East) [4.53]: Anything I have to say regarding the regulations is not in opposition so much as in criticism based upon experience of the necessity for the careful wording of clauses. I would refer particularly to Regulation 26, which arises out of Section 126 of the Act. Subsection 3 of that section reads—

> It shall be provided in every agreement of apprenticeship (a) That technical instruction of the apprentice, when available, shall be at the employer's expense, and shall be in the employer's time, except in places where such instruction is given after the ordinary working hours . . . . .

This House considered that apprentices should receive proper technical instruction, and decided that it should be at the employers' expense. While I agreed with the former, I do not know that I was altogether in accord with the latter part of the decision. There may be circumstances which will render the carrying into effect of the provision somewhat difficult. I will give an illustration to show how careful we must be with the wording of Acts of Parliament, for they can be interpreted as having a wider significance than intended by Parliament. The section I refer to says that technical instruction of apprentices must be afforded them when available, and shall be at the employers' expense. I have always felt that people do not value very much that which they secure without an effort. The same applies to the youth who would be affected by the regulations, as they apply to technical education. The cost of that education in this State is not great. That, however, is apart from the question at issue, for Parliament has already decided that the expense must be borne by the employer when technical education is available. Regulation 26 provides the following:—

> Every apprentice shall attend a Government technical school vocational classes or classes of instruction for instruction in such subjects as are provided for his trade or as may be determined by the court: Provided, however, that attendances shall not be compulsory when the apprentice is resident outside a radius of 12 miles from the place where instruction is given.

It seems to me that goes considerably further than was the intention of Parliament. Then the regulation proceeds—

> Provided also that if technical instruction is not available in the locality in which the apprentice is employed and is available by correspondence, at reasonable cost to be approved by the court, the court in its award may pre-

scribe such correspondence course as the technical instruction to be taken by the apprentice and paid for by the employer.

When it comes to other phases of technical instruction not provided by established institutions, this regulation gives power to the court to authorise any apprentice to get technical instruction by means of correspondence classes. That instruction may be taken from institutions such as the International Correspondence School of Scranlon, U.S.A., which has branches all over the world, or from correspondence schools in London or elsewhere, from which papers are sent out to all parts of the world.

Hon. E. H. Gray: The court would not fall to a thing like that!

Hon. H. STEWART: I do not know whether it would. I do know that 20 or 30 years ago a young fellow was associated with me on the west coast of Tasmania. He was a laboratory attendant with me. In order to improve his knowledge, he went to the expense of getting instruction through the International Correspondence School of America. He was not the only Australian to do that, for there were many others too. If the Court were to interpret the desire of Parliament and of the community as being that apprentices should have that education, I do not say that the Court would not be within its rights. I am pointing out the necessity for drawing attention to these regulations because once they are in operation, the court will be able to authorise an apprentice to secure instruction at the employer's expense from a correspondence institution in any part of the world. The court could consider itself entitled to do so. In view of the Chief Secretary's remarks it is only right to put my interpretation before the House to show what was the restrictive intention of Parliament. This in my opinion was that the technical instruction of apprentices should be at the employer's expense and in the employer's time, and that the apprentices should have the right to attend a technical school and get whatever instruction was available.

On motion by Hon. J. E. Dodd, debate adjourned.

BILL—COAL MINES REGULATION ACT AMENDMENT.

Second Reading.

Debate resumed from the previous sitting.

HON. H. STEWART (South-East) [5.3]: My remarks in connection with the Bill will be brief. I wish to direct the attention of the House to a couple of matters only. If members will turn to Clause 5, which is an amendment of Section 6, Subsection 1 of the principal Act, they will find it deals with the question of hours. The subsection of the Act referred to reads—

> No person shall be employed below ground in any mine for more than eight consecutive hours at any time or for more than 48 hours in any week, except in cases of emergency.

The amendment says nothing about the number of hours to be worked in the week, but if we pass it we do away with that recognised working week which has been in operation throughout the Commonwealth and has been recognised as the usual thing, namely, 48 hours. This has been altered in New South Wales, and as members know, is the subject of considerable litigation, and the Federal Arbitration Court is at the present time going into the question as to what is a working week. The subsection of the Act has these words: "Except in cases of emergency." We are given to understand that the amendment will simply put into operation what has been accepted by agreement entered into between the parties concerned. But any such agreement should not necessarily be incorporated in legislation, because an alteration in economic conditions might take place and it might be desirable to alter the working hours again. Those hours by reason of economic pressure, might require to be increased or decreased. Therefore, the question should not find its way into an Act of Parliament. The mere fact that it is contained in an award is not sufficient justification for its inclusion in an Act of Parliament. Then again is it advisable to accept an amendment which deals with the recognition of what is a working week? I have not looked up the point as to whether seven hours a day means a seven-day week or a 42 hours week. Turning to Section 21 of the Act, which is dealt with by Clause 12 of the Bill, it is proposed to strike out certain words. The Act reads—

> Every mine shall be under a manager who shall be responsible for thee control, management, and direction of the mine.

The clause proposes that the words "be responsible for" shall be struck out. It will then read—

> Every mine shall be under a manager, who shall have control and management and direction of the mine.

I fail to see that there is any necessity for the amendment; I cannot see what the point is. It seems to me a mere variation of terms, and nothing else. In Clause 12 of the Bill the second paragraph reads—

> A subsection is inserted as follows:—"A certificated manager under this Act shall have control and management of one mine only."

In giving consideration to that we want to read the first paragraph as it will appear when amended. It will read—

> Every mine shall be under a manager who shall have the control, management, and direction of the mine and all the machinery and plant used in connection therewith, and the owner of every mine shall nominate himself or some other person to be manager of such mine, and shall send written notice to the Minister and inspector of the manager's name and address.

The first paragraph lays it down unquestionably that there shall be a manager for every mine. In my opinion there is no reason why there should not be a certificated manager for every mine. The next paragraph of Section 21 of the Act reads—

> A person shall not be qualified to be a manager of a mine unless he is registered as the holder of a first-class certificate under this Act.

We have the whole thing embodied in those two paragraphs which lay it down definitely that every mine shall have a certificated manager. Now it is proposed that a certificated manager shall have control of one mine only. Under the Bill the qualifications that a mine manager is expected to possess are not great. There are many men with attainments of such a character that they would be able to secure the certificate without much difficulty, men who would be captains of industry, and men to whom it might be desired to give control over several mines. According to the Bill, however, it would not be possible to place such men in charge of more than one mine. That is not desirable. Why should a man possessing great ability and enjoying the confidence of many people, be prevented from being employed as an overmanager, that is to say, the manager of more than one mine? The clause as it stands is a mistake and it is my intention in the Committee stage to move an amendment to delete the words "a certificated manager under this Act shall have control and management of one mine only."

Hon. J. R. Brown: One man, one job; that is what it means.

Hon. H. STEWART: There will be just as many jobs if my amendment be carried because the Act already provides that every mine must have a certificated manager.

Hon. J. R. Brown: You want to do away with that.

Hon. H. STEWART: No, I am quite prepared to leave it so that every mine shall have a certificated manager. I am not in agreement with the proposal that whilst every mine shall have a certificated manager, there should also be a provision that a man shall not have control of more than one mine. As the clause is worded, if people controlling a series of mines desire that one man should be general manager, it will not be possible for them to carry out their wishes, if he is merely a certificated manager.

Hon. J. Ewing: Of course it will be possible.

Hon. H. STEWART: Not if the clause be carried as it stands. The hon. member is merely stating his opinion.

Hon. J. Ewing: And so are you.

Hon. H. STEWART: I hope that the confidence of the hon. member will not lead the Chamber to accept the amendment proposed. If it is the Government's desire that every mine worthy of the name should have a certificated manager, still it is well to bear in mind the definition of "mine." Under that definition any coal prospecting proposition whatsoever is a mine: once a man begins delving in the earth, there is a mine. I suggest the Government should ask that for every mine employing over ten, or perhaps over twenty, men underground there shall be a certificated manager. Otherwise this provision must tend to retard prospecting for coal. Moreover, a certificated manager might not be the best man to open up and develop a prospecting show, as Mr. Ewing knows. Lastly, a man considered capable of administering more than one mine should not be prevented from doing so.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; the Honorary Minister (Hon. J. W. Hickey) in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Amendment of Section 6:

Hon. J. NICHOLSON: I move an amendment—

That the following words be struck out:—"Subsection (1) of Section 6 of the principal Act is repealed, and a subsection inserted in place thereof as follows:—'(1) No person shall be, or be employed, below ground in a mine for the purpose of his work for more than seven hours during any consecutive 24 hours.'"

I have already stated my views on this provision.

Hon. E. H. GRAY: I hope some reason will be given for the amendment.

Hon. H. Seddon: Reasons were given in second-reading speeches.

Hon. E. H. GRAY: Many members have consistently said that the 44-hour week is all right but that industry cannot stand it. That argument cannot be used in this case. I wish our old friend Mr. R. J. Lynn were here to-day. He was certainly not a Labour man; he was a Nationalist and an employer. If he were present, he might be able to persuade some of our Conservative friends of the usefulness of this provision.

Hon. E. H. Harris: Probably he has agreed to the line of least resistance.

Hon. E. H. GRAY: Nothing of the sort. What has been argued against the 44-hour week for other industries does not apply here, even though a 42-hour week is fixed. Mr. Ewing has been most consistent in his attitude, and has put the position fairly and truthfully. The Collie coal mining industry, which term includes both employers and men, has the right to be considered by the Chamber

Hon. J. EWING: It has been inferred that on this Bill I am taking up an attitude which I ought not to take up if I wish to be consistent. One member said I favoured the Bill because "it applies to my own backyard." I repudiate any such suggestion. My action is dictated entirely by my conscience. Twenty-four years ago when member for Collie I introduced a Bill similar to this into the Legislative Assembly. The measure was not largely discussed but was referred to a select committee including a practical coalminer, Mr. Fergie Reid. The committee sat for several weeks and recommended the Bill to the Assembly. Even at that time there was no doubt about the advisableness of such a clause as this. The provision was unanimously supported in the Assembly and was largely supported in the Council when the Bill was sponsored by the late Hon. E. M. Clarke. I hope members will not agree to the amendment. The principle of the clause is established by Section 6 of the parent Act, the only difference being that between eight and seven. I am perfectly consistent in my attitude. I have not adopted that attitude, as one member has suggested, because this matter has to do with something in my own back yard. No member should try to take away by Act of Parliament what was established 24 years ago. The miners have had a conference with the owners and with the department, and have decided that seven hours is the proper period of work. The mine owners have agreed, the department have agreed, and the only question is that raised by some members who contend that the fixing of hours should be left to the Arbitration Court. But practically all the world over the hours of miners, coal miners particularly, are fixed by Act of Parliament. We have eight hours in the existing Act, and there can be no reason why we should not have seven hours fixed in the Bill. The question of hours should not be left open. The principle has worked well for 24 years, and the Arbitration Court has already agreed to the departure from eight hours to seven hours. I would not mind the Arbitration Court fixing the rate of pay and the hours for workmen other than coal miners.

Hon. G. W. Miles: That is where you are inconsistent.

Hon. J. EWING: I am not inconsistent. No member should say so. The inferences drawn from the attitude I have taken up are altogether wrong, and the hon. member should be the first to acknowledge it. Mr. Holmes, for whom I have great respect, implied that I was doing this simply because it concerns my own back yard. That is not fair criticism. No member should impugn the integrity of another member. It was a very unfair thing to say; in fact, the hon. member was out of order in saying it and should have been brought to order at the very moment he did say it.

The CHAIRMAN: Order!

Hon. J. EWING: I do not wish to reflect on the Chair in any way, but certainly it was an unfair thing for the hon. member to say. I hope members will reject the amendment. I will support the Minister.

Hon. J. NICHOLSON: I have not imputed any motives to Mr. Ewing.

Hon. J. Ewing: No, but another member did.

Hon. J. NICHOLSON: I had thought to move a different amendment to the clause, but it appeared to me that the better way would be to test the feeling of the House by moving to delete portion of the clause entirely. Mr. Ewing says the amendment would destroy the whole effect of the provision in the 1902 Act.

Hon. E. H. Gray: It is an attack on the principle.

Hon. J. NICHOLSON: The amendment will not in any way interfere with the achievement of what has been already accomplished through the Arbitration Court. Mr. Ewing said the court had registered an agreement fixing the hours at seven per day. Subsection 1 of Section 6 of the Act prohibits the employment of a worker underground for more than eight consecutive hours, but there is nothing in the section making it necessary to employ a man for the full eight hours. The men adopted the right method in going to the Arbitration Court and getting the court to register an agreement providing for a 7-hour shift, for the court is the proper authority to decide such things. The amendment will not interfere with the right of the parties to go to the court. The agreement registered with the court will have effect all over the Collie district, and will prevent the miners being employed for more than seven hours at a time. What more is required? If we were to accept the clause as printed we should be usurping the powers of the Arbitration Court.

Hon. E. H. Gray: The court only registered what had been decided upon.

Hon. J. NICHOLSON: But that has created the right, and no one can now employ those men for more than seven consecutive hours. If we agree to the amendment the 1902 Act can stand as it is.

Hon. J. Ewing: You are most inconsistent.

Hon. J. NICHOLSON: I do not see how the hon. member can even allege inconsistency in that. If he would like to see the whole of the clause struck out, no doubt that could be done.

Hon. J. M. Macfarlane: The section in the Act will be struck out if we carry the amendment.

Hon. J. NICHOLSON: No, nothing will be interfered with. One would think that because a member raises his voice against a provision to fix the hours of labour, he is opposed to the granting of short hours.

Hon. J. R. Brown: He is, too.

Hon. J. NICHOLSON: I am not opposed to a short working day. All that I have argued is that if industry is to be carried on successfully, we should determine remuneration on the basis of production and not of hours. Mr. Gray said that Henry Ford had suggested a reduction of hours for his employees, but would Mr. Gray support a proposition to remunerate the Collie miners on the same basis as Henry Ford pays his men, namely the basis of production?

Hon. E. H. Gray: That prevails at Collie now.

Hon. J. NICHOLSON: Can Mr. Gray say that Henry Ford proposes to ask the Legislature to fix the hours at seven per day?

Hon. J. Ewing: The hours for coal miners are already fixed at eight per day.

Hon. J. NICHOLSON: Will Mr. Gray cite Henry Ford as an authority on these questions and as a precedent to guide me? Henry Ford has done nothing of the sort. If he approached the legislature with such a request, he would be told to go to the court—if there is one in that country—or embody it in an agreement with his employees. We have established an Arbitration Court and it is the duty of the court to fix the hours of labour. Let the parties fix the hours at seven, six or five, as may be suitable, and if they can produce as much coal in that time and are paid on the basis of production, it will be immaterial to me.

Hon. J. M. Macfarlane: And not penalise the consumer.

Hon. J. NICHOLSON: This sort of thing means exploiting the public and we have to voice the opinion of the public. I hope Mr. Ewing will realise that the inconsistency lies not with me, but entirely on his side.

Hon. J. EWING: Mr. Nicholson says the inconsistency lies with me. Yet the hon. member has moved to strike out the clause stipulating a seven-hour day and is quite content to leave in the Act of 1902 the provisition for an eight-hour day. I cannot imagine any more arrant inconsistency than that. No doubt the hon. member, being a lawyer, will endeavour to tear my argument to pieces, but I leave it to members to decide on the facts who is the inconsistent one.

Hon. J. NICHOLSON: Surely Mr. Ewing must recollect that when we were discussing the Industrial Arbitration Act Amendment Bill, considerable reference was made to the industrial conferences held at Geneva, where

it was agreed that the hours of labour should be eight per day. Even Mr. Gray supported that. I did not wish to do anything to hurt Mr. Gray's feelings or to jeopardise the resolutions passed at the Geneva conferences, and therefore I offered no objection to the retention of the 1902 provision. I see no reason for regarding my attitude as inconsistent.

Hon. V. HAMERSLEY: I object to this clause. It provides—

> No person shall be or be employed below ground in a mine for the purpose of his work for more than seven hours during any consecutive 24 hours.

This means, in short, that no person shall be below ground for the purpose of his work.

Hon. E. H. Harris: For what else would he be there?

Hon. J. M. Macfarlane: Collecting dues for the union, perhaps.

Hon. J. Ewing: Where does that appear?

Hon. V. HAMERSLEY: In Clause 6. The hon. member read it quickly and was inconsistent. Apparently the proprietor of a mine is not to be permitted to be below ground.

Hon. J. R. Brown: It says for the purpose of work.

Hon. V. HAMERSLEY: He might be there to consider, plan and arrange matters. I should like an explanation of the clause.

Hon. E. H. HARRIS: Mr. Hamersley's remarks show that he has not followed the Bill so closely as have some members. The parent Act provides that the prohibition shall not apply to the manager of a mine or to any over-man or deputy.

Hon. H. Stewart: But it is being repealed.

Hon. E. H. HARRIS: The owner would not be prohibited from going there.

Hon. J. E. DODD: I oppose the amendment. The first effective Arbitration Act was passed in 1902, and since then many measures limiting the hours of labour have been passed. Amongst them might be mentioned the Early Closing Act, the Factories Act and the Mines Regulation Act. Can it consistently be argued, then, that we shall be doing something opposed to established custom by including a limitation of hours in this Bill? There is a certain amount of logic in Mr. Nicholson's contention. Speaking generally it would be preferable to submit all matters relating to hours and wages to the Arbitration Court, but I cannot shut my eyes to the fact that since Mr. Nicholson has been in this House, measures limiting the hours of labour have been passed.

Hon. J. Nicholson: The limitation of hours for females in factories is a different thing.

Hon. J. E. DODD: Coal mining is not to be compared with gold mining in the matter of disabilities. Gold miners' hours should be reduced lower than those prescribed for anyone else, but I shall not run away from the opportunity to reduce coal miners' hours. Any man who has worked a seven-hour shift underground has done quite enough. When I reflect that there has been an increase of production since the coal miners' hours were reduced from eight to seven, I feel justified in voting to embody the seven-hour day in this measure.

Hon. J. M. MACFARLANE: While agreeing with all that Mr. Dodd has said about Parliament limiting the hours of labour for certain workers, customs come and customs go, and for many sessions this House has declined to have anything at all to do with the fixing of hours of labour. We have already stated that the Arbitration Court should fix hours, and I agree with that view. As the Collie miners and owners have been working in harmony for five years on this question why should it be necessary to embody it in the Bill? If we keep this provision in the Bill, some hardship may be imposed upon the gold mining industry, which is not in a position to pass the cost on to the consumer. I hope the amendment will be carried.

Hon. A. BURVILL: I support the amendment. Members should be consistent in their votes. They have decided that questions of this sort should be determined by the Arbitration Court.

Hon. Sir WILLIAM LATHLAIN: It is not the duty of members of this Chamber to express an opinion concerning hours of labour. We are beating the air, because no one desires to alter the agreement arrived at between the parties concerned. If the amendment is carried the position remains as it is. The Act says that men shall not work underground in coal mines for more than eight hours a day, and it has now been agreed that they shall work for seven. This should not be provided for by legislation, because the time may come when the men may be required to work longer than seven hours a day. Mr. Nicholson placed the case before members without making any imputation concerning the inconsistency of any member.

Hon. J. Ewing: I accept that as an imputation. The hon. member suggests that I was inconsistent and I ask him to withdraw the statement.

Hon. Sir WILLIAM LATHLAIN: If I said anything I should not have said I withdraw it. I have not yet referred to the hon. member's inconsistency. If members are to be consistent, they must support this amendment. I am informed that the Collie miners work only 77 hours a fortnight.

Hon. H. A. STEPHENSON: The parties to the agreement have decided that the men shall work less than the hours specified in the Act. If the amendment is carried, this agreement will not be interfered with. I intend to vote for it.

Hon. W. J. MANN: The consensus of opinion seems to be that the hours of work in this industry should not be specified in an Act of Parliament, but should be left to the Arbitration Court. If the amendment is carried, the hours that have been agreed upon by the parties will not in any way be interfered with.

Hon. H. SEDDON: It is the function of the court to deal with these matters. I think the hours were originally inserted in the Act to provide a limit to the hours that miners might be called upon to work, from the point of view of their health. No medical evidence has yet been tendered in support of a seven-hour day in the coal mining industry. The agreement between the parties will not be interfered with by the passing of this amendment. We would be justified in limiting the hours in any industry if we thought it was necessary to do so in the interests of the health of the employees. Seeing that this question can properly be dealt with by the court it should be left to that tribunal.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. R. BROWN: It is an old saying that a man convinced against his will is of the same opinion still, and that appears to be the spirit pervading this Chamber. I cannot see any indication of the consistency that has been spoken about. The provision regarding working hours has been agreed to by the parties concerned, and the principle of fixing the hours has already been established in legislation. All we ask is that the agreement, registered in the Arbitration Court, between the employers and the men shall be embodied in the Bill. The House has already agreed to adopt such a course by passing the Early Closing Act, the Factories and Shops Act, and other Acts. Moreover the men on the goldfields are not allowed to work more than 44 hours according to the law. The clause represents a humanitarian move that will have the effect of preventing men from doing something that might impair their health. We have had evidence furnished that the Collie miners have produced more coal with the seven-hour day than with the eight-hour day, proving that when men are in better health they can work harder. If the provision were for nine hours a day, nothing would be said against it.

Hon. A. Burvill: That is absolutely wrong!

Sir William Lathlain: We do not object to the seven-hour day

Hon. J. R. BROWN: It is desired to embody that provision in the Bill because Collie may not be the only coalmining centre in the near future. It is possible that coal miners at another centre might be asked to work nine hours a day .

Hon. G. W. Miles: The Arbitration Court would not permit it to be done.

Hon. J. R. BROWN: This House has placed so many restrictions upon the Arbitration Court that it is almost impossible to get a decent deal from that tribunal.

Sir William Lathlain: That is a strong statement to make.

Hon. J. R. BROWN: Some years ago we put up a case to Judge Burnside, but he has not given his decision yet. That was the Bulong case regarding the Queen Margaret Mine. The union spent between £200 and £300 in preparing the case, and secured no result. If there is no objection to the seven-hour day, why not embody it in the Bill?

Hon. J. M. Macfarlane: The Collie miners have had it for years; why disturb it?

Hon. J. R. BROWN: We merely ask that seven hours be included in the Bill instead of eight hours, as formerly. I know that Mr. Holmes will fight us to the last ditch so long as the proposition is in the interests of the workers; if the provision were to please the boss, there would be nothing said. It amuses me to hear this Chamber called a House of review, for that is a farce. I hope the clause will be passed as it stands.

The HONORARY MINISTER: I am with hon. members who stand for constitutional provisions, and I agree with their references to the Arbitration Court. On the

other hand, I always desire to seize an opportunity, such as that now presented to us, of agreeing to a proposition that meets with the approval of both the employers and the employees. Mr. Holmes mentioned sincerity and consistency, and criticised the attitude of Mr. Ewing. None of us can afford to carry his heart on his sleeve and say, "Thank God, I am not like the rest of them." For 24 years the miners subscribed to the provisions under which they have had to work, and while Mr. Ewing has been here, he has had to abide by the hours fixed by law. This Chamber has subscribed to the regulation of hours in various enactments that have been passed.

Hon. J. Nicholson: Not under similar conditions.

The HONORARY MINISTER: In those circumstances, what becomes of the talk of consistency? Let Mr. Holmes and Mr. Nicholson be consistent! They have already subscribed to the fixing of hours in legislation.

Hon. J. J. Holmes: To which Acts do you refer?

The HONORARY MINISTER: The Mines Regulation Act, the Early Closing Act, and other measures that have been referred to this evening. Both the employers and the employees have agreed that seven hours a day is sufficient for the coal mining industry at Collie. I agree with Mr. Dodd and other goldfields members, and wish that the Bill dealt with the gold mining industry as well as the coal mining industry. That does not debar me, however, from agreeing to give one section of the workers a privilege that, for the time being at any rate, other workers cannot secure. I do not doubt the sincerity of other hon. members, but if they are anxious to maintain industrial peace, they should seize this opportunity to show their consistency and sincerity by accepting the clause.

Hon. V. Hamerley: It might bring about industrial reaction.

The HONORARY MINISTER: As both sides have agreed, why should anyone else oppose the inclusion of this provision?

Hon. J. J. Holmes: The amendment will not affect the industrial agreement.

The HONORARY MINISTER: No, but it will affect the Bill. Should new coalfields be opened up, neither the employees nor the employers there may be as reasonable as those at Collie and difficulties may arise in arriving at an agreement. It is hard to get two conflicting parties to agree, as was done at Collie. If we may judge from the attitude of some hon. members, it would appear that no matter how far we are prepared to go in the interests of industrial peace, they always endeavour to put a wedge in and make the cleavage greater, nullifying any legitimate attempt in the direction of industrial peace. References have been made to the experiences at Broken Hill and on the Golden Mile, and I know the human wreckage caused by the piecework system.

Hon. G. W. Miles: But they agreed to the piecework conditions in those mines.

The HONORARY MINISTER: But that did not affect the result. While sanatoria may be monuments to the sympathy of the people and to the humane legislation passed by various Governments, yet they stand to the lasting discredit of the system that caused such human wreckage. There are organisations that have not the opportunity to go to the Arbitration Court. I could quote many illustrations of the inconsistencies of hon. members in this Chamber on the question of hours, but I do not intend to do so. We hear them talking about reduced hours, but when the opportunity comes along for them to prove their sincerity in the interests of industrial peace, and the putting of the employer and employee on a better footing, they are found wanting. All that is asked for in the Bill is that the hours of work should be embodied in the clause, so that the understanding that has been arrived at may continue. It is essential that this should be so, and the House has frequently expressed its anxiety in the direction of such understandings remaining in existence. This is the opportunity for members to show their sincerity and they should vote for the retention of the clause, even though they may have to stretch their principles a little. I appeal to hon. members to endorse what has been agreed to in this instance by both parties, even though by so doing they may be going a little further than they may deem it their duty to do. I trust Mr. Nicholson will see his way to withdraw the amendment, and if he will not agree to that suggestion, that members will assist to bring about its defeat. He should, however, recognise that the clause is in the interests of all concerned and therefore I appeal to him to withdraw it.

Hon. Sir WILLIAM LATHLAIN: The Minister offered some remarks about members who had agreed to the 7-hours principle

on previous occasions. It is my desire to start by being consistent, and there are other members here as well as myself to whom this legislation is new. We therefore cannot come within the category of those referred to by the Honorary Minister as adopting an inconsistent stand. One important factor in relation to the clause is that the working period of eight hours has been on the statute-book and has been the recognised period throughout Australia.

Hon. E. H. Gray: It was a long time ago.

Hon. Sir WILLIAM LATHLAIN: It is a recognised period in many industries in Australia to-day, and in my opinion the Arbitration Court is the only tribunal that has the right to say what the hours shall be. If employers and employees agree to work seven hours, let them do so, but it is not the function of this House to give its consent or endorsement to that. If we do, we shall create a serious precedent which might be grasped by other industries throughout the State.

Hon. J. M. MACFARLANE: Possibly at some time or other I may have voted for the restriction of hours, though I do not for the moment recollect having done so. But with my experience I would be prepared to say, in the event of my having done so, that I would now recast those views, and my vote would not go in the same direction. A good deal has been said about consistency and principle. I am sure it cannot be charged against unions generally that they are not consistent. I may quote from the "West Australian" of the 21st September last. In that issue there is the report of the furniture trades case before the Arbitration Court. That report shows how consitent the unionists are in the direction, if possible, of eliminating altogether the hours of work This is an extract from the evidence—

Thomas Charles Robertson, a cabinetmaker and member of the union, said that he could do more work in 44 hours than in 48. When in business on his own account he had sometimes worked 48 hours.

Mr Bloxsome: What was the object of working 48 hours? According to your answer you must have done less work.

Witness: The days I worked longer I worked slower. If I made up my mind to a 44-hours week I should be working harder.

Mr. Carter: Until you get the 44-hours week you do not propose to exert your full productivity?

Witness: I propose to give them a fair go.

Bernard Martin Johnson, a cabinetmaker employed by Boans, Limited, asked by Mr. Carter, "You are a strong advocate for a 44-hours week?" "I am," witness replied. "Thirty hours, if I could get it." (Laughter).

Mr. Carter: So this is not the ultimate goal?—No man is ever satisfied; he will get all he can.

Mr. Carter: Is it eventually to be the elimination of all work and the distribution of wealth?—That is all right if you can get it.

The President: Who is going to make the world go round?—I am not troubling about that (Laughter). I have not long to live in this world.

Following my former attitude that what is proposed in the Bill is economically wrong, I intend to support the amendment.

Hon. J. NICHOLSON: The Minister referred to my attitude in connection with the Mines Regulation Bill, and said that I had voted for an amendment on the lines of the one now being discussed.

The Honorary Minister: I did not say that.

Hon. E. H. Gray: It was the Factories and Shops Bill.

Hon. J. NICHOLSON: May I call attention to the fact that that Bill was not parallel at all to this.

Hon. E. H. Gray: It dealt with the limitation of hours.

Hon. J. NICHOLSON: The Factories and Shops Bill merely fixed the closing hours of shops and did not interfere with the working hours.

Hon. E. H. Gray: It limited the hours of shop assistants.

Hon. J. NICHOLSON: I have consistently opposed those limitations, and I have always believed in what I have spoken about to-night, that the authority which has been constituted to deal with these questions should be the tribunal to which they should be referred.

Hon. W. T. GLASHEEN: I am wondering what all the noise is about. I cannot see any necessity for amending the legislation. We have been told that Collie is the only centre concerned, and that the employers and employees are in perfect harmony in respect of these questions, all parties having agreed to the principles. Therefore, I again ask why the necessity for all the noise. I am surprised at Mr. Ewing's sensitiveness regarding the statements made about himself. I believe he graduated in politics in another place, where a charge of inconsistency is quite a minor affair. Therefore I cannot understand his being so sensitive here. If we object to the principle of this Parliament fixing the hours of labour at seven per day, we have been inconsistent for a period of

26 years, inasmuch as in the principal Act we agreed to Parliament fixing the hours at eight per day. This, however, may be quite all right with regard to Collie, where all parties are agreed. There is nothing wrong with it there, but what would be the position were we to-morrow to discover new coal deposits?

Hon. E. H. Gray: That is why we want it in an Act.

Hon. W. T. GLASHEEN: That is just why we do not want it in an Act. If we discovered new deposits, the seven hours would be all right for Collie, which is established and on a paying basis, but we should be imposing restrictions on the development of the new deposits. What chance would they have? Therein lies the principal danger. I intend to support the amendment.

Hon. E. H. GRAY: The resolution of the Geneva conference asking for an eight-hour day in all industries is a conclusive proof of the need of special legislation for the hours of miners. No sacrifice of principle is involved in supporting the clause. Here is an industry unanimously in favour of the seven-hour day. I can understand certain members being touchy as to this proposed regulation of hours, but at Fremantle it is remembered to Mr. Holmes's honour that in years gone by he favoured early closing. The argument of longer hours being worked in similar industries in other States does not apply in this case.

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

Ayes	11
Noes	7
Majority for	4

Ayes	
Hon. W. T. Glasheen	Hon. G. W. Miles
Hon. H. V. Hamersley	Hon. J. Nicholson
Hon. J. J. Holmes	Hon. H. A. Stephenson
Hon. G. A. Kempton	Hon. H. J. Yelland
Hon. Sir W. Lathlain	Hon. A. Burvill
Hon. J. M. Macfarlane	(*Teller.*)

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

Pair.	
Ayes.	Noes.
Hon. H. Stewart	Hon. J. E. Dodd

Amendment thus passed.

Hon. J. NICHOLSON: In view of what has just been carried, it will be necessary to amend the remaining words of the clause. Accordingly I move an amendment—

That the word "thereof," in line eight, be struck out, and "of Section 6 of the principal Act" inserted in lieu.

Amendment put and passed.

Hon. E. H. HARRIS: What is the interpretation of "engineer" under this Bill? An engineer may be a mechanic, an electrician, or a pumper. In view of the prohibition from working which is in the principal Act, there should be some definition of "engineer." Anyone might be brought to work underground on Sunday on the plea that he is an engineer, electrician or pumper.

The HONORARY MINISTER: The descriptions of the various employees have usually been accepted as shown on the paysheet. Certain persons are exempted from the conditions fixed for Sunday work. In this case also the paysheet designation will apply.

Hon. E. H. Harris: But frequently an engineer is a pumper as well.

The HONORARY MINISTER: Whatever he is, he will get the higher rate of pay. The definition of an engineer is a bona fide engineer. If a man is on the paysheet as an engineer, that definition will suffice.

Hon. E. H. Harris: What is a qualified engineer? There is no qualification for an engineer. An engineer might be an underground engineer.

The HONORARY MINISTER: Certain qualifications must be insisted upon by every mine management.

Clause as previously amended put and passed.

Clause 6—Amendment of Section 7:

Hon. E. H. HARRIS: This provides that sinking pumps, borers and coal cutting machines shall not be deemed to be machinery within the meaning of this subsection. Section 53 of the Inspection of Machinery Act provides that every person employed as the driver of machinery shall hold the required certificate. I should like an assurance from the Minister that the persons provided for here do not come within the scope of the Inspection of Machinery Act.

Clause put and passed.

Clause 7—agreed to.

Clause 8—Amendment of Section 15:

Hon. E. H. HARRIS: The clause refers to the general secretary of the "Miners'

Union." Can the Minister tell us the name of the miners' union at Collie? In the list of registered organisations it is given as the Collie River District Miners' Industrial Union of Workers. However, it is not desirable to have the name of any union in a Bill and so I move an amendment—

That in lines 11 and 12 of the proposed new Subsection (2) the words "general secretary of the Miners' Union" be struck out with a view to inserting other words.

The words I propose to insert are "accredited representative of any employees' union." Then if at any future date the name of the union be altered, it will still be in accordance with this provision.

The HONORARY MINISTER: I hope the Committee will not agree to the amendment, for it means loading up the Bill with what is unnecessary. There is only one organisation concerned, and so the amendment is quite superfluous. The Collie miners themselves are well satisfied with the clause. The term "miners' union" covers everything.

Hon. E. H. HARRIS: All that is given here is "miners' union." We have many miners' unions in Western Australia. The correct name of the union at Collie is the "Collie River District Miners' Industrial Union of Workers." A little later in the Bill it is provided that the executive of the "Collie Miners' Industrial Union of Workers" shall do certain things. If only for that reason, the amendment is quite necessary. Again, while there is only one coal miners' union to-day, the time may come when we shall have another union, perhaps on another coalfield.

Hon. J. R. Brown: Or we might have a bogus union at Collie.

Hon. E. H. HARRIS: The amendment is merely to make clear the meaning of the provision.

Hon. J. J. HOLMES: The amendment is essential. Those who believe in the possibilities of the South hope that many more coalfields will be opened down there. At Irwin also we have had boring for coal for many years past. By a coincidence the boring begins just before every general election and ceases immediately after that election. The clause refers to the general secretary of the miners' union. Which miners' union? That at Collie or that at Irwin? The Minister, if he would but read the clause, would see that the amendment aims at reducing chaos to order: it is devised merely to make the provision workable.

The HONORARY MINISTER: I am astonished at the hon. member's argument. Could anything be more ridiculous? A shop assistants' organisation operates extensively at Collie.

Hon. J. J. Holmes: Read what the amendment refers to.

The HONORARY MINISTER: It does not even apply to the industry.

Hon. J. J. Holmes: It means an accredited representative of an employees' union interested in the raising of coal.

The HONORARY MINISTER: The organisation concerned is the Collie Miners' Union. The Bill has been framed by people who understand what is required, and to bring in any organisation other than the one associated with the industry would be ridiculous. Under the amendment any other organisation could step in and create discord.

Hon. E. H. HARRIS: The clause relates to the weighing of coal, and it is folly for the Honorary Minister to contend that any union might butt in. Who would be interested but the people hewing the coal? It might happen that the wheelers or truckers decide to form a union, apart from that of the miners, and the amendment would permit any such union interested to undertake the duty.

Hon. J. EWING: The hon. member should not attempt to alter the Bill. There is only one miners' union at Collie.

Hon. E. H. Harris: Will there be only one for ever?

Hon. J. EWING: There is one general secretary of the union.

Hon. A. Burvill: Is there going to be only one coal mine in Western Australia?

Hon. J. EWING: If a coal mine is opened up in the Irwin district, the men there will have their own secretary.

Hon. H. J. Yelland: And we shall have to amend the Act to make it applicable.

Hon. J. J. Holmes: What about the future?

Hon. J. EWING: The general secretary of the miners' union will undertake the duty. If a mine should be opened up in the Irwin district, the general secretary would undertake the duty there.

Hon. E. H. Harris: That supports my amendment.

Hon. J. EWING: At present coal mining is carried on at Collie only.

Hon. J. Nicholson: Suppose we had two unions, to which would the general secretary relate?

Hon. J. EWING: The general secretary of the Collie Miners' Union.

Hon. E. H. Harris: But even that is not mentioned in the Bill.

Hon. J. EWING: If coal is raised in the Irwin district, the men there will have a union and the measure will apply just the same. The clause is quite clear.

Hon. J. J. Holmes: Clear enough for Collie to the exclusion of everyone else.

Hon. W. J. MANN: The amendment is justified because it will overcome any ambiguity. I cannot understand why the Minister should object to clarifying the position.

Hon. J. Ewing: The coal miners will have some objection to it.

Hon. W. J. MANN: The men at Collie have been dissatisfied that the inspector of weights and measures should be in Perth. They desire to have the officer who attends to the coal mines weighing machines under the direction of the Mines Department, with which they are always in touch. I cannot see that the Minister has any reasonable ground for complaint against the amendment.

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

Ayes	12
Noes	5
Majority for	7

AYES.

Hon. W. T. Glasheen	Hon. W. J. Mann
Hon. H. V. Hamersley	Hon. G. W. Miles
Hon. E. H. Harris	Hon. J. Nicholson
Hon. J. J. Holmes	Hon. H. A. Stephenson
Hon. G. A. Kempton	Hon. H. J. Yelland
Hon. Sir W. Lathlain	Hon. A. Burvill (*Teller.*)

NOES.

Hon. J. R. Brown	Hon. J. W. Hickey
Hon. J. M. Drew	Hon. E. H. Gray
Hon. J. Ewing	(*Teller.*)

Amendment thus passed.

Hon. E. H. HARRIS: I move an amendment—

That the following words be inserted in lieu of the words struck out:—"accredited representative of any employees' union."

The HONORARY MINISTER: The amendment is the most ridiculous that I have known to be placed before this Chamber.

The CHAIRMAN: Order! The hon. member must not reflect on the Chamber.

The HONORARY MINISTER: I protest against any employees' union, any tin-pot organisation, being able to butt in at Collie and create all sorts of discord and trouble, as this amendment will permit it to do. At present no secretary of any organisation has power to interfere in the arrangements at Collie. It is now proposed deliberately to give them power to go butting into Collie. If that power is given there will be trouble 24 hours afterwards. I know that some accredited representatives, as they are called, will do their best to cause trouble if they get the opportunity. The responsibility will rest with members of this Chamber.

Hon. J. EWING: I hope the amendment will be defeated. I suppose it will be carried because members are not fully acquainted with the Collie coal industry, or coal mining in any other part of the world. In every coal mining district there is a strong organisaton for the protection of the miners. There is usually a general secretary, who is all-powerful. He can work for good or for ill. It would be wrong to pass this amendment. The position at Collie has been good for the past 10 years, and if we interfere with the officials there we shall be doing irreparable harm. The amendment will do injustice to a big body of men at Collie.

Hon. E. H. Harris: Do you not credit them with having common sense?

Hon. J. EWING: This amendment will be a reflection upon the general secretary of the Collie Miners' Union. Members should not interfere with the elect of the miners.

Hon. E. H. HARRIS: I am surprised at the turn of affairs. One would think that every industrial organisation would want to butt in at Collie. Mr. Ewing agreed to this power being given when we were dealing with other unions, and I think we ought to be consistent. In order to meet the wishes of the Honorary Minister as well as those of Mr. Ewing, I move—

That the amendment be amended by adding the following words:—"engaged in the coal mining industry."

The HONORARY MINISTER: It is quite clear that Mr. Harris does not understand the position. He is now trimming, and wishes that any organisation engaged in connection with the coal mining industry, such as the enginedrivers' organisation, should be able to butt in. Why tinker with

a proposition that deals only with coal miners? My only object is to conserve industrial peace, and I think the clause as it stands is quite in order. If it is amended, members will have to take the responsibility.

Hon. G. W. MILES: Surely we are legislating for the coal mining industry that may develop in any part of the State. It appears to be the desire to create a monopoly for Collie. Mr. Ewing talks of one general secretary, and of somebody insulting that official.

The Honorary Minister: Individuals do not count.

Hon. G. W. MILES: We should legislate for the whole State, and not only for the industry at Collie. The Committee would be quite justified in amending the clause.

Hon. J. EWING: We are not legislating only for the industry at Collie, but for any part of the State where the industry may exist. It ought to be quite clear to members that there are several organisations in Collie all working under one organisation, with a general secretary at the head. There may be also a general secretary on the Irwin River coalfield. Members would not be justified in interfering with the coal mining officials. Grave objection would be taken to their action by the coal miners.

Hon. E. H. HARRIS: If members are sincere, they will accept my further amendment. Only those who are vitally interested in what is being done would be allowed to remain on the mines for five minutes.

Hon. J. Ewing: Give the Bill a chance. This is going too far.

Hon. E. H. HARRIS: No logical argument has been advanced against the amendment. The names of two organisations are mentioned in the Bill, but in neither case is the name correctly stated.

Hon. J. Ewing: That can be rectified.

Amendment on amendment put and passed.

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

Ayes	11
Noes	5
Majority for ..	6

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

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

Amendment as amended thus passed.

Clause, as amended, agreed to.

Clauses 9 to 11—agreed to.

Clause 12—Amendment of Section 21:

Hon. E. H. HARRIS: The parent Act says that a mine manager shall have the responsibility of controlling the mine, but the clause is intended to alter that provision. In view of the sections of the Inspection of Machinery Act, the clause may lead to complications. Will the Minister explain the position?

Hon. G. W. MILES: I move an amendment—

That Subclause (2) be struck out.

Mr. Stewart dealt with this question this afternoon and I understood from him that if the clause were agreed to, it might result in a manager not being able to act as general manager of more than one mine. Mr. Stewart considered that a certificated manager should have power to control more than one mine, so long as a certificated man was in charge of each individual mine.

Hon. E. H. Harris: That is, underground.

Hon. J. Ewing: I should say that that is all that is wanted.

The HONORARY MINISTER: During the tea adjournment I discussed this question with Mr. Stewart, and I consider that the Bill provides what he desires. It sets out that a certificated man must be in charge of one mine only, but that does not prevent a qualified person from controlling a number of mines so long as a certificated man is specifically in charge of each mine. If the information I have conveyed to hon. members is not correct, we can recommit the Bill to deal with the clause again later on.

Hon. V. HAMERSLEY: Apparently there is a conflict of opinion regarding what the clause really means and in addition to that, the information sought by Mr. Harris has not been forthcoming. I suggest that the Minister report progress.

Hon. G. W. MILES: I suggest that the Minister postpone the consideration of Clause 12.

The HONORARY MINISTER: I am certain about the position in my own mind,

but I will meet the wishes of hon. members by moving—

That the consideration of the clause be postponed.

Motion put and passed.

Clause 13—agreed to.

Clause 14—Amendment of Section 24:

Hon. E. H. HARRIS: During the second reading debate, I referred to the abolition of certificates of service. The clause provides that those already issued shall be valid. Many qualified men who come out from England are capable of undertaking duties in connection with our coal mines, and I suggest that some provision should be made for recognising their certificates. The Minister said, when replying, that my suggestion was worthy of consideration. If the Minister has not been able to give consideration to the matter, I suggest that the consideration of the clause be postponed so that an amendment may be framed by the Crown Law Department to permit of those certificates being recognised.

The HONORARY MINISTER: I have a note on that point, but I do not consider it satisfactory. I move—

That the consideration of the clause be postponed.

Motion put and passed.

Clause 15 to 18—agreed to.

Clause 19—Prohibition of Sunday labour:

Hon. E. H. HARRIS: If this clause is framed with the object of preventing work on Sunday, I submit it will be possible to employ people and give an honorarium afterwards, in which case there will not be a breach of the Act. If that is the object, the clause will be valueless. Subclause 2 of the same clause refers to penalties. It says—"If the employer is the owner, agent or manager each of them shall be severally liable to the penalty." Are there to be three penalties for the one offence? It seems clear that if the employer is the owner, agent or manager he is liable to be fined three times.

The HONORARY MINISTER: I do not read the clause as the hon. member reads it. If the employer is the owner, agent or manager, each will be liable to the penalty.

Hon. E. H. HARRIS: If he is the three he can be fined three times for the one offence. I ask members to read the clause and to tell me whether they understand what it means. To my mind it means that one man may be fined £5 three times over for the one offence. If the Minister is not sure of the meaning of the clause, I suggest he postpone its further consideration until he secures the opinion of the Crown Law Department.

Clause put and negatived.

Hon. E. H. Harris: Why did you not agree to postpone it?

Hon. W. T. Glasheen: It would have been better to postpone it than to lose it.

Hon. J. Ewing: Do I understand that the clause has been deleted?

The CHAIRMAN: Yes.

Hon. J. Ewing: That is very serious.

The HONORARY MINISTER: My intention was to agree to the postponement of the clause. Perhaps it was due to my mistake that it was negatived.

The CHAIRMAN: The Minister called for a division, but his was the only voice. I declared that the "Noes" had it.

The HONORARY MINISTER: I was considering at the time the advisableness of postponing its further consideration so that it might be looked into.

The CHAIRMAN: The Minister's best course now is to recommit the Bill and then move to reinstate the clause.

Clauses 20-21—agreed to.

Clause 22—Aged and Infirm Coal Miners' Superannuation:

Hon. E. H. HARRIS: Subclause 3 provides that any person who has worked continuously as a miner in a coalfields district shall be entitled to certain benefits. Does that embrace all men on a mine, all men working underground, or those who are miners only? We provide in the clause that everyone working in the industry shall subscribe. Unless there is a definition of "miner"——

Hon. J. Nicholson: There is a definition of "miner."

Hon. E. H. HARRIS: Is it meant to include only those who come within the definition of "miner"? If so, we should look at the other clause which provides that those who are not within the interpretation of "miner" have to pay.

The HONONARY MINISTER: My reading of the clause is that we should accept the definition of "miner." In the Act "miner"

means any person working in or about a coal mine. The clause would apply to those people referred to in the definition in the Act. The fund, I may point out, has been inaugurated by mutual arrangement and is in operation now. In fact, everything that is in the Bill is in existence to-day.

Hon. E. H. HARRIS: It would have been better if the Crown Law Department had framed this Bill. We know that certain other people were responsible for it.

Hon. J. Ewing: This is a Government Bill.

Hon. E. H. HARRIS: Yes, but I would like to know who framed it. The Crown Law authorities did not frame a thing like this. The Honorary Minister has told us that this is already provided for by mutual arrangement between the employers and the employees. Therefore if a man is entitled to get so much a week out of the fund, he is not able to sue for it. Someone of an argumentative turn of mind may say, "I am entitled to get something out of this fund." The Honorary Minister has told us that the definition of "miner" means anyone employed in or about a coal mine. The clause says "adult miners" shall contribute so much each fortnight.

Hon. J. Nicholson: What is an adult miner?

Hon. E. H. HARRIS: A miner is a person who works in or about a coal mine.

The Honorary Minister: This is an old-age pension.

Hon. E. H. HARRIS: Who contributes? If it covers everyone working in a mine, the clause should make that clear.

Hon. J. Nicholson: Read Subclause 5.

Hon. E. H. HARRIS: According to that subclause, "miner" means "any person employed in or about a mine." If everyone is to have the right to take money out of the fund, everyone should subscribe.

Hon. J. Ewing: A boy pays half and receives half.

Hon. E. H. HARRIS: That is not the point. As the clause is framed, anyone working in or about a mine, whether he subscribes or not, would be entitled to claim on the fund after reaching a certain age. We should know exactly what the clause means.

Clause put and passed.

Clauses 23, 24—agreed to.

Progress reported.

BILL—TRAFFIC ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [9.36] in moving the second reading said: This Bill, except in a few respects, is similar to the measure introduced last session and passed by another place. Time did not permit of its consideration in this Chamber, but the House was good enough to pass an amendment relating to the Third Schedule, making provision for fees for the licensing of jinkers and whims, and indicating that the Traffic Act would, unless further amended, have force until the 31st October, 1926. The present Bill is not exactly a contentious measure, but it is one as to which members may require departmental information, and upon which they may have many suggestions to offer. It is also of a highly technical character. I would therefore ask hon. members to express their views during the second reading debate, and to specify at that stage any further information they may require. I ask also that they should as early as possible place any contemplated amendments on the Notice Paper, so that they can be carefully examined and weighed. The Bill should become law before the end of this month; otherwise the local authorities will not be able to collect traffic fees. The passage of the Bill will be greatly expedited if hon. members will meet my requests. The measure has been framed after full consideration of the legislation in force in the Eastern States, and of various amendments suggested by the Road Board Conference, as well as of suggestions offered by the Commissioner of Police and others interested in the traffic problem. This being essentially a measure for consideration in Committee, let me now refer to its principal clauses. Clause 2 makes it clear that the Commissioner of Police is the licensing authority in the metropolitan area. The Act as it stands provides that the Minister shall be the licensing authority, and successive Ministers have delegated this authority to the Commissioner of Police. It is desirable to make the situation legally sound. The present Act provides that a motor bus is a vehicle which is licensed to carry more than seven passengers. These buses can be confined to certain routes, and can be forced to comply with other regulations; and the number of buses permitted on any route can be restricted. Taxis licensed to carry seven or a less number of passengers are now competing

with the buses. Paragraph (b) of Clause 2 makes it clear that a bus is a vehicle used as a passenger vehicle to carry passengers at separate fares. Such vehicle will, if the proposed amendment is adopted, be subjected to the same conditions as the other and larger vehicle. Clause 5, which proposes to delete four lines of Subsection (2) of Section 7 of the principal Act, will have the effect of preventing one local authority from issuing licenses for passenger vehicles to which another local authority has already refused to grant licenses. This is necessary in the event of its being decided to restrict the number of licenses in the metropolitan area. There is now nothing to prevent owners of vehicles coming from other districts into the metropolitan area and driving around the streets, plying for hire in competition with vehicles licensed by the Commissioner of Police. Last year a deputation from the drivers on the rank in Perth waited upon the Minister and asked him to refuse to issue any more licenses for motor cars to stand on the rank. The deputation said that the men had a hard struggle to gain a livelihood, and that the number of competitors should not be increased, at any rate for the time being. The Minister was satisfied that there were already too many taxis on the rank, and he complied with the deputation's request; but his efforts to protect the men could have been defeated by the issue of licenses by a local authority outside the metropolitan area. The amendment contemplated will remove that particular difficulty. Clause 7, amending Section 10 of the Act, is designed to make it clear that any vehicle being used exclusively on a farm shall be exempt from tax. That intention is not expressed clearly in the existing Act, although I understand that road boards generally have not charged fees to farmers using motor vehicles purely on their farms. The road boards have, I think, realised what was the intention of the Legislature. Clause 8 in the first place provides that the metropolitan area, instead of being defined by schedule, shall be defined by the Governor-in-Council by regulation. Defined areas have already been altered in two cases, and it is possible that further alterations may be rendered necessary by the operation of the Main Roads Act. The Traffic Act as it stands provides that the Minister shall distribute the traffic fees collected in such proportion as he shall determine. Of course I am now referring to the metropolitan area.

Hon. A. Burvill: And not to districts outside it?

The CHIEF SECRETARY: No. The distribution has been made on the basis of the chainage of certain main roads within the metropolitan area. That basis of distribution has been agreed to by the local authorities concerned. But although the Act specifies that the money so distributed must be spent on these roads before any can be spent on other roads, there is no power whatever to enforce that provision. Therefore it is considered wise to provide in this Bill that money shall, if so ordered by the Governor, be spent on specified roads.

Hon. Sir William Lathlain: Would that apply to the City of Perth as well?

The CHIEF SECRETARY: This applies to the metropolitan area. A further amendment provides that in addition to the maintenance of the Perth-Fremantle road being made a charge upon the traffic fund, money can also be taken from that fund for the maintenance of the Perth Causeway, the Fremantle-road bridge, that part of the Karrakatta-road which abuts on the Karrakatta Cemetery, and other specified roads. Since the local authorities refused to maintain these structures, the whole cost has been found by the State from Consolidated Revenue. The local authorities are expected to repair, out of the traffic fees, not only the roads specified but also the bridges thereon. Further, it is considered only reasonable that the traffic fees should be used for the maintenance of the Causeway, the Fremantle-road bridge, and that portion of the Karrakatta-road, abutting on the cemetery, which the Government have taken over. It is further proposed that the Main Road Board instead of the local authority shall maintain those portions of the Perth-York, Perth-Armadale and Canning-roads that are within the metropolitan area. At present the local authorities responsible are as follows:—For the York-road, the Belmont, the Swan, the Guildford, the Midland Junction and the Greenmount Road Boards; for the Perth-Armadale-road, the Canning, the Gosnells, and the Armadale-Kelmscott Road Boards; for the Perth-Fremantle-road, south side, the South Perth and Melville Road Boards. The Main Road Board is better equipped in every way to properly maintain these roads than are the local authorities.

Hon. A. Burvill: But these boards will subscribe to the maintenance, will they not?

The CHIEF SECRETARY: The traffic fees will be used for the purpose. The Main Roads Board will operate, and the local authorities will be relieved of their responsibilities. The other subsection to be added provides in effect that a sum not exceeding one-fifth of the total traffic fees available for distribution may be taken to pay to the Treasurer interest and sinking fund on any amount that might be appropriated by Parliament for construction or for substantial improvement to any main road within the metropolitan area. It will be remembered that the State on three occasions was forced to construct and improve the Perth-Fremantle-road from loan funds. It is not reasonable to expect the State to repeat this in the case of other roads which it might be necessary hereafter to either improve or construct. For instance, one of two things must be done immediately to provide for the increasing and heavy traffic between Perth and Fremantle: either the existing road on the north side of the river must be widened, or the road on the south side must be completely reconstructed, so that some of the traffic can be diverted. If the Act is amended as proposed and Parliament provides money for such works, then the traffic fees will only be charged with interest and sinking fund in respect of the matter. It is practically certain that such works as those referred to will not be permitted to come within the Commonwealth scheme. During the consideration of the measure submitted to Parliament recently, it was made very clear indeed that those roads cannot come under the Commonwealth scheme. Of course if they were brought under that scheme the funds would be provided, as in the case of main roads outside the metropolitan area, in which case the local authorities would meet interest on half the amount the State is compelled to find, and would have to find half the cost of maintenance after construction. But if the State is to find all the money for such roads within the metropolitan area, the local authorities who are particularly interested should pay interest and sinking fund from their traffic fees. Clause 9, amending Section 14, is provided because licensing authorities have on occasions reported that vehicles unfit to be on the road are being used to carry passengers for hire. The clause gives power to a licensing authority through a court of summary jurisdiction to throw the onus upon the owner of such vehicles to show cause why the license should not be cancelled until such time as the vehicle is placed in good running order. Clause 12, amending Subsection 5, is inserted because it has been found necessary by the Minister to appoint inspectors to care for the roads, particularly those in the group settlements, which are not taken over by the local authorities until five years have elapsed from the date of construction because the group settlement areas are not rateable until that period has elasped. It is not intended to appoint inspectors where local authorities already have inspectors. Clause 13, amending Section 21, provides that a license shall not be granted to any person to drive a motor vehicle who is under 18 years of age. No age limit at all is stated in the existing Act. The clause further provides that an applicant for an ordinary driver's license may be required to submit himself to a sight and hearing test. In the case of an applicant for the right to run a passenger vehicle, he may be further subjected to a medical examination. Clause 14 enables an unlicensed person not under 17 years of age to learn to drive a motor vehicle provided he has a licensed driver sitting beside him. Clause 15 obliges the driver of any vehicle to produce his license or give his name and address when asked to do so by any proper authority. Clause 16 provides that when the driver of horses in a horse-driven vehicle calls upon the driver of any other class of vehicle to stop until he has passed, the request must be complied with. The clause, of course, is to prevent accidents through restive animals taking fright at motor vehicles. Subclause 5 of Clause 22 gives power to frame regulations for the safety of the public who travel in motor buses. Under Clause 17, when an accident occurs to any person, animal or vehicle, the driver of the offending vehicle is required to stop and, if requested, produce his license and give his name and address to the person who has suffered as the result of the accident, or to a member of the police force, or to an inspector. The penalty for default is £50 or imprisonment for any term not exceeding six months. In Clause 18 the penalty for drunken drivers is increased to £50. Clause 19 makes it incumbent on the driver on a road of any vehicle propelled by steam to have an engine-driver's certificate under the Inspection of Machinery Act. Under Clause

) the driver of a locomotive or traction ıgine must stop until a horse-drawn vehicle as passed, if so requested by the driver of ıe horse-drawn vehicle. Clause 21, Subause 3, makes it clear that no bus can run ı any route unless it has been defined and endorsed on the license; unless, of course, ıe owner obtains a special license for a ɔecial occasion in the manner prescribed in ıe Act. Subclause 7 is inserted because the ıne has arrived when very heavy traffic .ust be prohibited on roads that are not .ilt to carry heavy traffic. A few of the ehicles at present using roads within and ossibly without the metropolitan area are ırrying, when loaded, including their own eights, anything up to 12 and 13 tons. ery few roads are fitted for this class of affic and, in consequence, power is asked allow regulations to be framed for reıricting the loads that can be carried on ads other than those that will be specified. enerally speaking, the regulations provided ır in Clause 22 are the same as those proded for in the Victorian Act. These have ıen adopted also by South Australia in a ill which, I understand, will be introduced the South Australian Government before ıe end of the year. Power is given to make gulations specifying roads; time tables ust be approved and adhered to; fares ın be prescribed, the maximum number of ıses on any definite route can be fixed, toıther with stopping places upon such roads. t present a committee consisting of reprentatives of the Police, the Railways and e Public Works Department and the motor vners consider all applications made for ıs licenses, and confer with the local auorities interested before making a recomendation to the Minister. It is proposed continue that method. Subclause 7 of lause 22 makes it clear that if a bus license issued by a local authority outside the etropolitan area, the bus cannot enter the etropolitan area except on a route to be escribed by the Commissioner of Police. t present motor buses licensed by an outde authority can enter the metropolitan ea, use any road, and come into competiɔn with buses that are licensed and conıed to specified routes. Clause 28 provides r the insurance of motor vehicles licensed carry passengers. It is somewhat difrent from the provisions made in the Vicrian and South Australian Acts, where it provided that a bus must be insured ainst injury to persons to the amount of ,000. But if an individual owns several buses he can insure all of them for a minimum sum of £5,000. Seeing that some buses carry a few passengers, while others carry many, it is considered more equitable to provide for insurance at the rate of £100 for each passenger, with a maximum of £600 for any one vehicle. Provision is also made that the maximum amount that any owner of vehicles will be compelled to insure for will be £5,000. The other clauses provide more or less for consequential alterations to existing legislation. It is not proposed to make any alteration to the fees prescribed in the second schedule to the Act. It is considered that they have been fixed on a fair basis. Some local authorities contend that the very heavy motor trucks should either be prohibited from going on to their roads or be compelled to pay much heavier fees.

Hon. A. Burvill: Quite right.

The CHIEF SECRETARY: Members no doubt have realised the great damage done to roads by such heavy traffic.

Hon. G. W. Miles: Are you providing for a speed limit for heavy traffic?

The CHIEF SECRETARY: I think the whole question is dealt with in the principal Act. It must be remembered that a reduction in the prescribed fees would mean a loss of revenue, not to the Government but to the local authorities, and that a fair proportion of the traffic fees will be required by the local authorities from which to pay interest and sinking fund on their proportion of the cost of constructing and reconstructing roads under the Federal aid scheme. Under that scheme they have to bear half the cost of maintaining main roads and the full cost of maintaining developmental roads after they have been constructed. Clause 29 amends Section 50 so that no person without the consent of the owner or person in charge of a vehicle shall drive it or assume control of it. At present the section applies to only a motor vehicle or locomotive or traction engine. Clause 30 is a consequential amendment. Clause 31 amends Section 53. Under that section a local authority could close any road which it regarded as unsafe for public traffic for any period it considered necessary.

Hon. A. Burvill: At any time of the year?

The CHIEF SECRETARY: Yes. The amendment restricts the power of the local authority to one month. If a longer period is desired, the approval of the Minister must

be secured. Clause 32 amends Section 58. Under the Act if it is averred by the prosecution that a person is unlicensed the burden of proving that he was licensed is thrown upon him. That principle is not altered by the proposed amendment, but the owner of a vehicle is included in the provisions and in a case before a court in which any person is averred to have used a vehicle on a road, he is deemed to have done so until the contrary is proved. That in no way alters the principle contained in the Act. Clause 33 will extend to any person acting on behalf of the Minister in the administration of the Act the same protection as is now enjoyed by the Minister himself, so long as he acts in good faith. Clause 34 gives a necessary interpretation of vehicles not included in the principal Act. Clause 35 gives power to a licensing authority to allow a rebate of license fees in certain circumstances set forth in the clause. Clause 36 is consequential on the new clause dealing with motor buses. I move—

That the Bill be now read a second time.

On motion by Hon. Sir William Lathlain, debate adjourned.

House adjourned at 10.5 p.m.

Legislative Assembly,

Thursday, 7th October, 1926.

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

ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the undermentioned Bills:—

1, Federal Aid Roads Agreement.

2, Herdsman's Lake Drainage Act Repeal.

3, Kalgoorlie and Boulder Racing Club Act Amendment.

4, Plant Diseases Act Amendment.

5, Vermin Act Amendment.

QUESTIONS (2)—RAILWAYS.

Kalkalling-Bullfinch.

Mr. GRIFFITHS asked the Premier: Why is a Bill to authorise a Kalkalling-Bullfinch railway being introduced before the promised review of the Railway Advisory Board's report and the result made known? 2, Have the Railway Advisory Board considered the question of the provision of railway facilities for the country east of Lake Mollerin and into Bullfinch? 3, Has the Premier overlooked the protests of the deputation from various railway leagues that met him recently?

The PREMIER replied: 1, 2, and 3, The question of railway communication for the district is being handled in the manner which seems best to the Government.

Trucking Yard, Carrabin.

Mr. GRIFFITHS asked the Minister for Railways: 1, Do the department still consider that there is no urgent necessity to provide a trucking yard, or the fencing in of the station yard, at Carrabin? 2, Is he aware that during the wheat carting season the wheat stack has to be fenced around each night with wire and netting to protect it from straying stock?

The MINISTER FOR RAILWAYS replied: 1, (a) Provision is being made on the Loan Estimates for additional trucking yards at various sidings, but a definite decision as to which sidings has not yet been reached. (b) The station yard will be fenced within the next few weeks. 2, No.

BILL—LAND TAX AND INCOME TAX

Second Reading.

Debate resumed from the 5th October.

HON. SIR JAMES MITCHELL (Northam) [4.37]: In introducing the Bill the Premier told the House that it was practically the same measure as introduced two years ago. That is true, subject to an altered date in one clause. A provision of the Bill which will be appreciated by tax