

Hon. G. FRASER: I do not know if any figures are available, but I should not think the cost would be very large. The extra contributions called for under the scheme from wages employees vary from 3d. per week for those under 29 up to 6d. a week. That is to provide a pension of 5s. per week for widows. Assuming that the pensions for the salaried officers will be on a somewhat similar scale, I should not think the extra cost to the City Council would be very great. The original scheme costs anything between £6,000 and £8,000. Whether those are the exact figures I do not know, but I am led to believe that is the actual cost. I support the second reading.

On motion by Hon. L. B. Bolton, debate adjourned.

House adjourned at 9.38 p.m.

Legislative Assembly,

Tuesday, 30th September, 1941.

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QUESTION—STATE IMPLEMENT WORKS.

Mr. ABBOTT asked the Minister for Works: 1, What has been the financial loss to date on the State Implement Works? 2, Are the works being reopened or reconditioned? 3, If so (a) What is the estimated cost of doing so? (b) What steps are being taken to ensure that the works are being laid out or reconditioned in accordance with the most modern methods and design? (c) What steps are being taken to ensure that the works are placed under the control of an engineer having the necessary qualifications and experience of modern methods?

The MINISTER FOR WORKS replied: 1, From 1913 to the 30th June, 1941—a period of 28 years—the accumulated loss amounted to £343,334. This amount includes interest, depreciation and farmers' bad debts. During the period 1935-1936 to 1940-1941 the works have paid all working expenses and contributed £33,877 towards interest and depreciation. The works do not now manufacture agricultural implements and for some years past have been working primarily as a Government workshop. 2, The works are being reconditioned. 3, (a) The reconditioning is being done in sections and the total cost will depend on the amount of orders received for munitions work; (b) and (c) The works are under the direct control of the Public Works Department Chief Mechanical Engineer (Mr. C. L. Henderson, A.M.I.Mech.E. (Lond.), A.M.I.E.A., A.M.I.A.E. (Lond.)), and the close general supervision of the Director of Works (Mr. R. J. Dumas, M.E., M.Inst.C.E., M.I.E. (Aust.)). Mr. Henderson was recently sent to the Eastern States to inspect the layout of modern foundries and machine shops.

QUESTION—FISH PRICES.

Mr. McDONALD asked the Minister for the North-West: 1, Has he observed that recently as much as 2s. a lb. for dhufish and 1s. 7d. a lb. for snapper has been obtained in the metropolitan fish market? 2, Is not this two or three times the market price obtainable for lamb? 3, Is the shortage of fish due to depletion of supplies off the southern coasts of the State? 4, Is it possible to increase metropolitan supplies of fish by improving facilities for transport of fish from the northern coasts of the State?

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

ASSENT TO BILLS.

Message from the Lient.-Governor received and read notifying assent to the following Bills:—

- 1, Metropolitan Water Supply, Sewerage and Drainage Act Amendment.
- 2, Baptist Union of Western Australia Lands.
- 3, Native Administration Act Amendment.

The MINISTER FOR THE NORTH-WEST replied: 1, My attention has been drawn to the matter. These prices, however, were obtained on one occasion only, when very few fish of these species were on offer at the markets. The average market prices obtained over the past six months are as follows:—

Month.	Dhufish.	Snapper.
1941.	per lb. s. d.	per lb. s. d.
April	1 5½	1 1
May	1 0	0 7
June	1 6	1 0
July	1 5½	0 11
August	1 3	0 9½
September	1 4	1 0
Average for 6 months	1 4	0 10½

2, Yes. 3, The present shortage of fish is due to many factors, all of which are beyond the Government's control. The main factors are the following:—(a) Bad weather: During a period of eight or nine weeks recently the Fremantle fishermen were able to put to sea on only six or seven occasions, and the fishermen operating in the estuaries have also been compelled to lay up for abnormally long periods. (b) Restriction of imports: Prior to the commencement of the war, large quantities of fish from overseas were consumed in Western Australia, but by reason of the action of the Commonwealth Government in restricting imports, the total quantity available to the consuming public has been materially reduced. (c) Seasonal fluctuations: The winter months always bring in their train a shortage of locally-produced fish, which under normal conditions can be relieved by importations. (d) Restrictions on operations of aliens. 4, That there is a rich fishery in waters off the North-West coast there is very little doubt. The results of work done by Japanese trawlers a few years ago were very encouraging, but the fishery is of such a nature that trawlers would be required to exploit it. All such vessels in Australia at the present moment have been requisitioned by the naval authorities, and it would not be possible to purchase one overseas. Improved transport facilities would, of course, be necessary if this virgin fishery were opened up, but nothing can be done in the direction of increasing production until vessels of the right type can be secured.

QUESTION—AGRICULTURE.

As to Shortage of Farm Labour.

Mr. SEWARD asked the Premier: What steps, if any, has the Government taken to ensure: 1, The supply of shearers to farmers during the present shearing season; and 2, the adequate supply of competent labour to enable harvesting operations to be successfully carried out? 3, Have any arrangements been made to facilitate the temporary withdrawal from camps of military trainees who are experienced farm workers?

The PREMIER replied: 1 to 3, The State Government has been closely watching the position for the past year and has made frequent representations, both by personal discussion and by correspondence, to the military authorities regarding the calling up of farm workers. The latest advice received on the subject is as follows:—

The Hon. the Minister for Lands and Agriculture, Perth.

8th September, 1941.

Dear Sir,

Your letter of the 1st September, 1941, with reference to training of U.S. personnel is acknowledged.

The period of training required at each camp will, from the 1st October, 1941, be six months, and not three months as has, up to date, been the case.

Ample provision is made for applications for leave in cases of hardship and on the required forms being lodged every application is inquired into and given just consideration. The vocations referred to by you have been, and will continue to be, kept well in mind when applications for leave are being considered.

No doubt you will realise that there cannot be a hard and fast rule as to these cases.

Yours faithfully,

(Sgd.) O. V. Hoad,

Colonel i/e Administration, Western Command.

I have also been in telephonic communication on the subject with the Federal Minister for Labour (Mr. Holt) as late as yesterday.

QUESTION—PASTORAL INDUSTRY.

As to Commonwealth Assistance.

Mr. SEWARD asked the Minister for Lands: 1, Did the State Government ask the Commonwealth Government for financial assistance to enable it to give effect to the recommendations of the Royal Commissioner who carried out the recent inquiry into the

pastoral industry? 2, If so, was the request accompanied by any plan providing for— (a) the whole of the amount required to be found by the Commonwealth Government; or (b) part of the amount required being found by the Commonwealth and part by the State, in which case what proportions were suggested as the contribution of each? 3, Did any suggestions put forward provide for any money so found being made available to pastoralists as a gift, or as a loan; and, if as a loan, what terms of repayment, including rate of interest to be charged the pastoralists, were suggested? 4, If any application was made—(a) where was it made; and (b) what answer was received?

The MINISTER FOR LANDS replied: 1, Yes: 2, (a) Yes, (b) When it appeared obvious that the Commonwealth could not find the whole of the amount, personal approaches were made to the Prime Minister by the Treasurer and possibilities of sharing responsibility were discussed. 3, Requests were made along the lines of the recommendations of the Royal Commissioner. 4, (a) To the Acting Prime Minister: representations were also to the Loan Council and to the Grants Commission. (b) From the Acting Prime Minister that the Commonwealth Government could not assist.

QUESTION—SUPERPHOSPHATE SUPPLIES.

Mr. HILL asked the Premier: 1, Regarding his statement in the "West Australian" of the 24th September, that "superphosphate was transported at a rate of less than $\frac{1}{2}$ d. per ton mile, provided that it was supplied from the nearest superphosphate works," does this mean that the present arrangement with the superphosphate companies whereby the metropolitan works may supply the South-West as far south as Waterloo and the Great Southern as far south as Moojebing, is to be terminated? 2, What is the distance by rail of Waterloo and Moojebing from the Picton works and from the metropolitan works, respectively?

The PREMIER replied: 1, No. 2, Picton Junction—Waterloo, 4 miles; Picton Junction—Moojebing, 148 miles; Bassendean—Waterloo, 114 miles; Bassendean—Moojebing, 211 miles.

BILLS (2)—FIRST READING.

- 1, Fire Brigades Act Amendment.
Introduced by the Minister for the North-West.
- 2, Money Lenders Act Amendment.
Introduced by Mr. Cross.

LEAVE OF ABSENCE.

On motion by Mr. Wilson, leave of absence for the remainder of the session granted to Mr. Holman (Forrest) on the ground of military service.

BILL—ROAD DISTRICTS ACT AMENDMENT (No. 2).

Recommittal.

On motion by the Minister for Works, Bill recommitted for the further consideration of Clause 7.

In Committee.

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

Clause 7—Amendment of Section 162:

The MINISTER FOR WORKS: When the clause was previously considered in Committee, proposed new paragraph (8a) was amended in line 2 by striking out the word "person" and inserting the word "supplier" in lieu. It was agreed that the word "person" which appears in line 5 of the proposed new paragraph should remain on the understanding that the clause would be re-committed if, on further inquiries, it was deemed essential that it should be made uniform with similar provisions in other enactments. I move an amendment—

That in line 3 of proposed new paragraph 8 (a) the word "supplier" inserted by a previous Committee be struck out and the word "person" inserted in lieu.

I have the assurance of the Crown Law Department that the word "person" is all-embracing, being a generic term. It would be more comprehensive than "supplier." Again, in the section proposed to be amended by the clause the word "person" occurs. In that section the power conferred upon road boards is that they may acquire by purchase or otherwise works as defined in the Act and sell or supply, or contract with any other person to sell or supply for any

lawful authority, to any person or local authority or to the Government of the State or the Commonwealth, and so on. In view of the fact that the clause is to amend that section in the parent Act and that the word "person" is used there, I hold, backed by the Solicitor General, that it is well to retain the plain definition. If "supplier" is struck out and "person" inserted, all the clause does is to give a local authority the right to guarantee—which at present may be permissible. I understand that on both sides there is a doubt. The amendment, however, means that the local authority will have the right to give a guarantee where electricity is supplied. The substitution of "supplier" for "person" would weaken the clause.

Hon. N. KEENAN: There was, of course, no question at all about the propriety of the language enabling local authorities to give guarantees. The member for Murray-Wellington, however, desired to have the language so framed that there would not be any doubt concerning a contract between a local governing body in his electorate and the Electricity Department for the supply of electricity. He wanted the word "supplier" inserted merely in order to be certain that the clause would cover the probability of the local governing bodies making contracts with the Electricity Department for the supply of electricity. It is quite true that in the principal Act the word "person" is used, but the phrase "person who supplies" is also used. Now, the person who supplies is the supplier. The word "person" in our interpretation merely includes a body corporate, which the Electricity Department is not, although it is administered by the Minister for Railways.

The Premier: It is vested in the Commissioner of Railways by Act of Parliament.

Hon. N. KEENAN: The member for Murray-Wellington wanted to make certain that the position to which he drew attention would not be endangered.

The MINISTER FOR WORKS: The Solicitor General stated there was no point in substituting the word "supplier" for the word "person." The word "person" includes the Commissioner of Railways under the Government Railways Act of 1904, and also the supplying authority under the Electricity Act of 1937. Under the Electric Lighting Act, 1892, the word "undertaker" means company or person supplying electricity. In the Act the word is used in connection with

the supply of electricity. I assume that the Solicitor General would draw up any agreement that was made between any Government department and local authority or other person supplying electricity. He would take the responsibility for that. He is satisfied that such an agreement would be valid and that the word meets the position. That is why I desired that the wording should remain, and that it should be consistent as between the Act and the amending measure. His assurance is that that will be so.

Amendment put and passed; the clause, as amended, agreed to.

Bill again reported with a further amendment.

BILLS (2)—RETURNED.

- 1, Collie Recreation and Park Lands Act Amendment.
- 2, Water Boards Act Amendment (No. 2). Without amendment.

BILL—FRANCHISE.

Second Reading.

Debate resumed from the 23rd September.

HON. C. G. LATHAM (York) [4.55]: After reading the Bill thoroughly, I cannot understand the reason why the Government brought it down. True, a piece of legislation passed by the House in 1916 provided for the protection on the electoral roll of the names of persons who had gone oversea, provided they were on the roll before enlistment. Nothing further, however, has been done in respect to what is now proposed by this Bill, or done by any other State legislature, until Queensland introduced a Bill last year to give a vote to men who went oversea. I do not want this Parliament to copy everything that Queensland does.

The Premier: The Commonwealth did it.

Hon. C. G. LATHAM: That is an entirely different matter. If the Premier will agree to legislation along the lines of that passed by the Commonwealth Parliament we might come to some arrangement. There is, however, no such thing as plural voting in the Commonwealth legislation. That is the most objectionable feature of this Bill, though I do not propose to discuss that aspect now. I can see no justification for this class of legislation.

I do not want Queensland to lead the way with respect to laws applicable to Western Australia. Parliament in that State is constituted differently from what it is here. The legislature in Queensland sits for only a short period at a time, and the Government has an overwhelming majority. I do not say it is wrong in the legislation it passes, but there is no House of review in that State. If hasty legislation is passed in any State in Australia it is likely, I should say, to be passed in Queensland. The proposal does not commend itself to me.

Mr. J. Hegney: Queensland is in none the worse position for having no House of review.

Hon. C. G. LATHAM: There is room for a difference of opinion on that point. The Government in this State has on many occasions been grateful for the existence of a House of review when those constituting it sat on this side of the House, on occasions when legislation that was brought down was rejected. I see no necessity for this measure. I have had some experience overseas, and know that generally speaking a soldier takes very little interest in politics. He is faced with quite a different job and does not usually wish to dabble in politics.

The Minister for Justice: The method proposed in this Bill will facilitate matters.

Hon. C. G. LATHAM: No doubt some men in the Forces are strong-minded politically, but generally they show indifference to politics in their home country. The only time I remember any interest being shown by the Forces in political questions was when a vote was taken amongst the troops as to whether or not Australia should have conscription. Even in that question the interest was only of a limited nature. I do not understand how it is proposed to give the soldier any preference in his voting. The Bill itself does nothing of that kind. All it does is to enable certain individuals who may be nominated by the soldier prior to his departure overseas or after he has left Australia the right to have plural voting. It is a great surprise to me that the Government should introduce the principle of plural voting in this Chamber.

The Minister for Justice: The system has proved highly successful in Queensland.

Hon. C. G. LATHAM: I can imagine what would have happened if the old Labour Party had been in office. I am

looking back over a number of years. That party would have been horrified to see such a principle introduced into this House. Continually amending legislation has been brought down to deprive people of plural voting in this State.

A person may say, "I have four votes in connection with the City Council on behalf of some property I am holding for my children who, by reason of their age, are not yet qualified to record a vote." There is a principle in that. Whilst I would not object to the soldier having a vote if he wished to exercise it when overseas, I will not willingly allow my name to appear in any legislation that will throw upon me the responsibility of deciding which of three members of my party should have the first or second preference. How could I determine an issue of that sort? It appears that three members of our party may be standing for the Albany seat at the next election, and there may be a hundred soldiers' votes from overseas to be taken into account. Suppose they nominate the Leader of the Opposition to record those votes! In what kind of position would I be when it came to determining how those votes should be recorded? The Government cannot have given much consideration to the Bill before it was brought down.

The Premier: The Leader of the Country Party would hardly mind which of the three were elected.

Hon. C. G. LATHAM: We might have strong personal feelings in that respect. It may mean I would be given 100 votes if I were nominated by 100 soldiers from overseas.

The Premier: Not necessarily.

Hon. C. G. LATHAM: Let us be natural! After a little consideration the Premier will agree that this cannot be done.

The Premier: It can easily be done.

Hon. C. G. LATHAM: I am surprised at the type of legislation introduced into this House. There is not one man who does not desire to extend to the soldier any citizen rights that he himself has, and, if it is possible, to give him a little more that would be agreed to. This, however, does not give it to him. It is taking it away from him and handing it to somebody else at home.

The Minister for Justice: Will you give him the right to vote before he goes?

Hon. C. G. LATHAM: That is an extraordinary gem, when we do not know who is going to be the candidate.

The Minister for Justice: We know some who will be candidates.

Hon. C. G. LATHAM: We might, but fate has an unhappy knack of deciding otherwise at times. I cannot believe that very serious consideration was given to this legislation. Had that been so, the present Government would not be agreeing to plural voting and to handing to somebody at home the right to determine the vote.

The Premier: The soldier does that if he wants to, not the Government.

Hon. C. G. LATHAM: I admit it is not compulsory. That is probably the only saving clause in it. I am certainly not going to accept the responsibility that this legislation will throw on my shoulders. It is sufficient for me to determine who is going to be my representative without having the worry of what is proposed here. Unfortunately there has been a change in the Leader of the Opposition in Queensland. No doubt the Minister has had some discussion with the Premier of Queensland in this matter, but even the Minister was candid enough to admit that there was one fraudulent case.

The Minister for Justice: Only one!

Hon. C. G. LATHAM: But how many were not discovered?

The Minister for Mines: We have had that in our own State.

Hon. C. G. LATHAM: Yes, and it would be preferable to turn our attention here.

Mr. Cross: You are afraid of the soldiers' vote; that is why.

Hon. C. G. LATHAM: That is very nice.

Mr. SPEAKER: Order!

Hon. C. G. LATHAM: I will give the hon. member a challenge: Which side of the House has, today, the greater number of returned soldiers?

Mrs. Cardell-Oliver: Ours!

Mr. SPEAKER: Order!

Hon. C. G. LATHAM: It does not make us any better or any worse. We are not afraid of the soldiers' vote and the soldier is not afraid of this side of the House, or of that side. If the hon. member would think of his utterances there would be less of this unseemly disturbance. For the first time we are going to lower the age at which the

franchise may be accepted—down to 18. If it is good for a soldier to have a vote at 18, then it must be good for everyone else.

The Minister for Mines: We do not admit that.

Hon. C. G. LATHAM: Many young men over 18 years of age, who cannot possibly get away to fight for their country will be left behind. Any number of them between 18 and 21 would like to go, but will be unable to do so. They may suffer from physical defects or have family responsibilities, or be unable to go through some other cause. If we are going to establish this principle let it be 18 for everyone.

The Minister for Justice: Would you agree to that?

Hon. C. G. LATHAM: I am not going to say. This is a Government measure.

The Minister for Justice: If we introduced legislation for votes for everybody at 18, would you agree to it?

Hon. C. G. LATHAM: No.

The Premier: You are not under catechism in that regard.

Hon. C. G. LATHAM: No, of course I am not. I am glad to have the Premier's assistance on that point. I cannot see any justification for this. I can remember, at the front, young fellows being sent back from the front line because of their age. The officers would not allow them to accept the responsibility. We had a section known as "Baby Guard," comprised of these young men.

Mr. Warner: It was called the flying corps.

Hon. C. G. LATHAM: It is no use saying that these people at 18 years of age have the same powers of discretion as when they grow older.

The Minister for Justice: Some of them have.

Hon. C. G. LATHAM: Yes, I admit that, but some have not. There seems no justification at the moment for extending the vote in the manner proposed. I do not know the reason for this, though I have read the Minister's speech very carefully. I did not have the pleasure of hearing it. He did not give any reason for the Bill. He simply made the bald statement that it was proposed, by this legislation, to give to the soldier who had reached 18 years of age the right to enrolment and vote. It also proposes to enable anyone who has enlisted and neglected to have his name put on the roll

a chance to do so. That is perfectly right, and he has already got that right. If he is in Australia, whether in camp at Northam or anywhere else, he is entitled to have his name on the roll for the electorate in which he lives. There is no necessity for that provision. We have not, in the past, made provision enabling a young fellow of 18, or one who becomes 21 after leaving the State, to have his name placed on the roll.

Then, again, in what way are we going to assist the man in the Navy in this matter? Nobody knows! Sailors are just as important a section of men going oversea as are airmen or soldiers, but no provision is made for them. Apparently none was made in Queensland either because this is almost an identical copy of the Queensland legislation—that is the Bill plus regulations.

The Minister for Justice: The Queensland Act contains only about five sections.

Hon. C. G. LATHAM: Yes, but a lot of this came from the regulations. It is word for word. I have read it. It is no use saying the statute is all they have in Queensland. It is from the minor part, the regulations submitted and put through after the House had adjourned, that the danger arises in Queensland.

The Minister for Justice: There is no danger here.

Hon. C. G. LATHAM: I do not know whether there is or not. I am not going to accept the responsibility the Minister is asking me to take without consulting me. He is certainly now consulting me by this Bill before the House. If it is desired to have fraudulent practices in the course of elections this leaves the door open. What control would there be over returning officers, presiding officers or assistant returning officers in the Old Country or Egypt? None at all! I would not be the least surprised to find, after a poll has been taken or a bundle of nominations obtained, that the documents will be destroyed before ever getting to the point from which they are to be cabled.

Hon. W. D. Johnson: That is casting a reflection.

Hon. C. G. LATHAM: Yes, on the enemy who destroys them. Frequently messages travelling the line of communication are destroyed. We have only to read the history of this war to know that.

Mr. Thorn: There are sliding panels.

Hon. C. G. LATHAM: That is not necessary. It is impossible to give effect to it once the matter is outside this State.

The Premier: We will do our best.

Hon. C. G. LATHAM: Yes, but it may be a very bad best; that is the trouble. We would have been well advised to leave the names on the rolls and give the right to the men in camp here, and perhaps have extended the principle to the Eastern States if arrangements could be made with responsible persons there to take the postal votes. But once men leave this coast I cannot see how any control can be exercised.

The Minister for Justice: You are not in favour of giving the soldiers a vote.

Mr. SPEAKER: Order!

Hon. C. G. LATHAM: Who said so? I will not allow the Minister to make a speech for me. That is the object behind this Bill. Now I am getting to know why, and to realise—

The Minister for Justice: What is the object behind it?

Hon. C. G. LATHAM: To get us in a jamb so that the Minister can say that we were objecting to the soldier having a vote.

Mr. SPEAKER: Order! I will not allow this noise. I must ask the Minister to keep order.

Hon. C. G. LATHAM: This sort of interjection will not help.

The Minister for Justice: It is the construction you put on them.

The Minister for Mines: It will not help you, and you know it.

Hon. C. G. LATHAM: It will not help the Minister either. The measure also gives the right to the Governor-in-Council to appoint assistant returning officers oversea-men who know nothing at all about the matter. As far as the Governor knows the assistant may be without qualifications, but one can be appointed in any part of the world.

We do not know where our troops are. If this were on an Australia-wide basis it would not be so bad, because then Air Force, military and naval men would be entitled to vote, but in this case only Western Australians are to be affected. The Minister does not know this, but frequently one man from this State may be found in a hospital by himself; or probably two in a school which might be 100 miles from their unit.

The Minister for Justice: You can only do your best.

Hon. C. G. LATHAM: Probably a number of airmen will be found in Russia by the time the next elections are held. How are they to be provided for?

The Minister for Justice: They are all provided for.

The Premier: Beforehand!

Hon. C. G. LATHAM: Before we know who will be the candidates?

The Premier: Yes.

Hon. C. G. LATHAM: It will all be very difficult. This House can force my name to be put there, but not with my concurrence.

The Premier: You will see the light.

Hon. C. G. LATHAM: I do not accept the responsibility placed on me.

The Premier: You would help the soldier.

Hon. C. G. LATHAM: If he likes to nominate his wife or mother, but not myself! I am not in favour of plural voting, and that is what this Bill provides for.

The Minister for Works: They do that now.

The Minister for Mines: This Bill gives the right to do what you say.

Hon. C. G. LATHAM: That is better, but I object even to that. I hope when the Minister replies he will explain what is proposed respecting the men in the Navy, scattered as they are over the seven seas.

The Minister for Justice: They are all covered.

Hon. C. G. LATHAM: In what way?

The Minister for Justice: They have their nominees.

Hon. C. G. LATHAM: How is the department going to get in touch with the men who have already gone overseas and are serving in the Mediterranean or in the Atlantic? A nice sort of thing this will be! What we, as political leaders, will do, I suppose, will be to go to the camps and ask the men to nominate us. That would be most objectionable, and I am surprised that it should be proposed.

The Minister for Lands: All the papers will be in the hands of the Chief Electoral Officer.

Hon. C. G. LATHAM: I know something about that, too, and about some members at present in the House collecting documents of that sort. I sincerely hope we do not start the business of having members going along to enlisted men and saying, "Nominate me and then send the forms to the returning

officer." I know what has happened; on one occasion I told the House about bundles of cards that were sent in. It is an objectionable practice and I hope it will not be continued in this piece of legislation. I am prepared to tell the Premier privately whom I have in mind and explain the whole of the circumstances.

The Premier: But you go around and ask people to put their names on the roll.

Hon. C. G. LATHAM: I have never yet asked a man to vote for me.

The Premier: No, but you have asked to put his name on the roll.

Hon. C. G. LATHAM: That is totally different from asking a man for the right to vote for him.

The Minister for Mines: Under what legislation, outside of this measure, has any man a right to vote for another?

Mr. SPEAKER: Order!

Hon. C. G. LATHAM: I will tell the Minister.

The Minister for Mines: Tell me any Act of Parliament in Western Australia under which a man can say, "Give me the right to vote for you."

Mr. SPEAKER: The Leader of the Opposition had better address the Chair and not answer the Minister.

Hon. C. G. LATHAM: I have explained what will happen if this measure is passed. Candidates will be going along touting for these men to nominate them. That sort of thing will and must happen with some people. The principle is wrong and bad. I have no objection to a soldier overseas being given the vote if it can be extended to him. During the 1914-18 war he was none the worse off. We did not then go to the camps talking politics.

The Minister for Mines: What a pity! I could tell you something about that.

Hon. C. G. LATHAM: Generally speaking, it was not done.

The Minister for Mines: I could tell you what was put over us in 1917.

Hon. C. G. LATHAM: I was not associated with it.

Mr. SPEAKER: We are not discussing the last war.

Hon. C. G. LATHAM: There was no argument about politics; none whatever.

Mr. Cross: What about the conscription issue?

Hon. C. G. LATHAM: Not even on that. Every soldier had a right to vote, and I suppose he exercised it. I know I exercised mine.

Mr. Raphael: How did you vote?

Hon. C. G. LATHAM: Another point I cannot understand is why it should be necessary under the measure to have an election in a military camp extended over two days.

Mr. Hughes: Three days.

Hon. C. G. LATHAM: I said extended over two days.

The Minister for Mines: Men might be on week-end leave.

Hon. C. G. LATHAM: Existing legislation is quite sufficient to meet the need. We have provision for postal votes, and now absentee voting is proposed.

Mr. Thorn: If men are on leave they can vote in their own districts.

Hon. C. G. LATHAM: When men are granted week-end leave they usually go home, and so could vote in their own districts.

The Minister for Justice: It will be much more convenient for them to vote in the camps.

Hon. C. G. LATHAM: Then let them do so on the day of the election. Arrangements could always be made to have the men in camp at that week-end. It will make no difference to the military authorities. The soldiers go out on manoeuvres on Sundays just as they do on Saturdays. The war does not stop because it is Sunday. We know that arrangements could be made to have the men in camp so that they could exercise their franchise.

The Minister for Justice: What is wrong with giving them two days?

Hon. C. G. LATHAM: Three days, is it not?

The Minister for Justice: Three, including Sunday.

Hon. C. G. LATHAM: I have a very strong objection to the boxes being so long in transit from the place where the poll is taken to the place where the votes are counted.

Mr. Raphael: What about the North-West constituencies?

Hon. C. G. LATHAM: In the North-West there are very few polling places, and nearly all the voting is postal voting.

The Minister for Justice: The boxes from the camps will not be any longer in transit.

Hon. C. G. LATHAM: But I object to the time that will be occupied. The boxes are to be sealed up and taken away at night, taken back next morning, opened again and similarly dealt with on the following day. The seals will have to be broken repeatedly. I think we would be very unwise to agree to a system of that sort.

The Premier: I have known that to happen with elections over six days and the boxes were sealed every night.

Hon. C. G. LATHAM: I have not yet met the man who could not, in one day, count the votes in one box.

The Minister for Mines: Some elections extend over a fortnight.

Hon. C. G. LATHAM: So far as I know, each box on being opened is counted, and is not re-sealed except for the counting of the preference votes. The measure is not a wise one. I have no objection to absentee votes being granted for the one day; it would probably be more secure than postal voting.

The Minister for Works: Much more!

The Minister for Justice: Would it be possible to arrange that?

Mr. SPEAKER: This cross-examination must cease. The Minister has the right of reply.

Hon. C. G. LATHAM: I do not think it would be impossible because arrangements could be made for the votes to be counted. There would be some difficulty in the event of its being necessary to count the preference votes, particularly if they affected a North-West constituency, but really very few votes would be affected. From those parts most of the men will have probably enlisted already.

I have examined this Bill and endeavoured to find something that would commend it to me, and the only thing that I consider worth while is the absentee voting provision, so long as we have the voting restricted to one day. Outside of that I see nothing to commend the Bill. It is brought before us simply because it was introduced in Queensland, but the system of government in that State does not appeal to me. Before this legislation is finalised I hope we shall be given some explanation of how it has operated there.

The Minister for Justice: I want to remove a misapprehension. The men of the Navy have a vote.

Hon. C. G. LATHAM: I did not say that they had not a vote. What I wanted to know was how the Minister proposed to get in touch with them when they might be in the Mediterranean or in the Atlantic.

The Premier: Through their relatives.

Hon. C. G. LATHAM: I have a cousin in the Navy, and a letter took six months to reach him. The ship was moving about all the time. To ensure delivery of the papers to such men, we ought to have started last Christmas. Here is another point. Why should not men in the merchant service be entitled to a vote? They are as much in the war as anybody, perhaps more so than many men. Why was not consideration given to them? Men have enlisted in the mercantile marine just as others have enlisted in the naval service. Why not extend the principle further? Quite a number of Western Australians are engaged in munition manufacturing outside the State. Let us extend it to them, too.

The Minister for Justice: They have a vote.

Hon. C. G. LATHAM: Not under this measure.

The Minister for Justice: Yes, by nomination.

Hon. C. G. LATHAM: I have not seen that provision.

The Minister for Justice: It is in the Bill.

Hon. C. G. LATHAM: If that is so, I stand corrected, but I have read the Bill carefully and have found nothing that would entitle a munition worker to vote, unless he was in the State.

The Minister for Justice: I am sorry; I meant all soldiers.

Hon. C. G. LATHAM: I daresay the Bill will pass the second reading and that quite a number of amendments will be moved in Committee. Members on this side of the House will endeavour to knock the measure into shape. We are anxious that the soldiers overseas should have a vote, somewhat along the lines of the provision made by the Commonwealth. At the same time I will not accept the responsibility of being nominated.

Mr. Raphael: Let the soldier have the vote but under impossible restrictions.

Hon. C. G. LATHAM: The appendix to the Bill dealing with the nomination paper for enrolment and voting contains the following:—

I hereby nominate and appoint John Collings Willcock, Premier of Western Australia and Leader of the Parliamentary Labour Party.

Why particularly single him out? The appendix continues—

Charles George Latham, Leader of the Opposition.

It does not say "Leader of the Country Party."

The Premier: We will amend that for you.

Hon. C. G. LATHAM: I do not want it included. Why particularly emphasise the political party of the Premier and not of members on this side of the House? I do not know what the Leader of the National Party would represent as a party; perhaps the commercial party. Again, who is going to be nominee for the independent members, of whom we have three in the House? They will require to have somebody. We shall have to see what can be done with the Bill in Committee. Legislation of this kind should not be a Government measure; it should be a measure of this House. The Premier might have said, "Let us get together and see whether we can draft legislation that will give oversea soldiers a vote and make more effective the vote of soldiers here." We would willingly have worked in with him.

This Bill is merely something grabbed from Queensland, and, because it originated in Queensland, we are expected to accept it. Even now it is not too late to appoint a select committee and give the Bill proper consideration. I am not bringing forward these objections for the sake of opposition, but I think it would be worth while to ascertain to what extent fraudulent practices may creep in and the extent to which we can do what the Minister desires, namely, not to deprive the men who have gone oversea of their civil rights. To ask us, because we have sons or brothers oversea, to adopt plural voting, is not right, and I cannot support that provision.

MR. McDONALD (West Perth) [5.28]: This Bill involves three principles. The first is that soldiers who enlist for service oversea shall be given a vote, although they are under the age of 21 years. The second is that members of the forces, whether enlisted for service oversea or remaining here for service in Australia, will retain their enrolment in the electorate in which they resided at the time they enlisted. The third principle is that soldiers who are about to go or have gone oversea shall be entitled to vote by nominee or proxy. I propose to deal with the three principles in that order.

As to the right of soldiers who volunteer for service overseas to vote, although under the age of 21 years, I offer no objection. In general, I do not think the age should be reduced below 21; that is my firm opinion. Voting for Parliament at all times, but particularly at this time, is a very responsible duty, and 21 is a reasonable age at which people should become entitled to exercise that very great responsibility. I am prepared, however, to recognise that exceptions may be made in favour of men who enlist for service overseas in this war and who may desire to exercise a vote, although under 21. They are a class who are rendering a service to the nation which we cannot too highly commend. I do not propose to suggest it is unreasonable that, if those men feel they would like to exercise a vote for the district they have left, they should be entitled by this measure to exercise that vote. From that point of view, I am agreeable to the terms of the Bill.

The second principle is that which relates to a soldier or soldiers—or shall I say, more accurately, members of the Forces—retaining their enrolment in the district or province in which they resided when they enlisted, or in which they would have been entitled to be enrolled when they enlisted. That is no more than repeating the principle which this House adopted in 1916 in the Franchise Act passed that year. We are in this Bill proposing to set out the rights of soldiers in this respect in rather more precise terms. The Bill does no more than maintain the principles which this House thought fit to adopt in the 1914-18 war.

Mr. Hughes: Why should not they be allowed to enrol like any other elector?

Mr. McDONALD: It is difficult to answer the question where a soldier lives. A soldier may be in this camp today and in another camp tomorrow. He has no voluntary place of living. His place of living is dictated entirely by his commanding officer.

Mr. Hughes: But if the soldier is in a camp for a month he can enrol for that district.

Mr. McDONALD: Yes.

Mr. Hughes: Why deprive him of that right?

Mr. McDONALD: That would not be, in my opinion, the soldier's voluntary place of residence. His place of residence would be the district where he lived when he enlisted. As far as I can see, it is on the

whole more convenient and just that a soldier should retain his enrolment for the district in which he resided voluntarily at the time he enlisted, than that he should be expected to enrol in camp after camp according to the exigencies of the situation, and according to the movements which are forced upon him from time to time by those to whose command he is subject. I see no objection in principle or convenience to that part of the Bill.

The third part of the Bill, that which relates to nomination, is something to which I do see very serious objections. One objection is that it imports into the army the atmosphere of party politics. I agree with the words of Mr. Herbert Morrison, the British Minister, who said last week that not only were party politics something which he would not support in time of war, but that he hoped party politics would be replaced by something better after the war. I do most emphatically agree that in time of war any emphasis on party politics is something to be avoided at all costs. I do not want introduced into the camps, where there should be the utmost unity, any artificial divisions based upon party politics. If this Bill passes, then inevitably, under the nominee system, emphasis will be laid on the atmosphere of party politics. It is assumed by the printed names that, in the main, the soldiers will be divided into three divisions. That is given the strongest possible indication by the terms of the Bill.

Mr. Needham: Would you consider the conscription vote a party vote?

Mr. McDONALD: I was not in Australia at the time the conscription vote was taken, but that was not a matter of party politics. If I remember rightly, it was introduced by a Labour Government led by Mr. Hughes, who was then Labour Prime Minister. Am I right?

Mr. Needham: No. He was the Leader of the National Labour Government.

Mr. McDONALD: I plead guilty to ignorance of the politics of that time, and consequently I am not as accurate as is the hon. member. At all events, conscription should certainly not be a matter of party politics.

Mr. Needham: It was considered a party vote.

Mr. McDONALD: It may have been. I do not think that was so in New Zealand, where a Labour Government introduced

conscription. Very probably the issue was not regarded by the people of New Zealand as a matter of party politics; and therefore not to be opposed by the Opposition merely because it happened to be brought forward by the Government then in power. But that is rather a diversion from the main subject. It would be a weakness in the legislation of this House, or of any other Parliament, to introduce into our military camps the atmosphere of party politics and the suggestion that soldiers may be divided into three main classes as to party political views. But there is more than that. There is the consideration referred to by the Leader of the Opposition. It applies in his case; it applies also in my case.

As far as my party is concerned, it is commonly the case—in fact, I think always the case in our experience—that when more than one person applies for endorsement, the persons applying receive the endorsement of the party, with one or two exceptions. Then would arise the difficulty as to how the vote is to be cast. Is it to be divided equally between the candidates? Is the nominee to exercise a preference? Is the candidate who is lagging behind—although we might not know that absolutely beforehand, we might know politically that he is not doing too well in the race—is he to be given a helping hand by means of the vote controlled by the nominee? The position is a difficult one for any nominee to fill in the case of parties represented by the Leader of the Opposition and myself.

I am not going to enlarge upon the possibilities of irregularities that may occur under the nominee system. I think it is an amendment of the law which will make irregularities easier than they are under the existing law; and I notice that in the "Voice of Labour" contribution to the Press last week the writer makes reference to this matter. He says that the provision in the Bill enabling a soldier to nominate some person to vote for him at the election is of course an innovation and may be regarded as open to abuse. But, he says, the special circumstances of the times and the conditions must be remembered. I am not going to enlarge on that aspect of the matter, except to say that it is always better, if we can, to remove from our legislation any such possibilities as those touched upon by the writer I have quoted.

I come now to what I regard as the matter of principle in connection with nominee voting. I desire most emphatically to see that every soldier may exercise his vote, if circumstances enable him to do so.

Mr. Raphael: What about those in prison camps?

Mr. McDONALD: Unfortunately, that is something over which even this Parliament has no control. But assuming arrangements can be made to enable a soldier to exercise the vote, I want to see him given the opportunity to exercise his franchise in the ordinary way, wherever he may be. I want to do that in such a way as to give him his real franchise. After all, what is the franchise? Inherently, the franchise is the right of the elector to select a man, not a party. He has the right to select a man.

Hon. N. Keenan: Or a woman!

Mr. McDONALD: Or a woman, as the member for Nedlands (Hon. N. Keenan) very properly reminds me. He has the right to select a man or a woman to represent his district or his province in Parliament, and the right to ignore any political affiliations, if he thinks fit, as electors constantly do. But it is a personal relationship between the elector and the candidates who seek his suffrage for his district or province. That is the inherent element of the franchise. I want the soldier in Australia or oversea given his franchise, his whole franchise, and not half of it, not merely a right to appoint a proxy to exercise a vote in favour of some person of whom he has never heard and against whom possibly he may have a violent objection, and for whom possibly, if he knew his name, he would not in any circumstances cast a vote. I want the soldier to have his full franchise and not—as this Bill proposes—half his franchise. It can be done. The Federal Government did it in the Act passed last year. I am indebted to the member for Katanning (Mr. Watts) and to the member for Claremont (Mr. North) for having prepared for me amendments to this Bill based on the Federal statute of 1940. These amendments will, I think, provide the machinery necessary to enable the vote to be taken wherever our men are, within reason.

Whether under the full franchise system, which I think should be placed in this Bill, or whether under the nomination or proxy

system for which provision is now made, there will be many who will not be able to vote, men overseas who cannot be contacted, even to sign their proxy or nomination forms. They will miss voting through circumstances over which nobody has any control. Although we must pass this legislation and make every provision of which we can think to ensure that the soldier retains and can exercise his full rights as a citizen of our State, we do not know what the vicissitudes will be when the time comes. We hope they will be such as to enable a fairly extensive exercise by our men abroad of the right to vote at the forthcoming elections.

But there always is at almost any period of a war a comparatively large number of members of the Forces abroad who can conveniently exercise the vote. Unless a drastic change occurs there will be in various theatres of this war hundreds of Western Australians engaged in administrative duties, in the medical services, in base camps, in standing camps, away from the theatre of actual fighting, all of whom will be able to vote and exercise their full franchise almost as conveniently as we in this State can do. I want to see all those men who can conveniently do so, in whatever theatre of war they may be, enabled to exercise their full franchise and in addition as many men as possible, who may be in more exposed positions, given an opportunity to cast their full vote if they wish to do so and if circumstances permit.

The Minister for Mines: Have you any idea what sort of ballot paper was used in connection with the Federal elections last year?

Mr. McDONALD: Yes. Under the Federal Act and under the amendments I propose to put on the notice paper, and a copy of which I have here for the Minister, returning officers are appointed in the different theatres of war in the same way as is proposed under the Bill. When the time for an election comes, there is cabled from this State to the assistant returning officer and by him conveyed to the commanding officers of the various units, particulars concerning the candidates standing for each district. Then there are issued to the men of each unit ballot papers which are initialled by a responsible officer of the unit. On those ballot papers the officer writes the names of the candidates concerning whom he has received advice from the returning officer in the theatre of operations.

If such ballot papers could be printed, so much the better; but under the Federal system the responsible officer of the unit took each ballot paper, wrote down the names of the candidates and handed it to the voter who was then able to exercise his vote by marking his preference in the ordinary way. So far as I have learnt, the machinery set up under the Federal Act, which operated last September, seems to have been quite practicable and satisfactory. I have not heard of any difficulties in implementing the machinery set up by the Federal Act, though I know, of course, that some men, by reason of their presence in outlying positions, were not able to exercise their vote, exactly as the same men under this Bill may not be able to exercise their authority to appoint a proxy.

Mr. W. Hegney: Were not the Senate members grouped, as in Australia?

Mr. McDONALD: I do not remember. In any event, that problem will not arise here. The elector, under the amendments which I propose to submit to the House, will vote for the candidate in the district from which he enlisted, or an area with which he is familiar, and in respect of candidates all of whom, or many of whom, he may know, either personally or by repute.

I propose to offer no objection to the reduction of the age to 18 years, or to the principle by which the soldier retains his enrolment, but I hope the House will adopt the alternative method used in the Federal elections of last year and contained in the amendments I will place on the notice paper, because I think that thereby the soldier will be given the full franchise whereas the Bill gives him only a partial franchise.

There are some minor suggestions in connection with the Bill that I think could be adopted by the House with benefit to the legislation. These also I will place on the notice paper and members will have an opportunity of considering them during the Committee stage. I support the second reading, and hope the House will accept, in Committee, the alternative I will propose to the proxy or nomination system embodied in the Bill.

MR. SEWARD (Pingelly) [5.52]: As was pointed out by the Leader of the Opposition and, I presume, by the Minister when he introduced the measure—unfortunately I was not in the House at the

time—the Bill really consists of two parts dealing respectively with voting by members of the Forces who are absent and voting by members of the Forces within the State. Like the Leader of the Opposition, I have no objection to giving the men all facilities for voting while they are resident in the State, provided it is done by the absentee system or by having a polling booth situated within a camp, but I am certainly not in favour of having voting spread over three days.

The Leader of the Opposition referred to the fact that boxes would be sealed overnight and unsealed next day, and that would occur over a period of three days. We have a similar system in connection with the State elections now in operation, under which we seal boxes which are then taken to the railway or other transport system provided to convey them to another returning officer. After the boxes have been sealed, however, the keys are sent in a separate envelope and the box is not opened until it is unlocked by the returning officer. But to have boxes alternately sealed and unsealed, for three days, would be to leave the way open for grave abuses, and I would not be prepared to support such a system.

It is only right that the names of men who serve overseas should be preserved on the existing roll, pending their return to the State. I think the member for East Perth (Mr. Hughes) interjected previously, "Why should they not be on the roll for the particular part of the State where their camp is situated?" I do not think that would be practicable.

Mr. Cross: They would not be interested in that particular district, and might not be there long.

Mr. SEWARD: I have known men in the Air Force to be in three different camps during a period of four or five weeks. They go to Pearce, reach a certain degree of proficiency and then are sent to Cunderdin and later to Geraldton. Their names cannot be transferred from roll to roll as they shift from camp to camp. They should be retained on the roll of the district in which they lived before entering camp. I draw the attention of the Minister and the Electoral Department to the fact that the present system is by no means perfect. I went through my roll when I received it and found the names of men who had been away for a considerable time; but there was no asterisk or any other mark against those

names to indicate that the men were serving overseas, or anywhere else. The system needs to be tightened up, because at present it is open to abuses.

The Minister for Justice: Has your roll been reprinted?

Mr. SEWARD: Yes; there are marks against certain names, but I have found the names of some men who have been serving overseas for some time, and the fact is not indicated. I hope the Minister will take action to ensure that the defect is remedied.

In no circumstances will I favour the provision enabling voting to be undertaken by members of the Forces absent from the State. I want to make it quite clear that I do not wish to deprive the soldier of any possible honour or any duty we can confer upon him if it is practicable for him to carry out that duty. If this measure were to make provision for giving the vote to returned men under 21 years of age, I would say, "By all means." We cannot accord too much honour to the man who goes away and fights in the defence of his country. In fact, he is more entitled to vote than is the man who does not go overseas, though I am not suggesting that men who remain at home would not serve overseas if it were possible for them to do so. But the man who does take part in the struggle for our liberty and for his country must come first in my estimation. Anything possible that can be done for him we should do, and he should certainly be given the franchise.

But I view the matter from a practical point of view. I saw sufficient of the last war to convince me that it is not practicable to carry out this scheme to give the soldier overseas a vote. When a man goes overseas we have not the faintest idea where he will be when he is called upon to vote. The war may not be in Russia then; it may be in Australia. The point I want to make is that when a man goes overseas to fight for his country he has a big enough job to occupy the whole of his time, and it is not fair to him or anyone else that he should be called upon to determine whether Bill Jones or John Whosthis should be called upon to represent him in the State legislature at a time when he is engaged in defending people of this country and possibly in preserving his own life.

Mr. Withers: Then he does not want his interests protected in this State while he is away?

Mr. SEWARD: The protection of his interests is left in our hands, and if we cannot fulfil that obligation, we do not deserve to be here. That is our job in wartime. His whole time is devoted to the task in hand. I will give an instance of what occurred during the last war.

Mr. Rodoreda: He has not got to vote!

Mr. SEWARD: He has not time to give attention to such matters. I hope to indicate presently that the position is even more serious now than in the last war when change of tactics on the part of the enemy kept our men continually on the alert. The tactics used today are gone by the board in a few weeks, and then new methods of defence have to be devised. That occupies the men at the front the full 100 per cent. of their time.

Mr. Cross: Apparently they are able to play two-up.

Mr. SEWARD: I am trying to deal with an important matter; the hon. member can talk afterwards. The whole of the time of our men at the front is occupied in formulating new tactics, and much time has to be spent on that work that would otherwise be devoted to sleep. On one occasion during the last war, we were preparing to embark upon a stunt and I was in the hut at about 8 a.m. completing arrangements for my company. At that time a runner arrived from battalion headquarters with an intimation that there was to be a church parade at 8.30 o'clock. I ejaculated, "Why the dickens do they want to have a church parade today?" I had not the faintest idea that it was Sunday. The whole of my time had been concentrated on the job in hand, and I did not know what day of the week it was. When soldiers are occupied fully with their military problems, it is neither practicable nor fair to ask them to turn aside from the task at hand in order to consider who shall represent them in the Legislative Assembly.

The Minister for Justice: They could leave their proxies here; that would get over the difficulty.

Mr. SEWARD: The Minister heard what the Leader of the Opposition said on that point, and I endorse every word he uttered. When we were making preparations for an advance in the spring offensive of 1917, we encountered a new type of defence initiated by the Germans. I refer to the use of pill-boxes—concrete structures set in the ground. We had had no previous experience

of them. As they were set low in the ground and we did not know where they were, we could not direct artillery fire against them. The result was that we had to refrain from the contemplated offensive and the whole of the spring was taken up in evolving new methods of attack to overcome the difficulty. Fancy asking men who were devoting all their time to practising new tactics and even trying them out in the front line, to put the war off for the time being in order that they might cast their votes! It is ridiculous. Then there is another point. During the last war, when soldiers were afforded an opportunity to vote, they were given voting papers which were divided so as to show Government candidates and Opposition candidates.

The Minister for Mines: No, Ministerial candidates and Opposition candidates.

Mr. SEWARD: Yes, that is so. With that system in operation local questions on which the election was fought were practically unknown to the soldiers who were asked to exercise the franchise. Members generally know that at each election there are certain outstanding questions on which the contest is based. If it were not so, we should probably find one party in control of the Treasury bench all the time and the remainder in opposition perpetually.

Mr. Rodoreda: A Department of Information has now been established.

Mr. SEWARD: Each election finds different questions prominently before the constituents. The soldiers overseas will know nothing of them. When I was at the front and was asked to vote on the conscription issue, I knew nothing about the pros and cons. The controversy had arisen after I had left Australia. I had no opportunity to study the issue and men simply voted "yes" or "no," according to the viewpoint they held. Another point is that many of the men will be in the front line or in close proximity to it, in which event it would be utterly impossible to secure their votes. No one could get near enough to them to ask for their votes. In such circumstances it is hard enough to furnish them with rations and clothing.

To suggest that ballot papers and the ballot box could be taken into the front line to secure the votes of the men there is merely ridiculous. If a percentage of the soldiers simply cannot vote at all, why take the vote of the remainder? The whole

thing is impracticable and unfair. I oppose the suggestion that the votes of the men oversea be taken. I agree that those who are in Australia are entitled to exercise the franchise and the opportunity should be made available to them.

Mr. Wilson: What is the use of putting them on the roll if the soldiers are not given the vote?

Mr. SEWARD: Many of them are on the roll already.

Mr. Wilson: If you give them the vote, why should not they exercise the franchise?

Mr. SEWARD: We give them the vote.

Mr. Wilson: You do not.

Mr. SEWARD: We do, but while they are oversea devoting their full time to defending the Empire the duty of carrying on devolves upon us, and we certainly have no right to ask them to exercise the franchise when they may be hard put to it to save their own lives. If this proposal were confined to the Federal political arena there might be some argument in its favour.

Mr. Withers: You think they would have more time to devote to that?

Mr. SEWARD: The soldiers are under the control of the Federal Government and have to act according to the Federal laws, not the State laws. In a sense, it is like comparing a road board to a Parliament. There might be some excuse for asking them to vote on Federal issues, but even there I do not suggest that course should be adopted.

The present proposal is unreasonable. I do not say that the soldiers oversea should not be given the franchise because they are unworthy of it. On the contrary, they are worthy of everything we can do for them. I point out to the House that the Bill does not propose to give them the right to exercise the franchise on their return to the State, but only while they are oversea. I am willing to go further than the Bill proposes. If a man is prepared to go oversea and fight for his country he should be enrolled permanently, no matter what his age may be. I shall support the second provision of the Bill so that the soldiers in various camps may be allowed to vote, provided that does not involve keeping the ballot box open for two or three days beyond the normal time. I certainly cannot support the proposal to extend the franchise to soldiers oversea.

MR. W. HEGNEY (Pilbara) [6.7]: I hope the second reading will be agreed to. While the Leader of the Opposition supported the Bill, he appeared to me to raise every conceivable objection with a view to convincing the House that the measure should be rejected. The underlying principle of the legislation is to enable soldiers who have gone oversea or are in camp, either here or temporarily in one or other of the Eastern States, to exercise the franchise on or before election day. The provision to enable youths of 18 years of age to cast their votes is certainly wise. The Leader of the National Party raised no violent objection to that departure from existing practice, and the Leader of the Opposition was inclined to be of the same opinion. For my part, I believe that the youth of 18 years of age who has to pay taxation is entitled to a voice in the governing of the State. The Leader of the Opposition remarked that munition workers and others engaged on war work who are under 21 years of age, should also be given the right to exercise the franchise. I realise that under existing circumstances a line of demarcation must be drawn somewhere, and it is drawn in the Bill.

As to ballot boxes being open in camp for three days or so, I see in that no departure from the general practice followed today. In the outlying portions of the State ballot boxes have to be conveyed over long distances before they can reach the nearest returning officer. Thus, existing circumstances necessitate their being held over for two or three days. The provision in the Bill is essential in the interests of soldiers in camp because they may be on week-end leave, which may involve travelling long distances. They should not be deprived of their right to exercise the franchise. The Leader of the National Party referred to the necessity for relationship of a personal character to be maintained between the soldier and the candidate. I do not agree with that contention. All who take a keen interest in the affairs of State recognise that these are the days of organisations and parties. In this House there are ostensibly three parties, but actually there are only two. The elector, whether oversea or in the State, who has taken an interest in the government of the State knows, for instance, that if he places

his proxy in the hands of the Premier, as Leader of the Parliamentary Labour Party in Western Australia, his vote will be used to the best possible advantage, just as he would have used it had he been here to do so himself. The Leader of the Opposition knows equally well that that would be the attitude of his supporters, seeing that he will have the fullest confidence of those who favour his political views. That is only a minor matter compared with the vital principle at stake and can be overcome without difficulty.

I certainly hope the House will agree to the Bill, for the man who is prepared to go oversea to fight for Australia should be entitled to exercise the franchise. As to the point mentioned by the member for Pingelly (Mr. Seward) that a percentage of the soldiers will not be in a position to avail themselves of the right to vote, I suggest that at every election held in this State thousands of men and women, because of isolation, are unable to exercise the franchise. I am aware that most people are required to vote because it has been made compulsory. On the other hand, there are prospectors, kangarooers and others—

Mr. SPEAKER: The Bill does not refer to those people.

Mr. W. HEGNEY: I am pointing out that because of isolation people of that type cannot exercise the vote. Nevertheless, the great majority are able to do so. The fact that some cannot vote does not prevent the others from exercising the franchise. I trust the measure will be accepted by the House so that soldiers who go oversea and are 18 years of age or more may be able to exercise the franchise, or may nominate some persons here to act as their proxies.

MR. BERRY (Irwin-Moore) [6.14]: I have read the Bill with considerable interest. In my opinion it has all the beauty of the hornet's body and, like the hornet, has the sting in its tail. I think the Bill is an unfortunate, clumsy piece of legislation. I regard it as perfectly correct up to a point, which I will come to later.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. BERRY: The member for West Perth (Mr. McDonald) divided the Bill into three sections; I divide it into two, the good

part and the bad part. The good part is an endeavour by the Government to do what is possible to enable soldiers oversea to exercise their votes if they desire to do so. That is the strong part of the measure. The voting will not be compulsory. The soldier concerned will be permitted to exercise his vote if he wishes, or if he can do so. To extend the franchise to a boy of 18 is perhaps a step from the orthodox, but a perfectly correct one. I agree with those who say that if a man of 18 is prepared to go away and fight for his country he is entitled to all the benefits this Bill can confer upon him. I have no quarrel with that. Generally speaking the Government is to be congratulated on bringing down this measure. It is endeavouring in a practical way to do everything possible for our men. That would appear to be the good part of the Bill.

I now come to the sting in the tail of the hornet, namely, the much-criticised appendix. I do not like that appendix any more than does the Leader of the Opposition, and am inclined to agree with most of what that hon. member has said. I was pleased to hear the Leader of the Opposition say he did not want his name embroiled in this legislation. If the Bill is passed, however, that will stand. This savours of a type of plural voting for which we have very little desire, and have very little need to encourage. In the appendix we find in bold letters, associated with a large black square, an indication to the soldiers who exercise their vote under this system to vote entirely on party lines.

If we turn over the appendix, at the back we find that if they do not wish to vote on party lines, and if it is their desire to vote for an independent person, or for a new party brought into being, they can nominate an individual entirely outside those who are named behind the black square. That would probably mean that if certain soldiers did not belong to a party it would be more or less incumbent upon you, Mr. Speaker, to get into touch with them, and endeavour to prevail upon them to give you personally the right to vote for them. I do not know much about touting, but I think that amounts to touting, and in no circumstances would I do that sort of thing. My conscience would not permit me to do it. To that part of the Bill I strongly object. Probably the Minister is prepared to reconsider that aspect. I think the Government in this mat-

ter is looking for guidance and will accept it. Its desire is to do the best it can for the soldier oversea, and I think the difficulty can be overcome. As the member for West Perth told us the Federal Government apparently overcame it at the last Federal elections. If that is possible in the case of the Federal Government surely the State Government can follow suit.

The Minister for Justice: It controls the whole of the machinery.

Mr. Doney: That should be so.

Mr. BERRY: I still think the difficulty could be overcome. I am firmly of opinion that if that bad principle is not adequately dealt with a system of touting will be brought into use. I have no quarrel with the Bill as a whole, because I think that principle will be deleted from it. As I have said, the voting will not be compulsory. That is a strong point. It will, however, be a difficult matter to implement a measure of this kind. I agree with what the Leader of the Opposition said and wonder how many votes will be recorded under this method. I am inclined to think no particular party will be benefited to any great extent.

From what I know of soldiers they prefer fighting to voting. I cannot see Hitler saying to the Australian Oversea Forces, "You have three days in which to record your votes." Unless he does so, how will it be possible for the soldiers to record their votes in any number? The Minister by interjection told the House that members of the Navy already had a vote. I have no reason to disbelieve that statement, but I would like to know from the Minister whether those who have joined the Royal Australian Naval Reserve or the Royal Australian Naval Volunteer Reserve have the right to vote. I doubt whether they have, but if the Minister assures me that is so I will accept his statement. I think those are the men who will be able to record their votes under this measure. I am glad it is not my job to collect the votes; the task will be a long one. There is much good in the Bill. Everything that can be done for our soldiers should be done. I feel certain that everything within reason will be done for them. It is our duty to do all we can. This House must see that they receive everything that is necessary throughout the war, and that they get all privileges such

as these if they wish to exercise them. The Bill says, "If you wish to vote you may do so."

I approve of the Bill with the qualification that I hope the Government will find some means of correcting the very nasty appendix. That part of the Bill is open to much adverse criticism, such as is already noticeable both in the city and country districts. People today may not be so keen on the party system which the member for Pilbara (Mr. W. Hegney) said was so essential and was going to last for ever. It may be that a change in the minds of the people is coming, and there is need for such a change. This Bill may do something to prejudice the coming of that change. If the change is necessary and is for the good of the people and Parliament it must come about. I do not like the party odour that is found at the end of the Bill. The Minister for Justice and members of the Government possess sufficient intelligence to alter the measure with a view to eliminating the party odour. Let them alter it!

We say that the people should have the right to free speech. We are fighting for that and for the freedom of the people. If we introduce a matter of this kind we may to an extent eat into that freedom, as I think we shall be doing if the Bill is not amended. If we write in big black letters on the wall that we must shop, say, at Foy and Gibson's, Boans Ltd., or at Aherns and state underneath in microscopic letters, "If you are not satisfied you may shop at Bairds Ltd." then Bairds Ltd. will not get the business. That is what I think the appendix will do. It is my principal concern; the rest of the Bill is good. If the Government will look at the matter from my point of view and alter the Bill so that a man can vote for his most fancied candidate irrespective of party, I shall not cavil at it. I will vote for the second reading hoping that the amendment suggested by the member for West Perth (Mr. McDonald)—quite a reasonable one—will be accepted by the Minister and will overcome the difficulty. Every member who has spoken has entered into practically all the phases that can be discussed. We cannot do too much for our boys oversea, but I hope we shall not cheat them into believing that they must vote according to the first part of the appendix. I feel sure, however, that the Government will see the wisdom of altering that portion of

the Bill. When that is done I shall congratulate it on doing something for the soldiers, in this instance presenting them with the opportunity to record their votes if they so desire.

THE MINISTER FOR MINES (Hon. A. H. Panton—Leederville) [7.43]: The debate on this Bill shows the difficulty that confronted the Government when bringing it down. Almost without exception every member who has addressed himself to it has a different idea of how the vote should be taken. In the mind of the Government the basic principle was to give the soldier oversea the vote to which he is entitled. That was our first consideration.

Mrs. Cardell-Oliver: Are not the soldiers who are prisoners also to get a vote?

THE MINISTER FOR MINES: Who said they would not get a vote?

Mrs. Cardell-Oliver: Why can they not have it?

THE MINISTER FOR MINES: Who said they would not get it?

Mrs. Cardell-Oliver: Have you arranged to take their votes?

THE MINISTER OF MINES: There is nothing in the Bill to prevent prisoners from having a vote. It is only a question of evolving a method by which their votes may be recorded.

Mrs. Cardell-Oliver: Then why not arrange it?

THE MINISTER FOR MINES: If the hon. member could get permission from Mussolini no doubt it could be arranged for those people to get a vote. There is nothing to prevent them from voting if we can get the material there.

Mrs. Cardell-Oliver: There are thousands of prisoners.

THE MINISTER FOR MINES: There might be 2,000,000 prisoners trying to get out today. Almost every member who has spoken takes a different view of the Bill. The Government, having made up its mind that the soldier oversea should at least have an opportunity to vote, was faced with the problem of how he was to be enabled to avail himself of it. That, it will be agreed, is the particular difficulty. As has already been stated, the Australian soldiers, particularly the Western Australians, are spread all over the world. Numbers of them are prisoners in Germany and Italy. Some of

them are racing around Crete in guerilla warfare. There are numbers of them in Malaya and South Africa.

Mr. Needham: Why give away such a secret as that?

THE MINISTER FOR MINES: It has been stated in the Press, and is no secret. Having decided that our soldiers were to have a vote, we had to decide how they could be enabled to exercise it. We studied the matter from every aspect. It was discussed day after day. Finally, having examined all the ideas that presented themselves, the Government decided that the simplest method would be the one suggested in the Bill. Much has been said about Queensland in this connection. The Leader of the Opposition has said that State was in an utterly different position from ours, having no Legislative Council. But Queensland had a Legislative Council in 1917, and was the only State that gave its soldiers a vote then. The Commonwealth gave them a vote, but Queensland was the only State that gave its soldiers an opportunity to exercise the franchise in 1917.

I remember seeing in London dozens of Queenslanders looking for the place in which to record their votes. I do not intend that our soldiers should be placed in the same position as they were in connection with the 1917 Federal election, when, as the member for Pingelly (Mr. Seward) has said, they had a ballot paper simply marked "Ministerialist" and "Oppositionist." That was all that appeared on the 1917 ballot paper. But this was the despicable point that was worked. When we left Australia, tens of thousands of us, a Labour Government, the Fisher Government, was in power in the Federal arena, and in every State with the exception of Victoria a Labour Government was holding office. Consequently there were five Labour Governments in the States, and a Labour Government in the Federal Parliament, when we left Australia. Meantime, in 1916, there had been a complete turnover, and not one Labour Government remained in Australia. Yet the soldiers oversea, as the member for Pingelly has said, knew nothing about the changes. I myself was a candidate for the Perth Federal seat, and but for a bit of luck I would have known nothing about it. But for a ballot paper I saw I would not even have known that there had been a split in the Labour Party. I knew men who went around canvassing, and I can state that

scores and scores of men, when voting Ministerial, believed that they were voting for some of their friends who were Labour men.

Mrs. Cardell-Oliver: Why repeat the past?

The MINISTER FOR MINES: For the same reason as the hon. member does it. I was bred and born a trade unionist, and trade unionists are responsible for my being here. In connection with the drafting of this Bill the Government was particularly careful that such a thing as occurred in the last war should not happen again. Not that it could happen in this State, because whenever our next general election takes place, it will still be under the auspices of the present Ministerial Party!

Let us examine the position. Nearly every member seems to be in favour of giving the soldier a vote even if he is only 18 years of age. The member for Nedlands (Hon. N. Keenan) asked how we could know that the soldier was not under 18. So far as I am concerned, a soldier is a soldier. If he is good enough and responsible enough to fight for this country, he is good enough to vote for it while he is at the front. We are prepared to give the soldier of 18 years a vote. I do not know what means the Federal Government used in 1940 as regards the ballot paper. However, the Federal Government had control of the whole machine. That has a great bearing on the voting. I know what happened at Northam in connection with the last Federal election. One of my boys was there, and the authorities picked out squads of 25 and marched them up, company after company, to vote; and they had to vote. That was all right. That was an excellent way. It was carried out like the working of a piece of machinery, just as the Military Department would carry it out; and there could be no complaint. But there again the Federal Government had control of the machine. It was a Federal election, and the Federal Government owned the machine.

If a State election was to be manoeuvred in Northam, the day of election being a Saturday, numbers of men would as usual be away. The Defence Department would not care anything about the State election. All those things were known and taken into consideration, and that is why we now propose to give an opportunity to all the men to vote. If we are going to make the basic principle that of giving the soldier a vote, surely we should do our utmost to give him the opportunity to vote.

Now let us go oversea for a little while. I know from the letters I get by air mail from my two youngsters, that letters take anything from three weeks upwards to reach their destination in Australia.

Hon. N. Keenan: But this could be done by telegraph!

The MINISTER FOR MINES: Surely all the votes are not to be sent by telegraph?

Hon. N. Keenan: Yes.

The MINISTER FOR MINES: Are anything up to 15,000 votes to come here by telegraph? There are about 30,000 soldiers oversea. Thus 15,000 ballots would represent only a 50 per cent. vote.

Hon. N. Keenan: Has Western Australia sent a third of the whole lot?

The MINISTER FOR MINES: I think there are about 30,000 oversea.

Hon. N. Keenan: Have we sent more than a third of all the soldiers sent from Australia?

The MINISTER FOR MINES: I do not say that. Still, a huge number of men has gone. Even if only 5,000 votes were cast it would be a tremendous task to get all of them sent here by telegraph.

Mr. McDonald: I think it would be better to refer to the amendments; they deal with all that.

Hon. C. G. Latham: Do you say Queensland gave its soldiers a vote in the 1917 election?

The MINISTER FOR MINES: Yes.

Hon. C. G. Latham: I think you are wrong.

The MINISTER FOR MINES: I have the Queensland Act here.

Mr. SPEAKER: That matter has nothing to do with this Bill.

The MINISTER FOR MINES: There were Queenslanders over there with our lot, and they had their votes. I think if the Leader of the Opposition looks the matter up he will find that I am right. Undoubtedly the Bill bristles with difficulties. The Government freely admits that. But when the Leader of the Opposition said this Bill had been brought down to put somebody in a jamb, I think the hon. member lost his temper for a moment. I feel sure that otherwise he would not have made such a suggestion.

Hon. C. G. Latham: One of your Ministerial colleagues suggested that.

The MINISTER FOR MINES: No. I hope the Leader of the Opposition will in future keep his temper and not say things of that description. The Bill has not been brought down because anybody is in a jamb, but to try to give our men fighting oversea a vote. I hope they will get it, by whatever means. Soldiers, the member for Pingelly has said, have no time to consider these things. The hon. member may have been a captain or a colonel, in which case he would be extremely busy working things out; but those in the ranks do not have that worry. We had only to do what we were told, and we had plenty of time to discuss these matters. As for party politics dividing the soldiers, I do not know of any army in the world which consisted of a greater blend of politics than did the Australian army. Most of our time was spent arguing, to prevent ourselves from getting too frightened. I admit that the officers had a busy time; but, after all, the officers are only a small proportion of an army. I do not think the Government has anything to gain by giving the soldiers a vote, except from the point of view that the soldiers are entitled to a vote.

Mr. Mann: Do they really worry over that?

The MINISTER FOR MINES: We have the right to put the soldier in such a position that he will not be called upon to say, "You send us oversea to fight, but you do not give us a vote for our country." This Government has no need to give the soldier a vote. Any soldier in this House who was in the ranks knows, if he speaks the truth, that whether it was the conscription issue or an election, the officers used all the influence they could possibly bring to bear.

Hon. C. G. Latham: I did not hear of it.

The MINISTER FOR MINES: I saw the conscription campaign in France. The major of the 5th Pioneers lined his men up and told them they were going to have a vote on the conscription issue, and he said, "If this conscription vote is not carried, you can make up your minds you are going into the front line." Was not that intimidation?

Mr. SPEAKER: Order! There is nothing about conscription in this measure.

Mrs. Cardell-Oliver: Was it a secret ballot?

The MINISTER FOR MINES: Yes.

Mrs. Cardell-Oliver: They knew their own minds.

The MINISTER FOR MINES: No. The envelopes were left open and given to the major. It is no good the hon. member butting in, because she knows nothing about war, or what happens on a battlefield.

Mrs. Cardell-Oliver: I had all my relations there.

The MINISTER FOR MINES: I was there myself. That is better than my relations. This Government has nothing to gain by bringing forward legislation of this sort. I told Cabinet so. The Government has the right to say to these men, "You have the opportunity to vote if you wish to, but we are not compelling you." As the member for Beverley (Mr. Mann) said, will they worry about it? Why did we bring in compulsory voting in this State? It was simply because the people were too apathetic, and the member for Greenough (Mr. Patrick) knew that when he introduced the Bill. It is no more applicable to soldiers than to the ordinary citizens of Western Australia. This Bill for compulsory voting would not otherwise have been passed, any more than for compulsory enrolment. Soldiers are human, just as we are. They do not alter because they don khaki and go oversea. I am glad the second reading will be passed. We can thrash all these things out in Committee.

Mr. Marshall: Thrash them out now.

The MINISTER FOR MINES: Put a deputy Chairman in; it will be a change to have a quiet chairman.

HON. N. KEENAN (Nedlands) [8.3]: I intend to support the second reading of this Bill. I recognise that it bristles with many difficulties.

The Minister for Justice: We admit that.

Hon. N. KEENAN: To illustrate how it bristles with difficulties, I got from the army authorities a list, up to the 7th July of this year, of those from a portion of my electorate who had left Western Australia, or Australia, to go oversea in the A.I.F.

The Minister for Mines: You were lucky to get that list.

Hon. N. KEENAN: Well, I got it. It shows for that section of my electorate 183 names. Not 50 per cent. of them were on the present electoral roll. That brings about, immediately, a difficulty in attempting to get them on the roll.

The Minister for Justice: This puts them on the roll.

Hon. N. KEENAN: This proposal to get a nominee is the most ridiculous one I have ever read.

The Premier: No, he makes his own application.

Hon. N. KEENAN: There is a still more extraordinary feature. In the electoral roll which came out in June a number of names in the Nedlands district had a mark before them signifying the men were on active service. Not 5 per cent. of them have left Western Australia, unless they have gone in the Air Force, because my list does not include the Air Force. The rest of them are home army, like the member for Kalgoorlie (Mr. Styants), and others serving in the home army.

With the capacity, which is almost unlimited, of the Electoral Department to make blunders, a man who has lived over 15 years in Nedlands and been on the roll all that time, could not find his name on the roll when it came out in June. With its almost unlimited capacity to make blunders, it would be absurd to expect anything but a very limited amount of success from this measure. Although I am quite prepared to support the second reading, I intend, when the Bill goes into Committee, to support a considerable number of amendments. One is this: I propose to strike out any reference to the age of eighteen. I personally am prepared to give every soldier who goes oversea the right to vote, and not bother whether he is 12, 13, 14, 15, 16 or 17 years of age, or whatever his age may be. The man who has gone oversea deserves a vote. What is the use of putting in this limitation? I have learnt, although I do not know that the information is always correct, that no person under the age of 18 years can get into the A.I.F. The Minister for Justice has reminded the House that his brother got in—

The Minister for Justice: They do get in.

Hon. N. KEENAN: —by making a false statement.

Mr. Berry: If they are 18 for the purpose of this Act, what difference does it make?

Hon. N. KEENAN: I am informed that if any person offers himself for enlistment under the age of 21, some evidence of the consent of his parents is required before the army will accept him.

Hon. C. G. Latham: That is so with the Air Force.

Hon. N. KEENAN: I am talking about the military. It does not matter very much, because whether he is 16, 17 or 18, if he has been accepted, as in the case of the brother of the Minister for Justice, by representing his age to be greater than it actually is, and he leaves this country to fight for us, and defend the principles held by every one of us, then he deserves a vote. When that clause of the Bill is being considered I will propose the deletion of those words, and I will expect the support of the Minister for Mines.

The Minister for Mines: I would not be surprised at that. I often support you. You are a good man.

Mr. SPEAKER: Order!

Hon. N. KEENAN: I propose to move another amendment in that particular clause. It deals with the word "voluntarily"—who "voluntarily" goes oversea. We all know they are volunteers, but it should not be put in the statute. Anyone who goes oversea to serve as a soldier and fight for us deserves to get the franchise. If, as might possibly happen owing to the terrible stress of the times, it becomes necessary to call on all who are of military age and fit physique to go, this word "voluntarily" appearing in the statute would deprive of the vote those who went afterwards at a time when it did not matter whether they were volunteers or not. I shall also ask the Committee to strike that out.

Nearly all members are desirous of giving every soldier who has gone oversea the right to vote if he so wishes. A second point is this, that they are prepared to give the right to vote to every soldier who has enlisted for service oversea, although he may not have left. In that case the ordinary laws of the Electoral Act are sufficient to enable him to exercise that right. He can vote if he is living in the district for which he is enrolled, or is otherwise qualified, or if he is in a military camp he can vote under the absentee or postal vote clause.

The Minister for Justice: Not if he is under 21.

Hon. N. KEENAN: Yes, if we give every soldier who has enlisted for service oversea the right to vote he can have it whether he is here or not. The difficulties connected

with his being oversea and being here are very different. If he is here there is no trouble at all.

The Minister for Justice: Suppose he is in the Eastern States!

Hon. N. KEENAN: In that case special provision would have to be made, but otherwise there would be no difficulty. When, however, it comes to the man oversea there is a real difficulty. Because of that difficulty I am not going to be forced into accepting this system of proxy voting. It is most objectionable and dangerous. It is a system which lends and offers itself to abuse. A soldier oversea exercising his vote in what might be described, having regard to the circumstances, as the ordinary manner, would have a ballot paper placed in his hands by the officer commanding his unit, and although the Minister for Mines suggests that sometimes some officers abuse that position I suppose even he will admit it is very rare.

The Minister for Mines: It was very prevalent in the last war.

Hon. N. KEENAN: It is very rare. If the names of those who nominate to contest an electorate are sent by telegram to the commanding officer, and he has power to act as the returning officer for his unit, there is no difficulty in having the votes sent back within the span of 30 days. Today when there are great distances between the centre of an electorate and the outlying places constituting polling booths, the votes are counted on the spot. The returning officer is given power to count them and to send by telegraph the result of the count. That can be done with the greatest ease and without introducing this vicious system of proxy voting. As this is obviously a Bill which should pass the second reading, and I hope sincerely that it will, all this matter must be discussed in Committee. I do not intend to offer any further observations.

MR. DONEY (Williams - Narrogin) [8.15]: The member for Nedlands (Hon. N. Keenan) has intimated his objection to the age limitation of 18 years. He would give the right to vote to a soldier for the reason that he is a soldier, irrespective of his age. I am entirely at one with him there. A large number of soldiers in the last war were not more than 15 years old and one or two were less than that age. Those youngsters were doing men's work, and it was right and

proper that they should have all the privileges of adulthood. I hope in due course, when the Bill reaches the Committee stage, the hon. member will carry out his expressed intention of bringing down an amendment to deal with that point.

The main principle underlying the Bill is to make it possible for our men oversea to exercise their rights as voters in Western Australia. I give unstinted support to that. The one thing that I will not have—and I do not think it makes a general appeal in this House, not even to members on the Government side, though we shall probably find out by and bye—and that is the idea of voting through a nominee. I cannot for the life of me understand quite what arguments could make it possible for the Government to agree to that. Of all the possible methods of conducting an election oversea, this method of proxy voting seems to be absolutely and by far the worst of the lot. I cannot understand exactly what appeal it has to the Government. It is entirely unsuited to the needs of the situation, and as you, Mr. Speaker, will agree, is open to a big bundle of irregularities. I hope the House will push that clause right out and replace it with the provision briefly commented on by the member for Nedlands. That is to say, as soon as the nominations are known, let them be cabled straight away to the several units and have the polling conducted more or less on the lines followed here. When the votes were counted the results could be sent back, and if there were three or more candidates, the details could be forwarded.

The Minister intimated that this Bill in its present form was decided upon because the method had proved so successful in Queensland, and he went on to say that in only one instance had there been any fraudulent use of the method, that is, by a person other than the voter himself. How could the Minister possibly know that?

The Minister for Justice: On the report from Queensland.

Mr. DONEY: I take it that the report was made by the Government of the day, and, the method being one favoured by the Government, naturally the report would not say anything very wrong about it. Surely the Minister is not such a juvenile in outlook as to believe that! Knowing human nature as we do, the chances are that there were

many more instances. It is plain to all of us that the actual number of fraudulentcies would be exceedingly difficult to determine. What might have suited on that occasion, however, is rather unlikely to suit on this occasion, because the conditions are entirely different. In the 1914-18 war we had three main theatres of war—the Old Country, the western front in France, and Egypt. On this occasion we have some half-dozen theatres of war and, in addition, there are some 30 or 40 odd pockets of country here and there where it is desirable to give men the opportunity to vote. We have Iran, Iraq, Russia, Canada, Rhodesia, Tobruk, Malaya, Syria—well, I dare say one could name about 30 of them.

On the speeches delivered, some members object to oversea voting because little units here and there would be too isolated to have an opportunity to exercise the right. That, of course, has to be admitted; it is inescapable. It happened last time and it will happen this time. But what matters that? We should not disadvantage the others because of those few in scattered parts. Other members again object that the soldiers are not interested in politics when they are in the front line.

The Minister for Justice: The nomination system is a simple method.

Mr. DONEY: Whether it is simple or not, it does not lessen the objection mentioned by various members on this side of the House. Some soldiers may not be interested in politics, but some are, and it is our duty to make the necessary provision and give the right to those who would exercise it if they had it. I know from my own experience that the interest aroused by the referendum on conscription was extremely small—it was about the slowest thing I can recall. The Minister for Mines indicated an occasion when a commanding officer used compulsion of a not very nice kind on the unit under his command. Only because the Minister remembers it do we appreciate that it happened, but the suggestion intended to be conveyed was that that sort of thing was of general occurrence right throughout the line. If it was, I certainly did not come across it. In the line where I was the matter hardly aroused more than a minute's interest, and that was when the man was casting his vote. The interest I felt in the question is indicated by this

fact, that I do not now remember which way I voted.

Mr. Styants: You were very young then.

Mr. DONEY: I could not catch the interjection.

Mr. SPEAKER: The hon. member will address the Chair.

Mr. DONEY: I can quite appreciate objections being voiced on these grounds: if a man was going over the top or dodging enemy shells or going on leave to Blighty or Cairo to see his best girl, his troubles about politics would be nil. At the same time many instances could be given to show that politics command a very real interest on certain occasions. Because at times the soldier is busy dodging bullets it does not follow that there are not other times for discussing political matters, and there are even occasions when—so exceptionally dull are the days—a man might give as much as 24 hours out of 24 to the purpose of an election if that amount of time was necessary. One serious argument I remember having had with my friend John Blair, now Mayor of Bunbury, which hinged on the coercive aspects of unionism, and that argument was conducted for about 10 days on end. This indicates that at times there is ample opportunity for the discussion of matters political. I shall vote for the second reading of the Bill—I make no comments regarding the third reading; on that point we shall see how we get on in Committee with regard to the proxy voting. Without the Bill, the soldiers will not get any vote at all. But I will not support the proxy clause. It is absolutely the worst possible way of getting out of the slight difficulty in which we find ourselves.

The Minister for Justice: We are trying to give the soldier all the safeguards possible.

Mr. DONEY: That would be all right had it been emphasised in the Bill to the extent the Minister is emphasising it now. My objection is that while the Bill is expressly designed to give soldiers the vote they are not in fact being given the vote, but are merely being given the right to delegate that power to somebody else. What guarantee have we or what likelihood is there that the Premier or the leader of either of the other parties would correctly interpret

the absolute wishes of the soldiers? I say there is not the slightest hope of that happening.

Quite a number of members have referred to the fact that the Premier's name is splashed practically all over page 9 of the Bill. If anyone is to exercise so important a right as that, the Premier is as acceptable as anybody, but I point out that in matters electoral, the Premier is just a voter—a one-man-one-vote subject, nothing more. Yet his name almost covers page 9 of the Bill, and practically constitutes what members must agree is an open invitation to all and sundry to cast their votes for him, for the Leader of the Opposition or for the Leader of the National Party.

The Minister for Works: Then it is two to one against the Premier.

Mr. DONEY: I admit that, but the name of the Leader of the Opposition and the Leader of the National Party are there under protest. They will not have it at any price. The Premier's name is there because he and his party for a very good reason, desire it to be there.

Mr. Warner: The names are not even in alphabetical order.

Mr. DONEY: That is so; the alphabetical order usually observed in matters of this kind is not observed; nor is there any pretence of following the usual measure of equality amongst nominees.

The Minister for Justice: They are included only by way of example.

Mr. DONEY: Surely the Minister does not mean that! If that is all they are included for, I would be pleased if the Minister emphasised the point in the course of his reply.

The Minister for Justice: The soldiers may select them if they so desire.

Mr. DONEY: I am afraid we cannot accept the Minister's view on this occasion, though on other occasions we may be glad to do so. If soldiers are to have the vote, they should be able to exercise it in the usual way, without let or hindrance of any kind, and without all the suggestions and directions set out in the Bill.

Let them have a free choice of nominees. They are not children; they do not require all the help of these directions. Members will readily admit this, even if the Government does not. I have already stated my views on the question of permitting soldiers

of 18 or upwards to exercise the vote. I am at one with the Leader of the National Party in believing that the reference to age should be deleted. I notice in one part of the Bill a reference to the time when the soldiers' right to vote will be determined. I think the words in the Bill are that it will be on the occasion when he is leaving or is about to leave. I direct the Minister's attention to those words. What is intended by the words "about to leave?" Is it when he is about to leave this State for some place overseas? Would that period be a day, a week or a month? The Minister should be more exact. "About to be" means nothing whatever to me.

The member for Pingelly (Mr. Seward) suggested that it is not practicable to give the vote to the overseas soldier. I quite admit that it will be difficult. I also admit that he might not be able to exercise it, but at the same time he might do so. Our duty, however, is to give him the right to vote or to decline to vote, as he himself determines. Soldiers may be too busy to vote. Members will recall a cartoon of Bruce Bairnsfather's showing a much harassed colonel sitting in a dug-out, with shell splinters flying around. In places the dug-out was falling out, in other places it was falling in; very soon it would be engulfed. The colonel was shown as listening over the telephone to some conversation from headquarters; and, just at what was probably the most harassed moment in his life, this stupid inquiry was made, "What number of tins of raspberry jam has your battalion consumed during the past month?" On such an occasion as that, or on similar occasions, we must admit that attention to elections would be quite out of the question. There are other occasions, however, when the soldier has more time than he knows how to employ profitably; on such occasions he could attend to elections and such-like matters.

MR. HUGHES (East Perth) [8.33]: Whilst I agree that we ought to give our soldiers every facility to vote, in my opinion this Bill does not give them that right. It gives them the right to vote for a system and to nominate themselves as a party. The whole basis of the Bill seems to me to have been borrowed from the Italian Fascists. The first thing the Fascists in Italy did when they assumed power was to destroy the right of the people to vote for a Parliamentary

candidate. Instead, the party set up panels and the people merely designated on the ballot paper that they were Fascists or not. The voter had the right to say he was a Fascist, but if he said he was not he suffered the fate of Matteotti. As I say, this Bill does not give the soldiers the right to vote; it merely gives them the right to say that a certain political party shall have their vote while they are oversea.

The Premier: If the soldier likes.

Mr. HUGHES: If he does not like, he does not get a vote—exactly the same philosophy that Mussolini put up to Matteotti: "You can be with us or be murdered."

The Minister for Justice: I do not think that is comparable.

Mr. J. Hegney: It is not intended to murder the soldiers!

Mr. HUGHES: That is a concession. There are objectionable features in the Bill from my point of view. We have always provided in our electoral law that one of the three cardinal principles in establishing electoral districts is to give the people community of interest. Ever since I have been in this House I have heard that stressed as one of the principles upon which representation is based. We put mining towns in with mining towns, and agricultural towns in with agricultural towns. As far as possible, therefore, this House represents community interests as well as geographical areas. We have always permitted, up to date, a group of men sent out of the metropolitan area to work on a road job to enrol for the district where they are working after they have been residing in it for a month.

Hon. C. G. Latham: They do not always wait a month.

Mr. Withers: Not many took advantage of that, either.

Mr. HUGHES: I think the member for Bunbury (Mr. Withers) is wrong; many did. However, the position today is that a person who resides in a district for a month is allowed to enrol himself for that district. We are not going to allow that privilege to the soldier; we are not intending to give him the same privilege as is enjoyed by those who work in groups on roads. If there is a military camp in the district where the soldiers are stationed, they have a community of interest. I suggest that their community of interest is to ensure that when the war is ended they will get what they have been promised. They should not permit them-

selves to be split over political party matters and thus get none of the things they were promised, as happened after the 1914-18 war. Why should we take away from the men residing at the Pearce Aerodrome privileges enjoyed by other citizens? After the men have resided at the aerodrome for a month they should be allowed to enrol themselves for that district.

Mr. Withers: We will send some hundreds of goldminers to East Perth for the next election.

Mr. HUGHES: It is a well-known fact that at the last election 200 people at least were sent to East Perth just in time to enrol themselves. I am not suggesting that the member for Bunbury was associated in any way with that act, because I do not think he was connected with the interests that sent the people there.

Mr. SPEAKER: Has that anything to do with the Bill?

Mr. HUGHES: I think it is an apt illustration of the privileges extended to people during the last election, privileges that we are not giving to the soldiers by Clause 5 of the Bill.

Mr. SPEAKER: The member must not mention clauses of the Bill during the second reading debate.

Mr. HUGHES: We are not proposing to allow the soldiers in camp in Western Australia the privileges enjoyed by other citizens. We are saying to them, "Notwithstanding that you have resided in this electorate for a month we shall not allow you to be enrolled for it. You must go to another electorate to vote." In the case of the road worker, however, we say, "You can enrol for this electorate if you so desire." Why differentiate between the two, to the detriment of the soldier? Why should we take from him a privilege enjoyed by other people in the State? I can see no reason why soldiers in a military camp should not run a candidate if they so desire. In fact, we have heard much about soldiers not discussing politics, but I happen to know there are political aspirants in some of the camps who are contemplating standing for the next elections.

Member: Are they standing for Northam?

Mr. HUGHES: They would probably meet Matteotti's fate if they did. Why should not we allow them to run their own candidates? They have a community of interest, just as much as have the goldminers.

Why should we prohibit them from doing what any other citizen in the State may do? The clause preventing soldiers from enrolling in the same way as other citizens will take away something from the soldier that he already has. I hope that clause will be struck out from the Bill.

I notice also that soldiers under 18 years of age are to have a vote only so long as they remain soldiers. That is repeatedly stressed in the clause. In other words, we say to them, "As soon as we have no further use for you—although you are good men—you are not to have a vote."

Mr. Triat: Move an amendment and we will support you.

Mr. HUGHES: The moment these young soldiers are discharged they are no longer entitled to vote.

Mr. McDonald: A few months will cure that.

Mr. HUGHES: Not if the soldier is 15 now.

Mr. Styants: Why not make it 12?

Mr. HUGHES: If there is any doubt about boys enlisting at 15, I venture to say that I can go to Northam and pick out 20 boys I know who are under 16 years of age.

The Minister for Mines: In the A.I.F.?

Mr. HUGHES: Yes. The Minister no doubt could also do that. Many of the soldiers are only 16 years of age.

The Minister for Mines: If I knew of any I would pull them out.

Mr. Doney: There would not be as many as you suggest.

Mr. HUGHES: Very well! Suppose the soldier is 18, is invalided and discharged from service at 19, he would then lose the right to vote.

The Minister for Justice: I think there would be no objection if you moved an amendment in that direction.

Mr. HUGHES: The most objectionable feature of the Bill, in my opinion, is that the soldiers are going to be asked to give their vote to one of the party leaders; in other words, they are going to be asked to vote 100 per cent. for the system. We say to the soldier, "We admit the individual is nothing, he has no rights at all; the party is the only thing that counts." The only right the soldier has is to declare the party to which he belongs.

The Minister for Justice: He may vote for any candidate he desires.

Mr. HUGHES: It is like some hire-purchase contracts. Clauses are written in big type and then in very small type there is one clause that is the dangerous one. It is the one the person does not read, because it is hard to read small type. If it was intended that he should exercise his vote, why is there provision in the Bill specifying three particular names? That need not have been inserted. A blank form on which he could nominate his attorney to vote for him would have been all that was necessary. I think there is no doubt that the intention of the Bill was to regiment them into party votes and we know what will happen if that becomes law. I would not be surprised to find they were being asked to sign forms in blank so that the date might be filled in just as at the last East Perth election 19 postal votes were taken before nomination day.

That is the kind of thing we will have in this instance. They are going to be regimented in order to declare that they are to vote for a certain party. It does not matter what happens after that. It does not matter what circumstances arise that might put them in the position of desiring to exercise a different choice. They will have given away their vote and irrevocably lost it. That is taking from them the right to vote; it is taking from them the very thing we say we are going to give them, namely the right to exercise their vote as they desire.

Another most objectionable feature is that they have to sign a declaration in front of the commanding officer or a commissioned officer. Why include that provision?

The Minister for Mines: Does it not say "non-commissioned officer?"

Mr. HUGHES: Commissioned or non-commissioned, why do we want such a provision? I think the Minister for Mines knows that in the military there is a strong tendency for the officer class to interfere too much in the private lives of the privates.

The Minister for Mines: I am with you there!

Mr. HUGHES: I have seen it pretty badly in this State in the present war. We should preserve to the private as far as we possibly can his private life. We should say that so far as his voting is concerned it is something he gets as a private citizen, and is something with which his officer has

nothing at all to do. There is no need to have this declaration witnessed because the Electoral Department has his card.

Hon. C. G. Latham: Not if he is not enrolled.

Mr. HUGHES: Most of them are enrolled and can be checked. In any event, why cannot the declaration be witnessed by someone of the same rank as the private? Why could not a fellow private witness the signature? Is it not just as certain that a private will act with as much integrity as a commissioned or a non-commissioned officer? If a man must go before an officer to have his declaration witnessed, there will be opened an avenue for a politically-minded officer to use his influence. It is a well-known fact that an officer can, if he so desires, use his influence because there are people who believe that if they act contrary to the desires of an officer it may be to their future detriment. Whether they are justified in believing that or not, they do believe it. Therefore the less we introduce the officer into the private life of the private the better. If it is necessary to have a soldier's declaration witnessed, let it be witnessed by another man of the same rank as himself or another person in the State who is 21 years of age, so that if there is any malpractice the person who witnesses can be run to earth just the same as is the person who witnesses a claim card at the present time.

Hon. C. G. Latham: You would have to wait until they returned to Australia before anything could be done.

Mr. HUGHES: What could be done if it were found that improper certificates had been issued would be to cancel such certificates. We should not allow this Bill to go through without some provision for the rejection of fraudulent or fictitious certificates. Surely it is not contended that if it is discovered that a certificate has not the signature of the person whose signature it purports to contain, or that it has been irregularly witnessed, it is still going to be operative!

Mr. Seward: How are you going to determine that?

Mr. HUGHES: How do we determine whether claim cards are regular or not? We do the best we can. We are not going to get 100 per cent. efficiency. I do not suppose that anything we do will prevent some smart fellow from finding out a way to get around the legislation, and it is pos-

sible that there will be some means of submitting fictitious certificates. There should be provision in the Bill, however, for the rejection of such documents. If the electoral officer knew that 400 or 500 irregular certificates had been submitted and he could not do anything to reject the votes, that would be an extraordinary state of affairs. It would be a bad thing if simply because a certificate was presented it must be accepted, and the holder of it be permitted to vote and an inquiry be postponed until after the war. Machinery must be included in the Bill for the rejection of any irregular certificate. I hope that in Committee, if we are to agree to this voting by proxy or attorney, we will not include any preferences for anybody, but provide that if the soldier is going to vote he must have the right to vote as he pleases and the right to revoke the certificate. I do not think there is anything in the Bill giving him the right to do that.

The Minister for Justice: Yes, there is.

Mr. HUGHES: Subject to those objections I shall agree to the second reading.

On motion by Mr. Withers, debate adjourned.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 25th September.

MR. McDONALD (West Perth) [8.53]: I propose to support the second reading of the Bill which contains a number of amendments making for the more effective working of the industrial law of this State. There are, however, two or three features with which I do not agree. In introducing the measure the Minister said it was non-contentious, so that if I do not agree with certain of the proposals I take it he will have no objection to removing them. The Bill provides for the auditing of the accounts of unions, which is a salutary provision, and it contains a number of machinery provisions for the smoother working of the Act, which I think are useful. At the second reading stage I do not think it is necessary to deal in detail with the provisions that I think should be adopted. The provision to give an improved status to the Western Australian Industrial Gazette and

to make that a journal of *prima facie* proof in certain cases will assist in the work of the Arbitration Court.

The Minister has introduced an old friend again in the definition of "worker." For the time being I do not refer to the fact that he has included in the definition those who are in domestic employment. I refer to the other aspects of the altered definition of the word "worker." The definition contained in the Bill is similar to the proposal in the measure introduced by the Minister in 1938. As the Act now stands, the word "worker," as referred to in Section 4, means any person of not less than 14 years of age of either sex employed or usually employed by any employer to do any skilled or any unskilled work for hire or reward, and includes an apprentice but, with certain reservations set out in the definition, does not include a person in domestic service. So we find that in the present definition in the Act a "worker" is a person who is employed for hire or reward.

The Minister for Labour: I think I can meet you there.

Mr. McDONALD: Is that so? The proposed definition includes not only a worker who is employed but also one who is "engaged by any employer in connection with his business, trade, manufacture, handicraft, undertaking or calling and also includes an apprentice and a domestic servant." Without stressing that particular feature—as the Minister may possibly be able to arrive at some satisfactory modification in Committee—I point out that the term "engaged" is one that might possibly extend the operation of the term "worker" to an extent which would lead to a good many difficulties.

I come now to the inclusion in the term "worker" of those engaged in what is called domestic service. When I spoke on this matter in 1938, I drew the Minister's attention to what had been done in England. There the Minister in charge of the Board of Trade brought out a standard form of agreement for domestic workers. That form provided for conditions and hours and, I think, wages, which the Board of Trade in England considered would offer reasonable terms of employment for domestics. Although there was no obligation on the part of either domestic employees or employers to use that form of agreement, it was brought out by the Board of Trade, and I

think it was adopted to a certain extent in order to improve the conditions then obtaining among those in domestic service. That is something that might well be considered in Western Australia.

Mr. Needham: There is no Arbitration Court in England.

Mr. McDONALD: No, but there are agreements in various industries by which conditions are regulated. Such agreements in the case of domestic service, because of the vast number of employers, are more difficult than in the case of employees in organised industries.

Speaking for myself and representing my own views only, I consider industrial arbitration to be the settled policy of Western Australia and Australia generally. At all events it is the settled policy of the National Party. I believe that in this State—I am proceeding purely on guess work—from 70 to 80 per cent. of all workers are covered by awards. In my view if we once adopt the arbitration system or the award system as the basis for regulating relations between employer and employee, then logically that basis should be applied to all employees. I would say that I would include under that all employees in rural activities. If there are difficulties in the way of farmers, pastoralists, dairy farmers and others engaged in rural industry, paying the award wages and observing award conditions, it is for the State either to allow those industries to cease to exist or to give them such conditions that they can pay reasonable wages and provide reasonable conditions, according to the bases laid down by the Arbitration Court.

If we once accept the principle of arbitration as the foundation of industrial conditions in our State, then I do not think we can logically tolerate in our community two sections of employees—one privileged, whose wages and conditions are laid down by law as set out in Arbitration Court awards, and the other unprivileged and not accorded such protection. With regard to the portion of the Bill that deals more particularly with domestic employees, if they are to be subject to regulation by the Arbitration Court, I think the Government must go much further than is indicated so far.

Domestic help is something that is peculiarly required by the mother with a young family. Irrespective of whether the

financial condition of a particular mother is poor or affluent, in any such case there should be an attempt to give her some assistance during the period when she has the responsibility of looking after a young family. If we bring domestic employees under the aegis of the Arbitration Court which is to fix wages and conditions, it will mean that many people who have young families will not be able to afford domestic assistance. It then becomes particularly necessary, if the assistance they are now able to obtain is to be withdrawn because of inability to pay the higher wages that may be ordered, for the State to make provision to meet such circumstances. That is already done in some countries; it is done, for instance, in Russia. The Minister is no doubt familiar with the position regarding clinics and communal restaurants by which the Russian organisation endeavours to meet such cases. That is the view that appeals to me. It is the view I take regarding this part of the Minister's Bill to which he referred as the portion that might be to some extent contentious. If the Minister seeks to bring about this change, then he should do so in connection with other provisions in order to ensure that those people most in need of domestic assistance shall be given every means by which their lives and opportunities may be improved in the event of any domestic assistance they now enjoy being subsequently withdrawn.

There are two other provisions in the Bill that I trust the Minister will reconsider. There is the proposal that the court shall have power in an award to provide an experimental clause which may be subject to revision during the ensuing 12 months after the award is issued. I regard that as a commendable provision, but I can see definite arguments against it. On the other hand, I do not like the provision that immediately follows, to the effect that notwithstanding that parties are bound by an award they may at any time during its currency enter into an industrial agreement by which that award is to be set aside.

The two underlying principles of industrial arbitration are, first, to ensure reasonable wages and conditions for employees, and, secondly, to ensure peace and stability in industry. If, after a full investigation and hearing the views of all parties, the

Arbitration Court makes an award to operate over a certain period, I do not think anyone should be allowed to interfere with the operations of that award during the period prescribed by law, unless it is done under the express power to vary an award, which is conferred upon the court. Otherwise, if an award were made so as to operate by law over a certain period, it would be easy for a powerful and militant union to bring pressure to bear upon employers to obtain an industrial agreement by which the award would be overridden; or, to put it alternatively, it would be possible, if conditions became more stagnant in any industry, for the employers, during the currency of the award, to bring pressure to bear upon employees to agree to a modification of the award over a period.

In order to obtain and maintain stability in industrial conditions, I think it is essential that when an award is issued after thorough investigation, that award should remain constant as the governing factor in the industry affected for the period for which it is prescribed according to the law. The Bill also provides that power shall be given to an officer of an industrial union of employees to enter upon premises in connection with the policing of an industrial agreement or award. The extent to which the Bill goes imports something new into our industrial legislation, and I hope the Minister will not persevere with that particular clause. The Industrial Arbitration Act already includes Subsections 12, 13 and 14 of Section 69 under which certain powers are vested in the court in connection with matters brought before it, and provide for entry upon employers' premises, the inspection of any material and the interrogation of any person who may be found on employers' premises.

Then again, by Sections 70 and 73, the president of the Arbitration Court, on the application of any party to an industrial dispute or any other matter of which the court is cognisant, may make an order providing for inspection or interrogation of the kind I have just mentioned. At present I hope we shall not introduce into our arbitration law, which has operated fairly successfully in this State in pleasing contrast to the experience in at least one other State of the Commonwealth, any provisions that are new and are subject to disagreement as to their desirability. This

question of entry upon premises has always proved a rather sensitive one, and the Minister would be well advised at this stage if he did not seek to precipitate a controversy in Parliament or industry, and therefore eliminated the provision from the Bill.

The only other clause to which I shall refer is that which contains a prohibition upon the obtaining of premiums in respect of employment. The Bill says that no person shall receive or pay any premium, payment, or reward in respect of employment or engagement on any work. As I read the clause, it would automatically and immediately put out of business all the private employment agencies now operating in the State. I would have no objection whatever to that clause if it provided that no employer should demand any payment as a condition to employing an employee, and prohibited any employee from paying an employer for the opportunity to work in his employment. But if it were to abolish or adversely affect private employment agencies, then I think the Minister will agree with me that we should do so by a Bill specifically brought in for that purpose.

On my reading of this measure it appears to me that the terms are wide enough, if the clause is carried, to make it illegal for private employment agencies to operate in the way they are doing now. I would mention that there is already in the Factories and Shops Act which was passed by this House, in Section 139, a prohibition against any premium in respect of employment of any person being paid to or received by the occupier of any factory, shop or warehouse. That applies to money paid to the employer in respect of employment, whereas the Bill before the Chamber does not say that no employer shall ask or receive any payment in respect of the employment but says that no person shall ask for or receive any payment or reward in respect of the employment of any worker. I think the Minister should reconsider that clause; and if it is to go through, then in Committee it should be limited to payments being demanded or received by employers as a condition of the employment of a worker by an employer.

The Bill contains, as I said, a number of useful provisions. They have been explained by the Minister, and I shall not take up time in further referring to them. Those provisions in my opinion justify the second reading being passed, and justify the Bill

being passed by this House; but I hope the Minister will consider the various matters to which I have referred, and which I think might well be either eliminated from the Bill or else recast into a form that will make them mutually acceptable to both parties.

MR. SAMPSON (Swan) [9.19]: I am indeed pleased that the Minister has brought down this Bill, which contains many matters that may prove helpful and certainly will do much good in removing the unfairness which at present exists. I refer particularly to those who are engaged in domestic service where at present there is no control in respect of wages and conditions. I feel quite sure that the majority of members of this House will welcome a measure that will have the effect of safeguarding those who are entirely without the protection afforded by the Industrial Arbitration Act in other avenues. The position of the domestic servant is a very unfortunate one in many cases.

It is a fact that in many homes boarders are accepted, and that these homes actually compete with establishments which have been set up for the purpose of providing board and residence for those who require such accommodation, but who in the case of private houses do not have to meet the payments which apply in connection with the larger establishments. Many such private homes have a good round sum coming in each week, and actually from the standpoint of need there is no occasion for boarders to be taken in by them. This means that the larger establishments are forced out of business, because, as I have indicated, of the unfair incidence of fixed rates in the one case and neither fixed rates nor hours in the case of the private home.

Another aspect relates to employees on farms and in rural industry generally. The time is overdue when consideration should be given to those so employed. In my opinion this could be done if consideration were given, and legislation introduced and enacted, as regards organisation in marketing. That, in my opinion, is a first essential. It should be done, and all the people of the State should have protection equal to that which the present Bill provides. I know that in some quarters it is asserted that the farming industry cannot afford to pay the rates; but I shall not subscribe to that

view, as I am definitely convinced that any variation which does not provide for reasonable rates has no justification. In those industries which are protected by the Industrial Arbitration Act, fixed rates operate. It may fairly be asked, why should not the same protection be afforded to employees in rural industries.

The effort to bring in matters relating to employment agencies does not have my approval. We have so often dealt with the subject that the wish of members has been definitely indicated; and I am not quite sure that it is competent at this stage to bring forward in this Bill a clause the effect of which would be to prevent employment agencies from operating. That matter has already been determined by this Chamber, and I think determined within the last 12 months.

The Minister for Labour: Where does this Bill say anything about that?

Mr. SAMPSON: A reference to the Bill would show such a provision. There is another provision whereby an inspector shall have the right of entry into premises where members of a union or persons in the same vocation as such members are engaged, for the purpose of there conversing with or interviewing such members or persons. I propose, in Committee, to move the addition of the words "on matters pertaining to their employment." I think there should be a definite limitation of the object for which a visit is paid and any ensuing discussion. If it is on a matter relating to employment, perhaps no great objection can be raised.

The Minister for Labour: It is a very wide field, too.

Mr. SAMPSON: Yes, it will give plenty of opportunity, and I repeat that I do not think great objection could be raised as far as that is concerned. I have no desire to speak at length, but I do wish to indicate where I stand on these highly important matters. I hope that with certain amendments, which have been indicated, the Bill will be passed.

[The Deputy Speaker took the Chair.]

MRS. CARDELL-OLIVER (Subiaco) [9.26]: I feel sure that the Minister in charge of the Bill, who is smiling, will feel very happy about his measure when he realises that probably almost every member of the Chamber will vote for it. I am just

wondering how all this did not come about previously, when there are 49 altruistic members all out to see that women get the best that can be got for them in life. Why it has not come about before, I do not know. We women supported the movement for a long time, but the men all fell down on it.

On this side of the Chamber we are nearly all out for one big union. We believe in unions. We believe in unity. I would like to see unions in all spheres of life, including even the Parliamentary one. I say that with one qualification: I would like to see all union members qualified to belong to their unions. I believe it is the qualification for every union that one must be qualified to join it. Therefore as regards this Bill I would like to see those girls who are going into the union at an early age qualified to belong to it. I would like to ask the Minister for Labour, how can they qualify for a union of this kind if they leave school at the age of 14 without having had any training for domestic work. In the schools they get very little training as regards domestic work; in fact, a girl of 14—if the Minister has ever had one in his household—probably burns the joint and makes the bed the wrong way up and so forth. She has to be trained. Therefore, if she is to be a member of the union I am sure the Minister will agree with me that she should be trained for it. How can she be fully trained at the age of 14? She would be at school up to that time. I believe it is compulsory to attend school up to the age of 14.

The Minister for Labour: Not on Saturdays and Sundays.

Mrs. CARDELL-OLIVER: On Sundays one should go to church, and on Saturdays one wants some recreation from school. I can honestly affirm that a girl has very little time to learn all the intricacies of household-keeping on Saturday and Sunday. It takes much longer time than just Saturday and Sunday out of the few years a girl would have had up to the age of 14 years to know how to cook and how to do household work.

The Minister for Works: What boy or girl starting at 14 knows all about his or her job?

Mrs. CARDELL-OLIVER: They do not, and that is why they should be trained. I will vote for the second reading of this Bill, but I will oppose it in Committee.

The Minister for Mines: That is your idea of belonging to a union.

Mrs. CARDELL-OLIVER: A girl has to be properly qualified. If the Minister will make it possible for a girl to attend a domestic science school from 14 to 16 to learn to cook and keep house, I would be with him in saying that she should belong to a union and get the necessary wages. The Leader of the National Party cited Russia; why I did not hear. I will cite Norway. Before the war any family in Norway which was poor and where the mother had children, and could not do the house-work, was allowed a domestic helper who was subsidised by the Government. The domestic would have been trained by the Government for 18 months, six months in home-nursing and a year in domestic science.

Mr. Cross: Tell us what they do in Turkey.

Mrs. CARDELL-OLIVER: They have 17 women members in Turkey, and I doubt whether the hon. member would get in if he were there.

The DEPUTY SPEAKER: Order!

Mrs. CARDELL-OLIVER: In Norway they had a very excellent system under which the poorer people with families could get domestic help. I would like to see that system here, some system whereby women with families could have some sort of trained help. If the Minister could assure us that these girls will be trained from the ages of 14 to 16 I would say this is a very excellent measure. He knows that today people cannot get domestic help, it does not matter where or how they try.

The Minister for Mines: It is not to be wondered at considering the way they have been treated for years.

Mrs. CARDELL-OLIVER: I do not know how the Minister and others have treated their domestics.

The Minister for Mines: I could not afford one.

Mrs. CARDELL-OLIVER: A ministerial salary can do quite a lot. In the majority of poorer homes which can just afford, perhaps, very ordinary help, domestics are treated very well. It is very hard to get domestic help. If one were to ring up the Labour Bureau tomorrow one would find that domestic labour is very scarce and would only be available at 25s. per week and keep. On top of that there are many days out and many afternoons off, and no washing. If help is obtained by the day it costs 10s. per

day. That is the ordinary rate in Perth for ordinary daily help. By the week it would be £3 10s.

Mr. Cross: That would include washing too.

Mrs. CARDELL-OLIVER: Yes, that includes washing. I do not say that is too much because house work is the hardest of all work that women have to do. It is the hardest work possible, except, perhaps, manual labour for men. If the measure goes through, and I think it will, men will be marrying for the sake of getting a house-keeper rather than for love in the old-fashioned way. Although I shall support the Bill I shall oppose almost every clause when it gets to the Committee stage, not for the sake of opposing the clauses but for the sake of amending the Bill so that it may become a better one.

MR. W. HEGNEY (Pilbara) [9.35]: I shall support the second reading. Not much of a contentious nature is in the Bill other than, as suggested by the remarks of the member for Subiaco, the proposed inclusion of domestic workers. I am exceptionally pleased provision is being made along those lines; and see no valid reason why domestic workers should be singled out for special ill-treatment by being excluded from the Industrial Arbitration Act. They, just the same as shop assistants and typists, should be permitted to come within its jurisdiction. The member for Subiaco (Mrs. Cardell-Oliver) said that domestics are very difficult to get. That is due to the fact that many who engage domestics have treated them more or less as belonging to an inferior class and looked upon them as slaves. For that reason those who require and should have had them over past years have not been able to get them.

Until the employers of domestic servants look upon such labour with a certain amount of dignity, equalling at least that which society bestows upon typists and shop assistants, there will always be a shortage. If domestic servants are treated as reasonable human beings the supply will be forthcoming and quite a number of women and girls will take on that vocation rather than seek other employment which may not be fitted to their temperaments. I know quite a number of people who employ domestics and treat them reasonably. We all know others who treat their domestics more or less as

slaves. It is those employers who must have restrictions placed upon them. It is to those girls who are obliged to seek employment from such employers that we should extend the protection of the Industrial Arbitration Act.

Even after they have, as I hope they will, come within the jurisdiction of the Act they must still obtain an award from the court, or an industrial agreement, and that is going to be a fairly lengthy process. From the remarks we hear from time to time respecting domestic servants it would appear that those who employ them will be for ever ruined if they get any legal status or protection. In view of the experience of the Arbitration Court over the years it will, after hearing evidence from those interested, draw up a set of rates and conditions suitable to the circumstances prevailing.

I am pleased to learn of the establishment of a domestic science centre and hope more progress and expansion will result from it, and that encouragement will be given to girls temperamentally fitted for that work to follow that line of occupation. Until they are ensured reasonable protection employers can always expect a shortage of domestic labour. The other provisions in the amending Bill are more or less of a nature tending to facilitate the approach of parties to the Arbitration Court. There was a time, happily past, when members on the opposite side of this Chamber roundly criticised the establishment or inauguration of an arbitration court to cover any workers in this State. They looked upon it as legislation of a socialistic nature.

[The Speaker resumed the Chair.]

Hon. N. Keenan: Which party?

Mr. W. HEGNEY: Every man who makes a suggestion of an idealistic nature is looked upon at the time as a crank until the idea is implemented. So it is with the Arbitration Court. This legislation has given protection to many, and the policy of arbitration has become the established order of things in this State.

Provision is made in the Bill for a board of reference to be set up by the court in connection with industrial agreements. The court already has power to set up boards of reference in connection with awards. Provision is also made for an appeal to be allowed to the court in cases where the de-

cision of the board of reference does not suit both parties. There have been times when employers and employees have recognised that some decision of the court has not been of a practical nature, but under the Act as at present at least 12 months must elapse before either party may apply to the court for an amendment of the award. The Bill provides, under safeguarding conditions, for either party to apply to the court for an amendment in regard to some specific clause prior to the expiration of 12 months. All members who have had experience of industrial matters recognise that this clause is a very desirable one. Provision is also made for taking into account the "Western Australian Industrial Gazette" as requisite evidence in proceedings before the court. At present the "Government Gazette" must be produced before evidence in that connection will be recognised.

As one who has had a fair amount of experience of industrial matters in this State and one who, in conjunction with the member for Perth (Mr. Needham), has been a member of the State Disputes Committee of the A.L.P. for some 14 years, I say that, due in a large measure to the spirit of reasonableness that has prevailed amongst employers and industrial unions, Western Australia can boast, by comparison, of a rather good record of industrial peace during the last 15 or 20 years. At times either or both parties have adopted a turbulent spirit, but usually reason has prevailed and eventually the disputes have been settled by negotiation and arbitration. The position in this State is such that employers' organisations and industrial unions have adopted the policy of endeavouring to settle as many industrial disputes as possible out of court, but there are times when approach must be made to the court. I have studied this Bill closely, and I find that in a large measure it endeavours to facilitate the approach by unions and employers to the court and to give to the court certain further powers of a machinery nature. I submit that any proposition that will facilitate approach to the court and encourage employers and workers' organisations to adopt and expand the principle of arbitration should receive the serious and favourable consideration of the House.

Question put and passed.

Bill read a second time.

BILL—PUBLIC TRUSTEE.*In Committee.*

Resumed from the 25th September. Mr. Marshall in the Chair; the Minister for Justice in charge of the Bill.

The CHAIRMAN: Progress was reported after Clause 12 had been dealt with.

Clause 13—Application for removal of executor or administrator of an estate and for administration by the public trustee:

Mr. WATTS: I move an amendment—

That in lines 3 and 4 the words "or any person interested" be struck out.

I move the amendment because the public trustee should be the person to complain to the court that the executor or administrator should be removed, and that the estate should be placed in his hands to be dealt with. The persons interested would doubtless go to the public trustee and state their case to him, giving the reasons why they wished him to apply for the removal of the executor. The public trustee would then have to decide whether he would be prepared to administer the estate. By that time the estate would have been in the hands of a person other than the public trustee, and might have got into such a condition that he would refuse to deal with it.

The MINISTER FOR JUSTICE: I oppose the amendment. I cannot understand the desire of the hon. member to bar any member of the public interested in an estate from making an application requesting the public trustee to act. The clause merely provides for making an application to the court, not for taking over the estate and managing it. If the executor or administrator is not doing his job, a person interested in the estate should have the right to ask the court for an order that the public trustee should take over the management of the estate. It is only fair that the matter should be left to the public trustee. Why should a person interested have to go to the trustee to have the estate taken over? Why should he not go to the court? The court is the correct place to which to go. Why should not the court have the privilege of either granting or refusing the application for the taking-over of the estate? I feel sure that the member for Katanning reposes every confidence in the court.

Mr. WATTS: When the earlier part of the Bill was under consideration the Minister

desired that the Committee should retain the requirement that the public trustee should give his consent before anybody could nominate him in a will as an executor. Now anybody is to be permitted to go to the court, without consulting the public trustee, to apply to have the public trustee appointed executor of a mismanaged or neglected estate. Are we to contemplate the possibility of an interested party going to the court for the purpose of having such an application rejected?

Amendment put and negatived.

Hon. N. KEENAN: I move an amendment—

That in lines 10 and 11 of Subclause 1 the words "that it would be beneficial to any person who is or may be interested in such estate or" be struck out.

The result would be beneficial to one person or many persons interested, because the due and proper administration of the estate requires it. The carrying of the amendment will simply put an end to what is unnecessary and in some sense improper. Where many people were interested the court would have to be satisfied that, although the proposal might be beneficial to one, it would not be beneficial merely to that one, but beneficial to all.

The MINISTER FOR JUSTICE: I fail to see why those words should be deleted.

Hon. C. G. Latham: You would not allow the Act to be beneficial to one person and detrimental to another, surely!

The MINISTER FOR JUSTICE: The words "any person" would, I think, mean "any person or any persons." The deletion of the words proposed to be struck out would restrict the clause in its operation.

Mr. WATTS: Had the amendment not been moved by the member for Nedlands I myself would have moved it. The only reason why an application should be made is that the due and proper administration of the estate requires that the executor should be removed. Within that is surely included all the things that have detrimentally affected the interests of one or more persons. To give the court the impression that the grounds for the removal of an executor or administrator may be those which affect only one person interested in the estate seems to me to be extraordinary. It may be that the refusal of the executor to sell might be beneficial to

eleven out of twelve persons interested, but the twelfth person may be dissatisfied because he does not get what he thinks he ought to get at the time he thinks he most needs it. There is no connection between this amendment and my amendment. This amendment is reasonable and does not damage the clause in the slightest degree, as the ground for dismissal of the executor or administrator would still be that the due and proper administration of the estate requires that he should be removed. If the estate is in jeopardy the executor may be dismissed.

The MINISTER FOR JUSTICE: I still do not understand the amendment. If it does not affect the clause, why strike out the words?

Hon. N. Keenan: But it does. That is the point.

The MINISTER FOR JUSTICE: The member for Katanning says it does not.

Mr. Watts: It does not harm the clause.

The MINISTER FOR JUSTICE: Then why strike out the words?

Mr. Watts: Because doing so would not harm the clause. You lose nothing.

The MINISTER FOR JUSTICE: It is no use repeating what I have already said as I cannot alter my conclusion.

Hon. C. G. LATHAM: Does not the clause confer on one individual the right to over-ride the majority of the beneficiaries?

The Premier: You can trust the court to exercise reasonable discretion.

Hon. C. G. LATHAM: My experience is that applications to the court regarding wills are most costly and that the estate always pays the costs. It is but seldom that I have known a judge to order costs against an applicant.

The Premier: But an applicant may be mulet in costs.

Hon. C. G. LATHAM: Very seldom!

The Premier: We are giving people the right of access to the court.

Hon. C. G. LATHAM: I support the amendment, which the member for Katanning has said will not injure the clause.

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

Ayes	..	..	..	15
Noes	..	..	..	20
Majority against	..	..	..	5

AYES.

Mr. Boyle
Mrs. Cardell-Oliver
Mr. Hill
Mr. Hughes
Mr. Keenan
Mr. Kelly
Mr. Latham
Mr. Mann

Mr. McDonald
Mr. Sampson
Mr. Seward
Mr. Shearn
Mr. Watts
Mr. Willmott
Mr. Doney

(Teller.)

NOES.

Mr. Berry
Mr. Coverley
Mr. Hawke
Mr. J. Hegney
Mr. W. Hegney
Mr. Johnson
Mr. Leahy
Mr. Millington
Mr. Needham
Mr. Nulsen

Mr. Pantou
Mr. Rodoreda
Mr. F. C. L. Smith
Mr. Styans
Mr. Tonkin
Mr. Triat
Mr. Willcock
Mr. Wise
Mr. Withers
Mr. Wilson

(Teller.)

PAIRS.

AYES.

Mr. Collier
Mr. Fox
Mr. Holman
Mr. Cross
Mr. Raphael

NOES.

Mr. Stubbs
Mr. Patrick
Mr. J. H. Smith
Mr. McLarty
Mr. Thorn

Amendment thus negatived.

Mr. WATTS: I move an amendment—

That Subclause 2 be struck out.

I understand the Minister is prepared to agree to this. If that is so, I leave it to any other member of the Committee to offer objections, if he has any.

Amendment put and passed.

Mr. WATTS: I move an amendment—

That in line 1 of Subclause 3, the words "any such application" be struck out and the words "the making of any order under the preceding subsection" inserted in lieu.

In explanation, I point out that the administration bond should not be assigned until after the order is made. This clause presupposes that the assignment shall take place when the application is made. I understand that the Minister has agreed to this also.

Amendment put and passed: the clause, as amended, agreed to.

Clause 14—Election to administer estate not exceeding £500, without order to administer:

Hon. N. KEENAN: I move an amendment—

That in line 6 of Subclause 1, after the word "person" the words "within three months of the death of the deceased" be inserted.

At present no time at all is fixed.

The Minister for Justice: I have no objection.

Amendment put and passed.

Mr. WATTS: I move an amendment—

That in line 8 after the words "entitled to" the words "apply for" be inserted.

I propose to have the clause read that the public trustee may in all cases where he is entitled to apply for an order file in the office of the court an election in writing etc., because he will not know, in making his election, whether he will get an order or not. The intention is that he should have the right to make an election on the ground that he has the right to apply to administer.

Amendment put and passed.

Hon. N. KEENAN: I move an amendment—

That in line 1 of Subclause 2, after the word "Trustee" the words "on payment of all fees and duty prescribed" be inserted.

If the clause stands as printed the public trustee might proceed to act as administrator of an estate without any obligation on his part to pay any duties, because at present when he is applying to the court for an order he will only get the order after the production of the necessary documents showing that the Probate Office had investigated the estate, was satisfied as to its amount, and had assessed the duty and the duty had been paid. That is the necessary procedure and cannot be escaped where the order is applied for, but might be escaped under this short cut under which the public trustee elects to be an administrator and is entirely clothed with all the authority without any order of the court. We should protect the public purse by inserting the words I have suggested.

The MINISTER FOR JUSTICE: I cannot agree to the amendment. The subclause provides that on such election being filed the public trustee may elect to be administrator of the whole property of the deceased person in all respects as if a grant of letters of administration had been regularly granted to him. If the amendment is accepted it would mean that before he could be made an executor or administrator he would be obliged to pay the fees and the duty prescribed. Provision is already made in the Bill that all fees and duty are to be paid, and this would appear to be redundant. On the other hand, if we are going to restrict the appointment of an executor or administrator until such time as the duty is paid, it might never be paid, because in a number of instances the duty is paid out of an estate,

and that would mean that it would have to be paid out of the pocket of a person before he could be made an executor or administrator. Unless the administrator or executor has been appointed, and probate has been ordered, money cannot be obtained from the bank to pay the duty unless there is some loose cash available. Consequently, he would have to put his hand in his own pocket in order to pay the duty before being appointed administrator or executor of the estate.

Hon. C. G. Latham: Would he not have a trustee fund from which to recoup?

The MINISTER FOR JUSTICE: No, provision is made for that. It is not reasonable that he should have a fund for that purpose.

Hon. C. G. Latham: How can he administer some estates if he does not have it?

The MINISTER FOR JUSTICE: What happens now with private trustees?

Hon. C. G. Latham: He generally borrows on his own account.

The MINISTER FOR JUSTICE: A private trustee does not borrow on his own account. He takes it out of the estate.

Hon. C. G. Latham: He cannot take it out of the estate until he has been granted probate or letters of administration. Very often he has to put his hand into his own pocket.

The MINISTER FOR JUSTICE: It is put up on the same basis as for an ordinary trustee. I do not see why he should be penalised. It can be embarrassing and it is unnecessary. Provision is made for fees and duties to be paid, and we should not debar the public or any trustee from taking over an estate until such time as he pays the fees and duty. The best Bill possible is what is wanted, and one with no anomalies. I have given a lot of consideration to this clause. There seems to be no need for this amendment.

Hon. N. KEENAN: This is a matter on which I expect the assistance of the Treasurer.

The Premier: The Treasurer will have to find the money for the public trustee to pay these fees.

Hon. N. KEENAN: Oh no! The ordinary procedure is simply to refer it to administration and not to probate, as the Minister knows.

The Minister for Justice: That is so.

Hon. N. KEENAN: The administrator, in the ordinary sense, when he applies first of all for administration, has to satisfy the probate office of the value. That may be disputed, as invariably happens in the first instance, in a friendly way.

The Premier: The trustee has a different idea of values.

Hon. N. KEENAN: Some figure is finally arrived at, and it becomes the figure on which the proper estate or death duties are payable. In the ordinary case where application is made for administration, what is called a bond has to be entered into by the administrator. If necessary he can apply for leave to sell whatever portion of the property is necessary to raise the money to pay the duty. In this Bill, what I do not object to but what I describe as a short cut is sought in the case of estates up to £500 in value. The public trustee can elect to be administrator without any order of the court at all. That meets with my approval. Under this amendment he does what would otherwise be forced on him if he complied with an administration order, that is he sells so much of the property as is necessary to meet the death duties and any other charges the Crown is entitled to levy. The only object is to protect the revenue. Under the clause an estate might be administered without the fees having been paid.

The Premier: It would not be distributed by the public trustee unless he met his obligations to the Crown.

Hon. N. KEENAN: The public trustee is liable to make errors, as is anybody else.

The Premier: He would not be public trustee very long if he dodged his obligations.

Hon. N. KEENAN: Perhaps the matter would be discovered years afterwards, as so often happens in public departments.

Amendment put and negatived.

Hon. N. KEENAN: I move an amendment—

That at the end of Subclause 5 the following words be added:—“and the Public Trustee shall file with the Master his accounts of all transactions in the matter of the estate of such deceased person.”

The Minister for Justice: I agree with the amendment.

Amendment put and passed; the clause, as amended, agreed to.

Clause 15—Public trustee being successor of deceased for licensing purposes:

Mr. WATTS: I would like the Minister to say what is the need for the words in line 5 “with the consent of the court.” Presumably the court referred to is the court defined in an earlier part of the Bill, meaning the Supreme Court or a judge. This clause refers to the death of a licensee of licensed premises under the Licensing Act, and the entry by the public trustee as his successor. I wondered why the consent of the Supreme Court should be necessary on such entry, unless it is intended that the public trustee should get special consent in regard to such a matter. The Licensing Act provides that when a licensee dies the person entitled to letters of administration, or probate of his will, can enter and, if he does not enter within 35 days of death or such extended time as the chairman or members of the court allow, the license may become void. With the delay which might take place in getting probate and the further delay in getting the order of the court, the 35 days might have expired. I do not seek at this juncture to move any amendment because I am not clear what is intended. I want to know why the words “with the consent of the court” appear.

Hon. N. KEENAN: The term “court” in this clause means the licensing court. The “court” elsewhere mentioned in the Bill is the Supreme Court. Why not insert the word “licensing”?

The MINISTER FOR JUSTICE: I agree that the word should be inserted. I move an amendment—

That in line 5 before the word “court” the word “licensing” be inserted.

Amendment put and passed; the clause, as amended, agreed to.

Clause 16—Power to public trustee to pay over balance to proper officer of deceased's domicile:

Hon. N. KEENAN: I move an amendment—

That in line 8 of paragraph (a) of Subclause 1 after the word “such” the words “executor or executors or administrator or administrators or” be inserted.

The Minister for Justice: I agree.

Amendment put and passed.

On motions by Hon. N. Keenan Subclause (1) (a) consequentially amended by inserting the same words after the word

"such" in line 10 and after the word "such" in line 14.

Clause, as amended, agreed to.

Clauses 17 to 21—agreed to.

Clause 22—Custodian trustee:

Hon. N. KEENAN: Subclause 2 begins—

Upon such appointment, if the public trustee consents to act—

The right of the public trustee to refuse to act has been retained in an earlier portion of the Bill, but here he can have no right to refuse. Under Subclause 1 he has been appointed and the manner of appointment is therein set out. Upon such appointment the trust property shall be transferred to him, and he cannot at that stage not consent to act because he has been appointed. I move an amendment—

That in lines 1 and 2 of Subclause 2 the words "if the Public Trustee consents to act" be struck out.

Amendment put and passed; the clause, as amended, agreed to.

Clause 23 to 32—agreed to.

Progress reported.

House adjourned at 10.40 p.m.

Legislative Council.

Wednesday, 1st October, 1941.

	PAOR
Obituary: Late Hon. John Nicholson, M.L.C.	945
Bills: Municipal Corporations Act Amendment, 3R., passed	945
Distress for Rent Abolition Act Amendment, report	945
Government Stock Saleyards, report	945
Increase of Rent (War Restrictions) Act Amend- ment, report	945
Inspection of Machinery Act Amendment, report	945
Traffic Act Amendment, 2R., Com.	945
Workers' Compensation Act Amendment, 2R.	944
Adjournment, special	940

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

OBITUARY.

The Late Hon. John Nicholson, M.L.C.

The PRESIDENT: The family of the late Hon. John Nicholson have sent their sincere thanks to the President, members, and officers of the Legislative Council for their kind expression of sympathy.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Read a third time and *passed*.

BILLS (4)—REPORT.

- 1, Distress for Rent Abolition Act Amendment.
 - 2, Government Stock Saleyards.
 - 3, Increase of Rent (War Restrictions) Act Amendment.
 - 4, Inspection of Machinery Act Amendment.
- Adopted.

BILL—TRAFFIC ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. H. TUCKEY (South-West) [4.39]: The effects of this Bill will be of considerable importance to many local authorities. Notwithstanding the number of representative bodies referred to by the Chief Secretary who, in the interests of motorists, approached the Minister for Works, considerable conflict of opinion prevails, and with this we have to deal. I have had over 20 years' experience as a motorist and also as a member of a road board, and I do not find it very difficult to make up my mind. When petrol rationing was first introduced there was an outcry on the part of many motorists and a few local authorities for an immediate reduction in the motor vehicle license fees. Although it was not really a matter for the Government, the Minister for Works took up the question and ascertained from representatives of the various bodies what was required. The Minister is to be commended for his prompt action in obtaining that information. I feel sure, however, that many motorists and even a few members of road boards do not fully realise what effect a 25 per cent. cut in license fees would have on the finances of a road board. I think that some boards have changed their opinion since giving mature consideration to the question. The saving of £1 or £2 to a motorist who can afford—

Hon. C. B. Williams: Sixpence a week in some cases.

Hon. H. TUCKEY: —an up to date car is not very much but when we consider that